

FROM BALI TO MARRAKECH: A DECADE OF INTERNATIONAL CLIMATE NEGOTIATIONS

As told by the *Earth Negotiations Bulletin*



Edited by
Jennifer Allan, Rishikesh Ram
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Pamela Chasek, Natalie Jones,
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ATIVE SECRETARY

MESSAGE FROM THE EXECUTIVE SECRETARY

Since its entry into force in 1994, the United Nations Framework Convention on Climate Change has been at the centre of international efforts to address global warming and the rising risks it represents to people and economies across the globe. The adoption and early entry into force of the Paris Agreement was a monumental achievement that has put every nation on Earth on a clear pathway and with a clear destination for delivering a safer and more secure future.

No one should, however, underestimate the scale and speed of the transformation inherent in the Agreement's goals—it is going to require years of ever rising ambition and ever stronger climate action matched with support for developing countries to achieve their sustainable development aims.

The signals are currently strong and government action is being bolstered by an unprecedented wave of support by cities, states, territories, regions, business, investors and civil society.

Indeed, it is clear that the Paris Agreement is not a chain that can be broken by one weak link but a web of ever deeper and wider influence that has with so many actors aligning themselves with its pathways, potential and promise.

Since the early days of this journey, even pre-dating the first meeting of its Conference of the Parties in 1995 in Berlin, the *Earth Negotiations Bulletin* has been a constant companion, chronicling the highs and lows of efforts to stabilize greenhouse gas concentrations at a level that would prevent dangerous anthropogenic interference with the climate system.

The *Bulletin* has helped generations of climate negotiators and climate campaigners keep track of what was going on at meetings of the Conference of the Parties, the Meeting of the Parties to the Kyoto Protocol and now the Meeting of the Parties to the Paris Agreement as well as the many subsidiary body meetings over the year. Its archives (<http://enb.iisd.org/enb/vol12/>) tell the story of these negotiations in a way that no one else can.

This volume of *Earth Negotiations Bulletin*, rich in analysis and essays, will bring back memories for many who have been involved in the UNFCCC during the ten-year period from Bali to Marrakech. It shows how far we have come and equally how much further we have yet to go. It is also an important read for anyone who is new to the process, since an understanding of the past and represents an important foundation and guide towards making an even better future.

Patricia Espinosa
UNFCCC Executive Secretary

Photo: IISD/Kiara Worth





FOREWORD

The United Nations Framework Convention on Climate Change was adopted in 1992 and came into force in 1994. It has been the focus of intense international negotiations for well over 20 years, but no period in its history has been as tormentous or as productive as the recent decade. The road from Bali in 2007 to Marrakech in 2016 was anything but a straight line. A meandering path between achievements and disappointments, between advances and stalemates, between elation and despair, it was always a test to human perseverance in search of the common good.

There are many lessons to be derived from this winding, complex process but three stand out as having been fundamental:

- To reach agreement no one can leave the table with 100% of what they wanted, but everyone should leave with something that is important to them.
- To construct a global framework of action there needs to be a unity of purpose, but also a diversity of engagement, allowing every party to engage in the way that is best for them.
- To advance beyond the status quo the road has to be inspiringly illuminated by a beacon of hope but also painstakingly built in every detail, brick by brick.

Throughout the long journey there was one constant and reliable GPS system: the daily ENB reports. With more than a hundred frequently interconnected agenda items discussed in five separately-run UNFCCC negotiation tracks, the overview of progress (or lack thereof) in any one day would have been totally incomprehensible to anyone trying to peer in from the outside without the help of the ENB report. In fact, even for those of us steeped in all the details, the clarity, objectivity and discretion of the ENB report was a constant source of comfort amidst the jungle of constantly changing negotiating texts.

I personally had the added pleasure of being able to confidentially meet with the respective ENB team at the end of every negotiation session for a frank and open assessment. I was always impressed with their quality of analysis, their depth of understanding, and the intensity of the commitment brought by the entire team. I was also positively impressed by the refreshing fact that women often made up the majority of the team, sometimes even struggling *in situ* to balance their roles as mothers with their roles as professionals.

My deep thanks go to each member of the various ENB reporting teams during the past decade, and to those who have now built this summarizing compendium. May it serve as a joyous reminder for so many thousands of dedicated people who worked so hard to finally achieve the Paris Agreement in 2015.

Christiana Figueres
UNFCCC Executive Secretary 2010–2016

Photo: IISD/Kiara Worth



ACRONYMS

AAU	Assigned Amount Unit
ADP	<i>Ad Hoc</i> Working Group on the Durban Platform for Enhanced Action
AILAC	Independent Association of Latin American and Caribbean states
ALBA	Bolivarian Alliance for the Peoples of Our America
AOSIS	Alliance of Small Island States
APA	<i>Ad Hoc</i> Working Group on the Paris Agreement
AR4	IPCC's Fourth Assessment Report
AWG	<i>Ad Hoc</i> Working Group
AWG-KP	<i>Ad Hoc</i> Working Group on Further Commitments for Annex I parties under the Kyoto Protocol
AWG-LCA	<i>Ad Hoc</i> Working Group on Long-term Cooperative Action under the UNFCCC
BAP	Bali Action Plan
BASIC	Brazil, South Africa, India and China
CBDR	Common but differentiated responsibilities
CDM	Clean Development Mechanism
CMA	Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement
CMP	Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol
COP	Conference of the Parties to the United Nations Framework Convention on Climate Change
CP1 and CP2	Commitment Period 1 and 2 under the Kyoto Protocol
EU	European Union
G20	Group of 20, international forum for governments and central bank governors from 20 major economies
G7/8	Group of Seven/Eight, international forum for highly-industrialized nations
G-77/China	Group of 77 and China
GCF	Green Climate Fund
GEF	Global Environment Facility
GHG	Greenhouse gas
HFCs	Hydrofluorocarbons

ICA	International consultation and analysis
INDC	Intended nationally determined contribution
IPCC	Intergovernmental Panel on Climate Change
LDCs	Least Developed Countries
LMDCs	Like-minded Developing Countries
LPAA	Lima-Paris Action Agenda
LULUCF	Land use, land-use change and forestry
MOP	Meeting of the Parties to the Kyoto Protocol
MRV	Measurement, reporting and verification
NAMA	Nationally Appropriate Mitigation Action
NDC	Nationally determined contribution
NGO	Non-governmental organization
QELRC	Quantified emissions limitation or reduction commitment
QELRO	Quantified emission limitation and reduction objective
REDD+	Reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
SB	Subsidiary body
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technological Advice
SIDS	Small island developing states
TEM	Technical expert meeting
TEP	Technical examination process
Umbrella Group	A loose coalition of non-EU developed countries, which usually includes Australia, Canada, Iceland, Japan, New Zealand, Norway, the Russian Federation, Ukraine and the United States
UNEP	United Nations Environment Programme/UN Environment
UNFCCC	United Nations Framework Convention on Climate Change
WMO	World Meteorological Organization



INTRODUCTION

Since 1992, the International Institute for Sustainable Development's *Earth Negotiations Bulletin* (ENB) has reported from the front lines of international environmental negotiations. Governments, non-governmental organizations, the media, and academics have relied on the *Bulletin* as an indispensable record of many negotiating processes over the past 25 years, including, and most notably for this book, the United Nations Framework Convention on Climate Change (UNFCCC).

The ENB's reporting on international climate change negotiations is the closest we have to an oral history of this process. The daily ENB reports provide an objective and balanced summary of each day's negotiations during the course of a meeting. Forty-eight hours after its conclusion, the ENB publishes a summary and analysis of the negotiations. The analysis represents a snapshot in time, recording the impressions of diplomats, ministers, the Secretariat, observers and ENB writers at the end of the meeting.

This book builds on the ENB's coverage of climate change negotiations during the decade from 2007–2016 and provides an overview of the journey from the meeting of the Conference of the Parties (COP) in Bali, Indonesia, that set the process in motion to negotiate a successor agreement to the 1997 Kyoto Protocol, an inflection point in global climate change governance. Public and political interest rose sharply at this point, and remained high throughout the peaks and valleys of global efforts to address climate change. The culmination of this process was the adoption of the landmark Paris Agreement in 2015, which established a common framework for all countries to reduce global greenhouse gas emissions and promote efforts to boost resilience to the impacts of climate change.

Each chapter represents a year of climate negotiations based on the ENB's analysis of each session of the COP. We have also included a summary of each intersessional period to add the necessary context and tie the analyses together. This is not meant to be a comprehensive history of the UNFCCC negotiations but rather an abridged version of ENB's reporting during this period.

Readers will notice that the focus of most of these analyses is on the rounds of negotiations, leaving out in-depth discussion of much of the ongoing implementation work. This underscores how the negotiation of a new agreement to replace the Kyoto Protocol dominated the landscape over this decade. Yet the negotiations to extend and replace the Kyoto Protocol were only one obstacle to surmount on the landscape of global climate governance. Throughout this period, work to implement the UNFCCC and the Kyoto Protocol continued. New institutions were created, perhaps most notably the Green Climate Fund. New ideas took shape, such as those relating to REDD+, gender, and loss and damage, which altered the ways in which negotiators discuss and address climate change at the United Nations and at home. Much of this work took place under the subsidiary bodies—the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice. While we don't want to diminish the importance of the work of the two standing subsidiary bodies, these efforts, while important, often received less attention than the negotiations for a legally-binding agreement that began in Bali in 2007 and concluded in Paris in 2015.

Learning from history to inform the future is a principal reason for this publication. Support for the Paris Agreement by the United Nations, the business community, civil society, and most governments is unmistakably strong. Capturing how the world worked together to make, re-make, and implement rules to address climate change can, we hope, help those working to secure a strong future of climate action. The *Earth Negotiations Bulletin* team is proud to have been a part of this process and looks forward to continuing to contribute to greater understanding of UNFCCC negotiations and implementation of the Paris Agreement.

UNFCCC HIGHLIGHTS: 2007 TO 2016

- 2007 BALI ROADMAP AND ACTION PLAN:** The Bali Roadmap, a set of decisions, comprises a two-year plan under the UNFCCC and the Kyoto Protocol to finalize a post-2012 climate change regime by December 2009, at COP 15 in Copenhagen. Under the Convention, the Bali Action Plan (BAP) establishes the *Ad Hoc* Working Group on Long-Term Cooperative Action (AWG-LCA) to undertake negotiations on that track, and continues the work of the *Ad Hoc* Working Group on Further Commitments for Annex I parties under the Kyoto Protocol, which was established in 2005. The BAP identifies four key elements—mitigation, adaptation, finance and technology—along with a list of issues to be addressed under those areas, as well as the need to define a “shared vision for long-term cooperative action.”
- 2008 POZNAN:** COP 14/CMP 4 adopts a series of decisions and a number of conclusions, *inter alia*: establishing the Poznań strategic programme on technology transfer; refining Clean Development Mechanism (CDM) methodologies; and amending the Kyoto Protocol’s Compliance Committee rules of procedure.
- 2009 COPENHAGEN ACCORD:** COP 15 marks the culmination of a two-year negotiating process under the Bali Roadmap. Close to 115 world leaders attend the high-level segment, making it one of the largest gatherings of world leaders outside of New York. During the high-level segment, informal negotiations take place in a group consisting of major economies and representatives of regional groups, resulting in a political agreement entitled the “Copenhagen Accord,” which is not based on the texts developed by either of the AWGs. During a 13-hour closing plenary, most negotiating groups support its adoption as a COP decision in order to operationalize it as a step towards “a better” future agreement. Some developing countries oppose the Accord reached during what they characterize as an “untransparent” and “undemocratic” negotiating process. In the end, parties agree to “take note” of the Copenhagen Accord, and establish a procedure whereby countries supporting the Copenhagen Accord can accede to it.
- 2010 CANCUN AGREEMENTS:** A set of decisions under both the Convention and Protocol negotiating tracks contain provisions on adaptation, REDD+, technology, mitigation and finance. The Agreements establish: a registry for Nationally Appropriate Mitigation Actions by developing countries; enhanced procedures on transparency; the Green Climate Fund; a Standing Committee on Finance to assist the COP in exercising its functions in relation to the Financial Mechanism of the Convention; a new Technology Mechanism, encompassing a Technology Executive Committee and a Climate Technology Centre and Network; and the Cancun Adaptation Framework, aimed at enhancing actions on adaptation including through international cooperation.
- 2011 DURBAN:** Parties decide to launch a process to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties, establishing a subsidiary body under the Convention – the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP) – to this end.



UNFCCC HIGHLIGHTS FROM 2007 TO 2016 (CONTINUED)

- 2012 DOHA CLIMATE GATEWAY:** Parties adopt a package of decisions, comprising amendments to the Kyoto Protocol to establish its second commitment period, and agreements to terminate, in Doha, the AWG-KP and AWG-LCA and negotiations under the BAP. A number of issues requiring further consideration are transferred under the permanent subsidiary bodies, such as: the 2013-15 review of the global goal; developed and developing country mitigation; the Kyoto Protocol's flexibility mechanisms; national adaptation plans; transparency; market and non-market mechanisms; and REDD+. Parties also agree to consider loss and damage, "such as" an institutional mechanism to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change.
- 2013 WARSAW:** A COP decision on further advancing the Durban Platform invites all parties to initiate or intensify domestic preparations for their intended nationally determined contributions (INDCs) in the context of adopting the 2015 agreement and to communicate them well in advance of COP 21. Another COP decision establishes the Warsaw international mechanism for loss and damage associated with climate change impacts to assist developing countries that are particularly vulnerable to the adverse effects of climate change. A package of seven COP decisions further establishes the Warsaw Framework for REDD+.
- 2014 LIMA CALL FOR CLIMATE ACTION:** Parties agree on further guidance on INDCs, to produce a synthesis report that captures the aggregate effect of the INDCs, and elements of a draft negotiating text for the 2015 agreement.
- 2015 PARIS AGREEMENT:** Parties adopt 34 decisions, including the Paris Agreement. The Agreement sets the goals of: keeping global average temperature rise well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels; and enhancing global adaptive capacity, strengthening resilience, and reducing vulnerability to climate change. The Agreement creates two five-year cycles. One cycle is for parties to submit nationally determined contributions, each successive contribution representing a progression from the previous contribution, reflecting common but differentiated responsibilities and respective capabilities, in the light of different national circumstances. The second cycle is a global stocktake of collective efforts, beginning in 2023, following a facilitative dialogue in 2018. All parties are to report on their efforts using a common transparency framework, with support provided for developing countries to fulfill their reporting obligations. The Agreement establishes, *inter alia*, a mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development and a technology framework to provide overarching guidance to the Technology Mechanism.
- 2016 MARRAKECH:** After the entry into force of the Paris Agreement on 5 November 2016, the first session of Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement takes place in Marrakech, Morocco. Parties adopt decisions: providing guidance on the completion of the work programme under the Paris Agreement, by 2018; deciding that the Adaptation Fund should serve the Paris Agreement; and operationalizing the Paris Committee on Capacity-building.

Photo: IISD/Kiara Worth



CHAPTER 1

THE ROAD TO BALI, THE ISLAND OF BREAKTHROUGHS



Photo: IISD/Leila Mead

THE FIRST 15 YEARS

Increasing scientific evidence about the possibility of global climate change in the 1980s led to a growing awareness that human activities have been contributing to substantial increases in the atmospheric concentrations of greenhouse gases (GHGs). Concerned that anthropogenic increases of emissions enhance the natural greenhouse effect and would result on average in an additional warming of the Earth's surface, the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) responded by establishing the Intergovernmental Panel on Climate Change (IPCC) in 1988. The Panel focuses on assessing scientific information related to the various aspects of climate change, evaluating the environmental and socio-economic impacts of climate change, and formulating response strategies for the management of climate change. In 1990, the Second World Climate Conference and the adoption of the first IPCC assessment focused further attention on climate change.

In response, on 11 December 1990, the UN General Assembly adopted resolution 45/212 establishing the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC). Supported by UNEP and WMO, the mandate of the INC was to prepare an effective framework convention on climate change. The INC held five sessions, between February 1991 and May 1992, completing the negotiation of the United Nations Framework Convention on Climate Change (UNFCCC).

The UNFCCC was adopted at the Earth Summit in Rio de Janeiro, Brazil, in June 1992. The Convention entered into force in 1994 and now has 197 parties. Its original objective was the stabilization of GHG concentrations in the atmosphere by 2000 at a level that would prevent dangerous anthropogenic interference in the climate system, but it did not call for parties to reduce emissions of carbon dioxide, methane and other GHGs that have contributed to a warming of the Earth's mean surface temperature.

Prompted by mounting scientific evidence during the mid-1990s, at the first session of the COP in 1995, the UNFCCC established a working group to negotiate a protocol to address GHG emissions beyond 2000. The negotiations culminated with the signing of the Kyoto Protocol in December 1997 at COP 3 in Kyoto, Japan. Under the Protocol, the 38 industrialized countries and countries with economies in transition (known as Annex I Parties) agreed to an aggregate 5% reduction in GHG emissions relative to 1990 levels during a five-year period from 2008-2012. This is known as the first commitment period.

The precise target for each country is set out in Annex B of the Protocol. Developing countries were not required to reduce their emissions, largely because they argued that they were not responsible for most of the world's historic GHG emissions and, under the principle of common but differentiated responsibilities, developed country parties should take the lead in combating climate change.

The Protocol also established three flexible mechanisms to assist Annex I parties in meeting their national targets cost-effectively: an emissions trading system; joint implementation (JI) of emission reduction projects between Annex I parties; and the Clean Development Mechanism (CDM), which allows for emission reduction projects to be implemented in non-Annex I parties (developing countries). The Kyoto Protocol entered into force on 16 February 2005. There are currently 192 parties to the Kyoto Protocol.

Yet even before the Kyoto Protocol entered into force, international attention had already turned to the question of what would happen when the first commitment period ended in 2012. Under Article 3.9 of the Protocol, there is provision for commitments for subsequent periods for Annex I parties. Neither the precise nature nor the duration of such commitments is specified. Many believed that, due to a range of economic, political and diplomatic considerations, negotiations on a successor regime to the Kyoto Protocol's first commitment period would have to begin in 2008 to avoid a gap between the end of the first commitment period and subsequent commitment periods. Thus, if no mandate emerged by the December 2007 Climate Conference in Bali to negotiate binding post-Kyoto Protocol targets, the UNFCCC risked running out of time, given that it was expected to take at least two years to negotiate a new agreement and another two years for it to enter into force.

Many expressed concern that a post-2012 gap could have a negative effect on the emerging European-centered carbon trading market, allow countries to continue with their own measures to fight climate change, and create a fragmented system. Issues of prime importance to developing countries—technology transfer, capacity building and adaptation—would not be up for discussion, and developing countries would be less likely or less inclined to find ways to cut carbon emissions without slowing their economic growth. Yet achieving consensus on the nature of such an agreement, including its goals, burden-sharing, form and content, whether it would include developing countries, and how to ensure participation by the United States would not be easy. But the first challenge was to reach agreement to begin formal negotiations and achieve consensus on the terms of reference.

To facilitate these initial deliberations, two parallel processes were established at the eleventh meeting of the COP to the UNFCCC and the first Conference of the Parties serving as the Meeting of the Parties of the Kyoto Protocol (CMP) in Montreal, Canada, in December 2005. The first, the Dialogue on Long-Term Cooperative Action to Address Climate Change by Enhancing Implementation of the Convention (Dialogue), was established under the UNFCCC to exchange experiences and analyze strategic approaches for long-term cooperative action to address climate change, including: advancing development goals in a sustainable way, addressing action on adaptation, realizing the full potential of technologies and realizing the full potential of market-based options (Decision 1/CP.11). The Dialogue included all parties to the Convention and was scheduled to have four sessions leading up to Bali.

The second, the *Ad Hoc* Working Group on Further Commitments from Annex I Parties under the Kyoto Protocol (AWG-KP), was established under the Kyoto Protocol to examine further commitments from Annex I parties (Decision 1/CMP.1). As a working group established under the Kyoto Protocol, it did not consider commitments from developing countries (non-Annex I parties) and those Annex I countries that had not yet ratified the Kyoto Protocol, namely the United States and, until December 2007, Australia. The advantage of these two groups was that they were not negotiating sessions and allowed participants the opportunity to explore different ideas for post-2012 commitments through the use of panel and expert presentations, guided discussions and workshops.

The AWG-KP and Convention Dialogue convened four times in 2006 and 2007. The AWG-KP's work programme focused on mitigation potentials and ranges of emission reductions, possible means to achieve mitigation objectives, and consideration of further commitments by Annex I parties. The AWG-KP adopted conclusions referring to some key findings by IPCC Working Group III (dealing with mitigation), including that global GHG emissions need to peak in the next ten to fifteen years and then be reduced to well below half of 2000 levels by the middle of the 21st century in order to stabilize greenhouse gas concentrations in the atmosphere at the lowest levels assessed by the IPCC. The AWG-KP's conclusions also recognized that to achieve the lowest stabilization level, Annex I parties as a group would be required to reduce emissions by a range of 25-40% below 1990 levels by 2020.

The Convention Dialogue workshops began with an initial exchange of views on the four thematic areas identified at COP 11: advancing development goals in a sustainable way; addressing action on adaptation; realizing the full potential of technology; and realizing the full potential of market-based opportunities.

Yet by the time the UNFCCC subsidiary bodies met in May 2007, in Bonn, Germany, delegates were no closer to consensus on a post-2012 agenda. According to many, the biggest question regarding the post-2012 agenda remained the US. While important shifts in US public opinion were taking place and legislation was proliferating at the national and state level, the federal government's position towards the UNFCCC regime appeared to be unchanged.

Otherwise delegates discussed a Russian proposal on voluntary commitments, which brought some controversial issues out in the open, including developing country commitments. Positive signs of future engagement by

emerging economies were also detected in Bonn. The message from Brazil and South Africa that they would be open to continuing the Dialogue in some strengthened format after Bali was one of the more noteworthy outcomes from Bonn. Significantly, many business and industry groups also appeared to have joined the European Union (EU) and civil society chorus in calling for a new negotiating mandate from Bali to seal a more comprehensive post-2012 agreement by 2009. But nobody was expecting this to be easy.

Source: [Introduction to the UNFCCC and the Kyoto Protocol](#) and [Earth Negotiations Bulletin summary of SB-26](#)

A BRIEF ANALYSIS OF COP 13 AND CMP 3 – BALI, INDONESIA: 3–15 DECEMBER 2007

BALI: ISLAND OF THE GODS AND “BREAKTHROUGHS”?

“You should not be impelled to act for selfish reasons, nor should you be attached to inaction.” - Bhagavad Gita.

Marking the culmination of a year of unprecedented high-level political, media and public attention to climate change science and policy, the Bali Climate Change Conference produced a two-year “roadmap” that provides a vision, an outline destination, and negotiating tracks for all countries to respond to the climate challenge with the urgency that is now fixed in the public mind in the wake of the headline findings of the IPCC’s Fourth Assessment Report. The outline destination is an effective political response that matches both the IPCC science and the ultimate objective of the Convention; it was never intended that the Bali Conference would focus on precise targets. Instead, the divergent parties and groups who drive the climate regime process launched a negotiating framework with “building blocks” that may help to square a number of circles, notably the need to reconcile local and immediate self-interest with the need to pursue action collectively in the common and long-term interests of people and planet. The informal dialogue over the past two years has now been transformed into a platform for the engagement of parties from the entire development spectrum, including the US and developing countries.

This brief analysis opens with a discussion on the complexity of the climate change process, and describes the elements of the Bali Roadmap and their potential significance in enabling negotiations on the future of the climate regime, including a post-2012 agreement. It identifies the main political achievements of the conference, and assesses some of the specific outcomes from negotiations on the so-called “building blocks” of mitigation, adaptation, financing and technology transfer.

MANAGING COMPLEXITY

Of the 10,000 participants in the Bali conference, it is likely only a handful of them had a meaningful grasp of all the pieces that now make up the deepening complexity of the climate change regime. Delegates in Bali had to balance meetings of the UNFCCC COP and the Kyoto Protocol CMP, along with the subsidiary bodies, the AWG-KP, dozens of contact groups and informal consultations on issues ranging from budgets to national reporting to reducing emissions from deforestation in developing countries, not to mention side events held by governments, international organizations, business and industry, and environmental non-governmental organizations (NGOs). Balancing the large number of participants, issues and negotiating venues requires stamina, time management and a lot of creativity. With the launch of new negotiations on a long-term agreement, which, by definition must be more ambitious than anything that has gone before, yet another piece has been added to the ever-growing complex puzzle that makes up the climate regime.

Managing this deepening complexity in a highly sensitive—and largely transparent—political environment has become an extraordinary feat, undertaken by a UNFCCC Secretariat that continues to impress participants with

a combination of professionalism, competence and good humor. The UN Secretary-General's decision to adopt climate change as one of his own UN system-wide priorities, with a more effective division of labor and lines of accountability on climate-related issues throughout the UN system, will shore up the resources required for the future. A greater emphasis on the need to draw on expertise found outside the immediate UNFCCC process was also a notable and timely feature of discussions in Bali.

Nevertheless, the challenge of defining precisely what elements of the Bali decisions and outcomes constitute the "Bali Roadmap" is its own complex work in progress. For example, what exactly is the nature of the agreement that must result from the Bali Roadmap? This is still a matter of debate, with divergent views on the legal form or architecture that will accommodate and, perhaps elaborate, existing commitments under the Convention and the Protocol in the near term and after 2012. So, while the Bali Roadmap was never categorically defined, most are viewing it as a compendium of decisions and processes adopted and launched by the COP and COP/MOP, which can be divided into three types: negotiating tracks; building blocks; and supporting activities, including reducing emissions from deforestation and forest degradation.

NEGOTIATING TRACKS

The Bali Roadmap builds on the negotiating tracks on long-term issues launched at the Montreal Climate Change Conference at the end of 2005. In addition to the legal necessity to address the post-2012 period after the Protocol's first commitment period expires, the Bali Roadmap aims to mend some of the fractures that have evolved in the architecture of the climate change regime, most notably the refusal of the United States to ratify the Protocol. The institutionalization of tensions between developed and developing country parties, the crisis of confidence surrounding the implementation of existing commitments, and a growing need for the distribution of responsibilities to reflect the economic power and responsibilities of major emerging economies, have also haunted the process. The Bali Roadmap must continue to provide a means to re-engage the United States in negotiations on future commitments, with some level of comparability with other developed country undertakings; it must develop innovative mechanisms and incentives for the engagement of the major



During the discussions at Bali Climate Conference on reducing emissions from deforestation in developing countries, the room was packed to capacity forcing delegates to sit on the floor. Photo: IISD/Leila Mead.

emerging economies; and it will be judged, above all, by the extent to which it addresses the ultimate objective of the Convention—to put the world on a path to avoid dangerous climate change—by responding, without equivocation, to the IPCC’s findings.

At the heart of the Bali Roadmap are the negotiating tracks to be pursued under the newly launched *Ad Hoc* Working Group on Long-term Cooperative Action and the existing *Ad Hoc* Working Group on Further Commitments for Annex I Parties under the Protocol. The work of each track will be important but, in all probability, it is the convergence of views, with each track taking the work of the other on board, that will inform deliberations on the ambition and the means for all to contribute to a future agreement or agreements.

One indication of the likely contents of the roadmap came early on in Bali in an intervention by COP President Rachmat Witoelar, Minister of Environment of Indonesia, during the Contact Group on Long-term Cooperative Action. He explained that the roadmap has a track for negotiations under the Convention, with a milestone in 2008, and a destination in 2009. The centerpiece of this track is the decision on the *Ad Hoc* Working Group on Long-term Cooperative Action, which for the first time sets out a negotiating agenda that encompasses discussions on mitigation for both developing and developed countries. Since the negotiations will take place under the Convention, they will include all parties—developing countries and the US. However, there is some question as to the nature of the mandate for this track, other than a reference to the ultimate objective of the Convention. Some have contrasted the work of this AWG with the stronger mandate built into the *Ad Hoc* Working Group on the Berlin Mandate, which resulted in the Kyoto Protocol. “We may have to return to the COP to clarify and strengthen the mandate; for the moment we have taken a leap of faith,” said one observer, hoping that the work would result in a binding agreement.

“ We may have to return to the COP to clarify and strengthen the mandate; for the moment we have taken a leap of faith. ”

On the Protocol track is the work programme, methods and schedule of future sessions of the *Ad Hoc* Working Group on Further Commitments for Annex I Parties under the Protocol. Important aspects of the work of the AWG will be taken on board and feed into the second review of the Protocol under Article 9 at CMP 4.

One of the most significant developments in Bali was a shift that the Executive Secretary likened to the “dismantling of the Berlin Wall.” While a “two-track” approach will continue and maintain a degree of separation between discussions under the Convention and the Protocol, the decision on the AWG on Long-Term Cooperative Action uses for the first time language on “developed” and “developing” countries, rather than “Annex I” and “non-Annex I” countries. This is widely regarded as a breakthrough, as it offers the prospect of moving beyond the constraints of working within only Annex I and non-Annex I countries when defining future contributions to a future agreement. It is anticipated that new approaches to differentiating contributions, tied to countries’ economic capacity, will form part of the future architecture. Moreover, the new AWG will also fully engage and address the future role of the US, which has not ratified the Protocol.

The risk in all of this, identified by some developing country parties, is that certain Annex I parties may seize on this development to “jump ship” and attempt to adopt more relaxed commitments than those under the Kyoto Protocol. This led to proposals for a “firewall” that would lock existing Annex I parties into the most ambitious end of the commitment spectrum.

BUILDING BLOCKS

Integral to the emerging and no doubt cross-fertilizing work programmes across the negotiating tracks are the so-called “building blocks” of mitigation, adaptation, technology and finance. These key issues were considered both under the roadmap negotiations and in related talks on topics such as the Adaptation Fund.

With evidence that the confidence-building phase of negotiations has begun to yield some results in terms of the re-engagement of the US and engagement of major developing country economies, the Bali Conference was regarded by some, notably the EU and major NGOs, as the moment to lock the process into evidence-based negotiations on mitigation and commitments. The timing and ambition of the EU’s agenda was not unexpected and contributed to some of the fiercest exchanges between negotiators.

MITIGATION: The debate on mitigation, notably the terms of engagement by developing countries, in the context of the *Ad Hoc* Working Group on Long-term Cooperative Action, was not resolved until the COP plenary on Saturday. Under the gaze of unprecedented media attention, India turned the final hours of negotiations into something approaching a Bollywood Blockbuster, with star-studded cameo roles by none other than the UN Secretary-General and the President of Indonesia, calling on parties to close a deal. Up until Saturday afternoon, the prospect of a collapse of the negotiations was not ruled out by senior participants.

In a defining moment of the Conference, at the final and dramatic COP plenary session, the US stood down from its opposition to a proposal by India, supported by the Group of 77 and China (G-77/China). The Indian proposal aimed to ensure that mitigation actions by developing country parties are supported by technology, financing and capacity building, subject to measurable, reportable and verifiable procedures. This new paragraph has far-reaching implications for linking developing country participation in a future agreement and confidence that they will access the means to deliver. Fired by a suspicion that developed countries had set up future negotiations that might relax their own commitments, while placing too much onus on developing country contributions, India deftly seized the momentum for the closure of a deal on the roadmap, in the full gaze of the world’s media, to introduce a new rigor to the delivery of developed country commitments on capacity building. Introducing this outstanding debate into the final COP plenary on Saturday was just one of the high-risk strategies deployed to press for closure on issues that had played out for days behind closed doors. In the end, after phone calls reportedly involving Washington, the US delegation dropped its opposition to the Indian proposal, stung by rebuffs from South Africa and Papua New Guinea and lengthy applause from delegates and observers who favored the proposal.

The mitigation debate was also behind contested approaches to referencing the IPCC Fourth Assessment Report (AR4). This battle was fought on two fronts: under the Protocol and under the Convention. In the AWG under the Protocol, Russia, Canada, and Japan lined up to oppose a reference to the 25-40% GHG emissions reduction range in the AWG’s report from Vienna, which included this and other quotes from the IPCC AR4. Noting that media coverage was feeding public expectations that countries were “going to agree” to reductions in this range and that “we have to be careful about presenting the range as the target,” the Russian Federation continued its opposition all the way to the AWG closing plenary. Canada and Japan, which had argued in the informal consultations that Russia should be heeded, changed their position after a concerted campaign by the Alliance of Small Island States (AOSIS) to insert a comprehensive reference to the IPCC AR4.

There was less success on the Convention front in the Dialogue on Cooperative Action, where the reference to the IPCC science is weaker. AOSIS was unable to summon up the support for a stronger reference when negotiators met in a small informal group to close on this issue. Participants believe that this will be a weaker starting point for negotiations on cooperative action under the Convention, and the IPCC references may have to be revisited.

ADAPTATION AND FINANCE: One of the significant outcomes bringing together both adaptation and finance was the decision to operationalize the Adaptation Fund, which was set up to finance adaptation in developing countries. The Fund had proven to be particularly delicate to negotiate because, unlike other funds under the UNFCCC, it is funded through a levy on CDM projects undertaken in developing countries and is therefore not dependent on donors. At past meetings, proposals to appoint the Global Environment Facility (GEF) as the Fund’s manager have generated controversies between developed and developing countries, and an agreement on the Adaptation Fund Board, operating under the guidance of the CMP, was a significant breakthrough. However, the early stages of the Conference were marked by intensive lobbying by representatives from the GEF who were determined to secure a role in servicing the Fund. In the end, they secured an interim role in providing a secretariat function.

The establishment of the Adaptation Fund was widely applauded. It was also seen as one of several positive outcomes for the G-77/China at this meeting, which some observers note are a reflection of the increasing economic and political clout of this group.

TECHNOLOGY: The basis for an interim funding programme under the GEF was brokered behind the scenes early in the conference, although agreement on the final details was complicated. Technology funding is expected to be scaled up when a comprehensive agreement on future commitments is reached, possibly in Copenhagen. Governments agreed to kick start a strategic programme to scale up investment in the transfer of both the mitigation and adaptation technologies needed by developing countries. Again, the outcome was widely viewed as a positive one for developing countries.

SUPPORTING ACTIVITIES – REDUCING EMISSIONS FROM DEFORESTATION

A decision on reducing emissions from deforestation in developing countries is as significant for the wider deforestation debate as it is for the climate regime. As one observer put it, the deforestation issue has suffered from a level of fragmentation and now, perhaps for the first time, may ultimately be brought under a legally binding framework.

There was an agreement to launch a process for understanding the challenges ahead, including through demonstration activities over the next two years, in preparation for addressing these issues in a post-2012 agreement.

A problematic part of this debate was how to include the issue in the post-2012 regime. The US supported a reference to “land use” in the decision on reducing emissions from deforestation, alarming some observers as it recalled broader discussions of land use that included not only forestry but also agriculture and other forms of land management. There was, however, agreement to open up options in future discussions on long-term cooperative action by including in the decision an explicit reference to reduced emissions from deforestation “and consideration of ... the role of conservation, sustainable management of forest and enhancement of forest carbon stocks.”

MOVING FORWARD

The Bali Conference demonstrated that at certain moments in climate talks, notably when negotiations are taking place in the full gaze of a public and media who are better informed than at any time since the emergence of the climate change agenda, parties come under extreme pressure to face up to the science. The high-level political attention given to climate change has introduced an unprecedented level of interest and investment of expertise by organizations, not only by research and advocacy organizations, but also by the media. The number of side events held in parallel to the conference was also unprecedented, and included two full day events during the weekend: Climate and Development Days, and Forest Day.

A youth delegate told the COP plenary, “You can’t negotiate with physics and chemistry.” This, of course, is not entirely true. Parties do disagree with the science, but their arguments can sometimes change when they are exposed to the critical gaze of global public opinion. A feature of the Bali Conference was the shift in a number of positions when negotiators left the closed-door ministerials and returned to the plenary sessions, as illustrated by the pressure that came to bear on the US and Canada in the final COP plenary. Transparency can be a decisive factor.

At CMP 3, the interplay between international climate politics and domestic elections was illustrated by the dramatic win by Kevin Rudd’s Labor Party in Australia. In 2008, another domestic election may have a dramatic impact on the global climate change regime, whatever the outcome. The global public gaze that fixed on the COP plenary in Bali will now turn to the US election in November 2008.

In the meantime, parties to the Convention and the Protocol have succeeded in honoring the call for a “breakthrough” that came from the UN Secretary-General’s climate change summit in September. Bali launched far reaching negotiations with a clear deadline for the conclusion of an agreement on the post-2012 period. Bali was successful in delivering the expected roadmap and building blocks. Now it is up to everyone, negotiators, politicians, public opinion and media to play their respective parts—progress in negotiations, take action, keep up the pressure, and maintain vigilance—to make sure the road from Bali doesn’t end up in the sea.

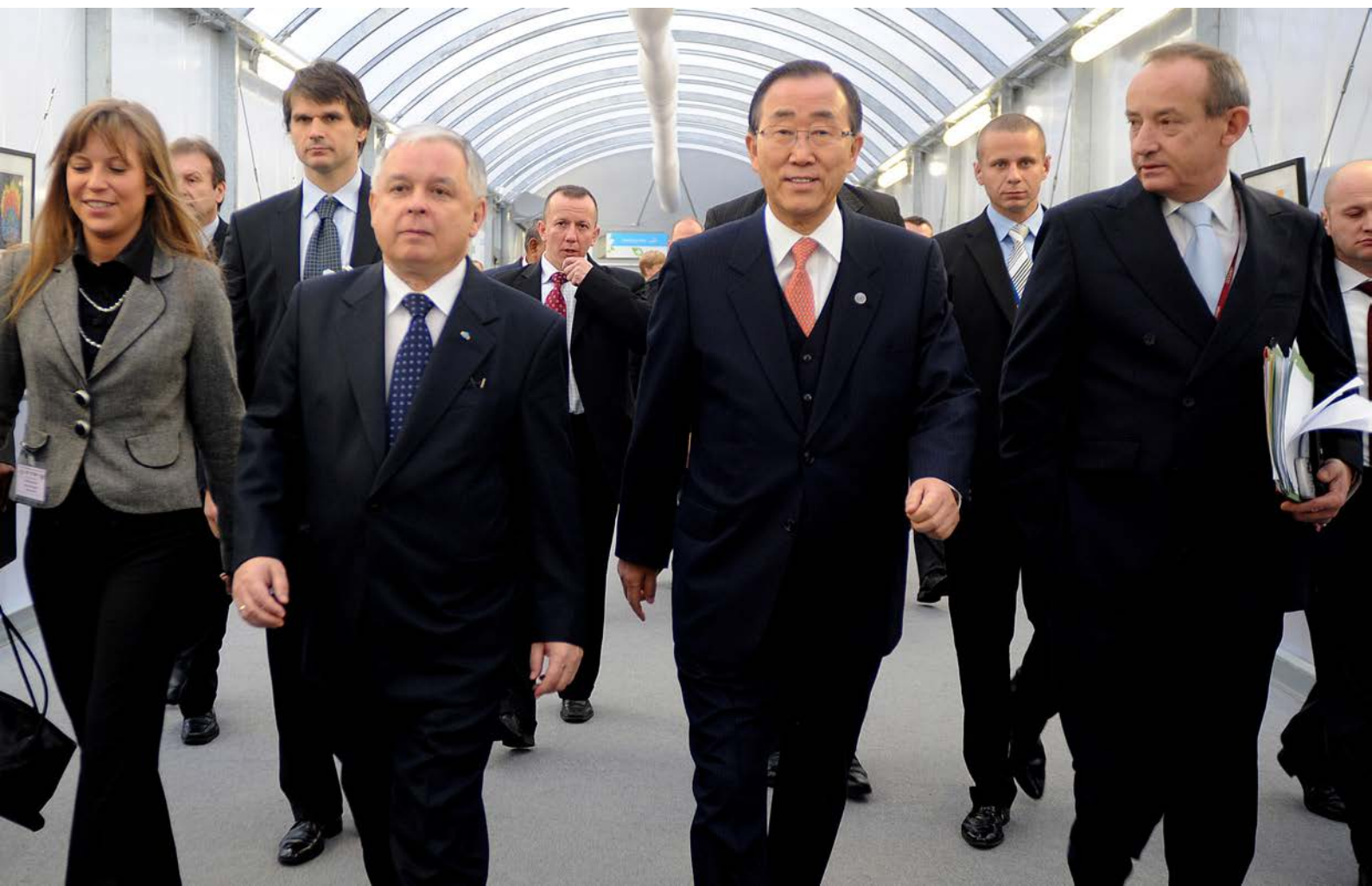
Source: *Earth Negotiations Bulletin analysis of COP 13 and CMP 3*. Written and edited by Peter Doran, Ph.D., María Gutiérrez, Ph.D., Kati Kulovesi, Ph.D., Miquel Muñoz, Ph.D., and Chris Spence.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE FROM 1992 TO 2007

- 1992** The UNFCCC is adopted and opened for signature.
- 1994** The UNFCCC enters into force.
- 1995** The [first meeting of the COP to the UNFCCC agrees](#) to begin a process to enable it to take appropriate action for the period beyond 2000, including the strengthening of commitments of Annex I Parties through the adoption of a protocol or another legal instrument.
- 1996** The second Assessment Report of the IPCC states that “the balance of evidence suggests a discernible human influence on global climate.”
- 1997** The Kyoto Protocol is adopted by [UNFCCC COP 3](#).
- 2001** At [COP 7](#), parties agree to the Marrakech Accords consisting of a package of decisions on many of the details of the Kyoto Protocol, including the flexible mechanisms, reporting and methodologies, land use, land-use change and forestry (LULUCF), compliance, and the establishment of three funds, namely the Least Developed Countries (LDC) Fund, Special Climate Change Fund (SCCF), and Adaptation Fund.
- 2005** The Kyoto Protocol enters into force following ratification by 55 parties to the UNFCCC, including at least 55% of Annex I parties’ total carbon dioxide emissions for 1990.
- 2007** [COP 13 and CMP 3](#) convene in Bali, Indonesia, agreeing to the Bali Roadmap and Action Plan.

CHAPTER 2

POZNAN AND THE LONG ROAD TO COPENHAGEN



Lech Kaczynski, President of Poland, UN Secretary-General Ban Ki-moon, and UNFCCC Executive Secretary Yvo de Boer walking to the opening plenary of the high-level segment at COP 14 in Poznan. Photo: IISD/Leila Mead.

INTERSESSIONAL HIGHLIGHTS 2008

Parties emerged from Bali with significant momentum resulting from the adoption of the Bali Action Plan (BAP) and a two-year roadmap, which launched negotiations on long-term cooperative action under the *Ad Hoc* Working Group on Long-term Cooperative Action under the UNFCCC (AWG-LCA) and continued negotiations under the *Ad Hoc* Working Group on Further Commitments for Annex I parties under the Kyoto Protocol (AWG-KP), with the objective of reaching agreement under both tracks in Copenhagen, Denmark, at COP 15 in 2009.

“The train for Copenhagen has left the station.”

During 2008, delegates met in three intersessional meetings. The first, in Bangkok, Thailand, from 31 March to 4 April, saw the first meeting of the AWG-LCA (AWG-LCA 1) and the fifth session of the AWG-KP (AWG-KP 5), with parties aiming to agree on a detailed work programme to advance the Bali Roadmap. From 2-13 June, in Bonn, Germany, SB 28, AWG-LCA 2 and the resumed AWG-KP 5 convened. The AWGs met a further time from 21-27 August, in Accra, Ghana (AWG-LCA 3/AWG-KP 6-1). Negotiations at these intersessionals launched efforts to reach an outcome on long-term cooperative action under the AWG-LCA, chaired by Luiz Figueiredo Machado (Brazil), in parallel with the negotiation of a second commitment period under the AWG-KP, chaired by Harald Dovland (Norway).

“The train for Copenhagen has left the station,” underscored UNFCCC Executive Secretary Yvo De Boer at the closing press conference in Bangkok in April 2008.

Outside the official UNFCCC negotiations momentum towards an agreement on post-2012 climate action remained high. Yet this momentum gave way throughout the intersessional negotiations leading towards COP 14 to a burgeoning agenda under the AWG-LCA, disagreement on linkages between the AWG-LCA and the AWG-KP, and broad discussions aimed at fostering understanding rather than detailed substantive negotiations.

Negotiations under the AWG-LCA centered on identification of priority issues, understanding these issues and exchanges of views. Even at the beginning of the 2008 intersessionals, some accurately assessed that the negotiations would experience a “difficult phase” during the first year “and that negotiations wouldn’t begin in earnest until 2009, after a ‘common understanding on key issues’ is reached.” Others became increasingly frustrated throughout the year, with some noting that discussions at AWG-LCA 3 were still focused on “when to talk, where to talk and what to talk about.”

The management of additional negotiating complexity, with the addition of an entirely new negotiating track designed to bring the US and other major emitters to the table, proved to be a delicate balancing act as parties boarded the train to Copenhagen. Delegates faced challenges because the negotiations under the AWG-LCA and the AWG-KP were in very different phases, and the debate about the links between the two processes and the delicate dance of moving all issues forward together often sidetracked the discussions.

As several delegates noted at AWG-LCA 2/AWG-KP 5, which took place in parallel with the 28th meetings of Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), the two tracks were at “different evolutionary phases”—the AWG-LCA, in its “infancy,” was still focused on exchange of ideas, while the AWG-KP was “at a more advanced developmental phase.” The different ages of the two tracks resulted in what many perceived throughout the year as slow progress under the AWG-KP as parties waited “to see progress in the other, newer body.”

Intertwined with the challenge posed by different development phases was the issue of whether to formally acknowledge the linkages between the two negotiating tracks. Those parties without formal mitigation

commitments under the Kyoto Protocol, the US and the G-77/China, opposed links between the AWG-LCA and the AWG-KP, while most developed countries underscored that their level of ambition under the AWG-KP were linked to commitments taken by the US and developing countries under the AWG-LCA. Negotiations under the AWG-KP slowed and negotiations under the AWG-LCA failed to move faster as developing countries waited for developed countries to lead with their Kyoto Protocol commitments under the AWG-KP and developed countries waited for those without commitments under the Protocol to clarify their commitments.

As AWG-LCA 3 and AWG-KP 6-1 closed in August 2008 many worried that the slow progress would not add up to an agreement in Copenhagen. Parties entered COP 14 in Poznan without having moved the negotiations much beyond a general fostering of understanding and a better understanding of the complexities that they would face as they tried to reach agreement on a second commitment period under the Kyoto Protocol and the four pillars of the BAP—mitigation, adaptation, finance and technology—to achieve long-term cooperative action.

Source: *Earth Negotiations Bulletin* summaries of [AWG-LCA 1 and AWG-KP 5](#), [AWG-LCA 2, resumed AWG-KP 5 and SB 28](#) and [AWG-LCA 3 and AWG-KP 6 1](#).

A BRIEF ANALYSIS OF COP 14 AND CMP 4 – POZNAN, POLAND: 1–12 DECEMBER 2008

POZNAN AND THE (LONG) ROAD TO COPENHAGEN

A year after the historic Bali Climate Change Conference, negotiators are now at the halfway point on the Bali Roadmap, which launched a two-year process to strengthen international climate change cooperation. Looking back, progress has been achieved in 2008 through four sessions and discussions on the key elements of the future regime. However, pressure is mounting for the remaining 12 months: serious negotiations must begin as soon as possible in 2009 to secure an agreement in Copenhagen next December.

This analysis takes stock of progress made at the Poznan Climate Change Conference and analyzes the key remaining issues for the critical year ahead. It will first discuss the political context in which the Poznan Conference took place. It will then review the main expectations for the meeting and analyze the results, asking whether they are sufficient for a successful outcome in Copenhagen next year.

(POLITICAL) CLIMATE AT THE END OF 2008

The political context for the Poznan Conference was somewhat different from the Bali negotiations in 2007. In Bali, the atmosphere was characterized by the strong international reaction to the Fourth Assessment Report (AR4) of the Intergovernmental Panel on Climate Change (IPCC) and a sense of urgency about climate change. In Poznan, by contrast, the negotiations took place against the backdrop of a rapidly worsening global financial situation. Many were concerned about climate policy falling victim to the crisis—and even the most optimistic were expecting the financial crisis to have some impact on the process.

The EU and others at the conference tried to stress their ongoing commitment to combating climate change, arguing that a transition to a low carbon society entails not only costs but also important economic opportunities. However, at the same time as the Poznan conference, protracted negotiations were taking place on the EU's climate and energy policy package to implement a 20% emission reduction target by 2020, causing some to question whether the EU's leadership on climate policy is faltering. On the last day of the Poznan Conference, delegates were pleased to hear news that agreement had been reached in Brussels on the EU package, even though some NGOs criticized the concessions made to secure the compromise. The package, covering the period from 2013 to 2020, lays down rules for the third phase of the EU Emissions Trading

Scheme (ETS), details individual emission targets for EU Member States in sectors not covered by the ETS, and contains a 20% target for renewable energy, a 10% target for biofuels and a 20% target for increasing energy efficiency by 2020.

At the same time, Barack Obama's victory in the US Presidential elections was a reason for optimism in Poznan. Obama has promised to make climate change a high priority and highlighted a green energy economy as a remedy for the ongoing economic crisis. In Poznan, the US was still represented by the Bush administration and remained relatively subdued during the official negotiations. Some felt that uncertainty about the US position in 2009 caused other countries to refrain from making significant political advances in Poznan, and few expect developing countries to make significant moves before developed countries have clarified their positions on emission reductions and financing. Overall, most felt that the political circumstances surrounding the Poznan Conference were not ideal for major political breakthroughs, which could justify its modest results. "One of those less exciting in-between COPs," was how some veterans characterized the meeting.

(VARIED) EXPECTATIONS AND OUTCOMES

The agenda in Poznan was exceptionally full, with six bodies considering more than 90 agenda items and sub-items. This put a strain on many delegations and highlighted the importance of prioritizing work. This meant that some of the less urgent agenda items were not given as much attention as usual, leading to a focus on issues related to the Bali Roadmap: the *Ad Hoc* Working Group on Long-term Cooperative Action (AWG-LCA), *Ad Hoc* Working Group on Further Commitments by Annex I Countries under the Protocol (AWG-KP) and the second review of the Kyoto Protocol under Article 9. Delegates also focused on a few other agenda items included the operationalization of the Adaptation Fund and the Clean Development Mechanism (CDM).

AWG-LCA: At its fourth meeting, the AWG-LCA spent a lot of time considering "a shared vision for long-term cooperative action," which was the subject of an in-session workshop, contact group and a ministerial round table. According to the Bali Action Plan, "a shared vision" includes a global goal for emission reductions. While some optimists had hoped for an agreement in Poznan on a long-term global emission goal to guide the negotiations in 2009, there were no serious attempts to achieve such an outcome. Instead, many veterans are predicting that this question will not be resolved until Copenhagen, since it seems likely to be a key part of whatever package deal is reached. They took it as a positive sign, however, that a common understanding seemed to be emerging in Poznan that "a shared vision" covers all the key building blocks of the Action Plan, namely mitigation, adaptation, technology and finance. Many also felt that progress was made on the concept of measurement, reporting and verification (MRV) and the idea of a registry for nationally appropriate mitigation actions in developing countries.

In contrast, suggestions for differentiation among developing countries were firmly rejected by some groups within the G-77/China—while being endorsed by many industrialized countries. Some proposals on adaptation were also made more concrete, including the insurance mechanism proposed by AOSIS. These and many other ideas were incorporated in the "assembly document," a collection of submissions and proposals, which was one of the key outcomes of AWG-LCA 4 and is expected to evolve into a formal negotiating text during the first half of 2009.

AWG-KP: For the AWG-KP, the focus was on a strategic discussion of all the key items on its agenda and on the work programme for 2009, with a view to agreeing on further actions required to finalize Annex I countries' post-2012 commitments in Copenhagen. Some observers and developing countries were hoping for a clear decision on the aggregate range of mid-term emission reductions by industrialized countries. However, while the 25-40% range by 2020 from the AR4 once again appears in the AWG-KP's conclusions, the language is similar to that used in previous conclusions and falls short of a definitive commitment. According to some negotiators, this was mostly due to the reluctance of some Umbrella Group countries to commit to a mid-term range at this point. However, many also noted the lack of serious attempts to reach an agreement on this issue in Poznan,

possibly because delegates realized the political climate was not yet ripe for such discussions. Overall, most felt that the outcomes from the AWG-KP were modest, limited to the 2009 work programme and to agreement that Annex I countries' further commitments should “principally” take the form of quantified emission limitation and reduction objectives (QELROs). Those with lower expectations for the meeting noted that little more than this might have been expected, as parties wait for the bottom of the market downturn and the arrival of the new US administration.

ADAPTATION FUND: Along with the Poznan work programme on technology transfer, the only concrete outcome of the Poznan conference was the operationalization of the Adaptation Fund. The CMP adopted several decisions to make the Fund operational, including on arrangements with the Global Environment Facility and World Bank. Importantly, all three tracks to access funds—through implementing entities, accredited national entities, and direct access by parties—have been enabled. The Fund is, therefore, expected to start financing adaptation projects and programmes in developing countries in the next year.

The success on the Adaptation Fund was tempered by the inability to secure additional resources for the Fund due to lack of agreement on extending the share of proceeds (or “adaptation levy”) to Joint Implementation and emissions trading under the second review of the Protocol under Article 9. As many had predicted, these consultations were difficult and were unable to produce an agreement, leading CMP 4 to conclude the second review of the Protocol without any substantive outcome. Most developing countries expressed deep disappointment at the failure to increase adaptation funding.

While many parties and private sector representatives had also hoped for improvements to the CDM under the Article 9 review, the lack of outcome on the review meant that the improvements negotiated in Poznan were not adopted. The AWG-KP, however, agreed to further consider issues related to the mechanisms in the post-2012 period in its March/April session.



Delegates consulting at COP 14 in Poznan. Photo: IISD/Leila Mead.

FROM POZNAN TO COPENHAGEN: KEY TASKS FOR THE YEAR AHEAD

Leaving Poznan, there was little doubt in participants' minds that plenty of critical work remains for 2009 under the Bali Roadmap. For both the AWG-KP and AWG-LCA, one of the first key tasks is generating formal negotiating texts that must be communicated to the parties at least six months before Copenhagen to comply with legal formalities. The Poznan Conference was widely seen as a successful step in that direction as the Chairs of both AWGs were mandated to prepare documents for the March/April meeting in Bonn.

The task of the AWG-LCA for 2009 will not be easy. The group will have to finalize an agreement on all four building blocks and a shared vision. It is the only body where all countries, including the US and developing countries, participate in discussions on mitigation. Thus, negotiations on a global long-term goal, comparability of mitigation efforts by developed countries and MRV in the context of nationally appropriate developing country mitigation actions are expected to be central. Importantly, MRV also applies to developed country support to developing countries through technology, finance and capacity-building, so ways of doing this will have to be identified. With regard to financing and technology, the AWG-LCA faces the challenge of reaching agreement on the architecture to both finance mitigation and adaptation actions, and facilitate technology development and transfer. Evaluation of proposals contained in the assembly document will be part of this task.

The AWG-KP has a clear objective for 2009: to agree on further commitments for Annex I countries in the post-2012 period. Some developing countries were therefore somewhat disappointed at the lack of clear sequencing of tasks in the AWG-KP's 2009 work programme. Many developed countries were, however, pleased with text reaffirming the programme's iterative nature and agreement to "maintain a coherent approach" between the Convention and the Protocol in relation to Annex I parties' commitments.

Based on some signals in Poznan, some are predicting that the relationship between the Convention and Protocol tracks could become increasingly relevant in 2009. Many developed countries maintain that the work of the two AWGs should be coordinated given that both, for instance, address mitigation by developed countries. In Poznan, Norway, the EU and others also alluded to a "package" and "comprehensive agreement" in Copenhagen, and New Zealand proposed forming a Committee of the Whole and proceeding on the basis of a single negotiating text in June 2009. However, many developing countries and the US have sternly opposed attempts to link the Convention and Protocol tracks, with many developing countries concerned that this could take focus away from new emission reduction targets for industrialized countries under the Protocol, and the US seeking to avoid any proposals that would draw it into discussions related to the Protocol. It therefore remains to be decided in 2009 how to avoid duplication of work under the different tracks of the Bali Roadmap and what the legal outcome of the negotiations will ultimately be. Important as the legal and procedural questions are for the negotiators gathering in Copenhagen, most predict that it will be political will that determines the outcome.

ALL ROAD (MAPS) LEAD TO COPENHAGEN

While many agreed that the Poznan meeting resulted in some progress and positive steps forward, the general feeling was that negotiators had not achieved any major breakthroughs. Those who had hoped for decisive action blamed a lack of political leadership and determination they think would have signaled impending success in the coming year. Instead, many predict that agreement on the most critical issues, including mid- and long-term emission goals and finance, will not be reached before Copenhagen. This has led some to reconsider their expectations of what would constitute success in Copenhagen, and how many details of the new climate regime will need to be finalized after 2009.

“...delegates needed to be reminded that success is not inevitable, and that without strong political will it is quite possible that they will fail to make the historic breakthrough needed in Copenhagen.”

Understandably, some participants left Poznan somewhat worried, feeling that while scientific evidence on climate change is strengthening, the “spirit of Bali” is weakening along with countries’ determination to fight climate change in light of the serious economic crisis.

Others, though, were not willing to abandon their optimism just yet. They referred to statements from both the EU and the US on measures to tackle the economic crisis that would also contribute to climate change mitigation and transition to a low carbon economy. Some veterans who are more used to the ups-and-downs of international negotiating processes also suggested that Poznan’s modest outcome could be a positive thing in the larger scheme of things. In the words of one observer, “delegates needed to be reminded that success is not inevitable, and that without strong political will it is quite possible that they will fail to make the historic breakthrough needed in Copenhagen.”

Source: [Earth Negotiations Bulletin analysis of COP 14 and CMP 4](#), Written and edited by Tomilola “Tomi” Akanle, Asheline Appleton, Douglas Bushey, Kati Kulovesi, Ph.D., Chris Spence, and Yulia Yamineva.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2008

February	The UN General Assembly conducts a thematic debate on the need for the global agreement on climate change for the post-2012 period and the role of the UN.
March/April	AWG-LCA 1 and AWG-KP 5 meet in Bangkok, Thailand.
March–November	Four Major Economies Meetings on Energy Security and Climate Change address, <i>inter alia</i> : how to take the Bali Roadmap forward; sectoral approaches; long- and medium-term goals; adaptation; and differentiation.
April	The IPCC, at its 28 th session (IPCC 28), decides to prepare a Fifth Assessment Report (AR5).
June	AWG-LCA 2, resumed AWG-KP 5 and SB 28 convene in Bonn, Germany.
July	Negotiations under the Group of Eight (G8) result in agreement to “consider and adopt... the goal of achieving at least 50% reduction of global emissions by 2050,” committing G8 members to taking “ambitious economy-wide mid-term goals” while acknowledging differentiation of action by developed and developing economies.
August	AWG-LCA 3 and AWG-KP 6-1 convene in Accra, Ghana.
November	The first Group of Twenty (G20) Leaders’ Summit takes place in Washington D.C., US. Despite a primary focus on strengthening global financial regulation, in the final declaration the leaders express continued commitment to addressing climate change, among other critical challenges.
December	COP 14 and CMP 4 take place in Poznan, Poland.

CHAPTER 3

NEXT STOP: “HOPENHAGEN”



South African President Jacob Zuma, Chinese Premier Wen Jiabao, Indian Prime Minister Manmohan Singh and Brazilian President Luiz Inacio Lula da Silva in consultation at the 2009 Copenhagen Climate Change Conference.
Photo: IISD/Leila Mead

INTERSESSIONAL HIGHLIGHTS 2009

Throughout 2009, the deadline to complete work under both the *Ad hoc* Working Groups (AWGs) by the end of the year loomed, reinforced by a clock that sat on the dais ticking down the remaining days until the Copenhagen Conference began. Given the general sense that the Poznan meeting ended with some progress, but no breakthrough to help solve the impasse, 2009 became a crucial, intense negotiation period. Negotiations took place against a backdrop of increasing mobilization outside the UNFCCC, raising expectations of the process as it marched toward what people were starting to call “Hopenhagen.”

Five intersessional meetings convened in relatively quick succession. The first three meetings convened in Bonn, Germany. The first intersessional meeting, AWG-LCA 5 and AWG-KP 7, took place from 29 March to 8 April and tried to discuss issues in more concrete terms and clarify proposals. By “Bonn II,” held 1-12 June, initial texts were on the table, and, for the remaining meetings 10-14 August (“Bonn III”), 28 September to 9 October (Bangkok, Thailand) and 2-6 November (Barcelona, Spain), delegates worked to overcome long-running divisions in order to reach agreement in Copenhagen at the end of the year. Many acknowledged that time was dwindling while deep divides remained among parties.

During 2009, the UN Secretary-General took a leading role in mobilizing support for a new agreement. Thousands marched for action on climate change outside the Secretary-General’s September Climate Change Summit in New York. It was hoped that these high-level engagements and public mobilization could provide informal forums for leaders to find ways to overcome difficult political issues plaguing the UNFCCC negotiations.

Many issues divided parties. In the AWG-LCA, work truly began at the second intersessional, when a negotiation text was tabled and elaborated. At the first intersessional meeting in March, parties gave Chair Michael Zammit Cutajar (Malta) a mandate to develop an initial text. In June, at “Bonn II,” parties added their proposals to “Michael’s text.” As a consequence, it ballooned to 200 pages and would later come to be called “the brick.”

Work for the rest of the year would focus on streamlining the text by consolidating proposals or clarifying options for ministers to choose among. Parties created multiple “tools,” such as reading guides or proposals to facilitate efforts to bridge divergent views. Efforts at consolidation were at times contentious, as parties worried that their proposals were being lost or misconstrued in the process. By September, many sensed distrust creeping in, as positions remained entrenched and parties talked past one another.

The effort to streamline the text ultimately failed. Some progress was made in adaptation, technology transfer, capacity building, and reducing deforestation and forest degradation in developing countries plus conservation (REDD+), but mitigation and finance proved to be “deep divides.” On mitigation, members of the Umbrella Group put forward a proposal specifying mitigation and enhanced reporting by all parties, but this was unacceptable to developing countries. Another such divide was the legal form of the outcome. Generally speaking, developed countries wanted a legally-binding agreement while developing countries preferred a COP decision that could not later be interpreted to create legally-binding obligations on non-Annex I parties.

Expectations for a robust agreement lessened as the intersessional period wore on. As early as August, some delegates worried that the Copenhagen outcome would be at best a skeletal outcome with the details to be filled in later. Others noted in November that the mandate of the AWG-LCA would need to be extended to complete these details and to turn the Copenhagen outcome, if there was one, into a legally-binding agreement at a later date.

“By September, many sensed distrust creeping in, as positions remained entrenched and parties talked past one another.”

AWG-KP delegates, under the chairmanship of John Ashe (Antigua and Barbuda), did not fare much better. Debates from 2008 about the scope of the AWG-KP’s mandate persisted. Developed countries took a broad view of the mandate, including discussions of flexibility mechanisms and sinks, in the range of discussions for consideration. They argued that the rules should be determined before the targets were set, to avoid the reverse logic that took place when the original Kyoto Protocol targets were set, and then the Marrakech Accords had to be negotiated.

A narrower view was taken by developed countries who argued the scope of work was only to determine new quantified targets for Annex I countries. By September, developing countries pushed to focus solely on individual and aggregate targets. The African Group proposed to suspend all work on flexibility mechanisms, land use, land-use change and forestry (LULUCF), and other issues until the targets were settled. As a result, 60% of the meeting was devoted to “the numbers.” While more dramatic than usual, this tactic also failed to realize agreement.

The debates over the quantified targets for individual Annex I countries and the aggregate target for Annex I countries were contentious throughout 2009. Unilateral targets proposed by Annex I countries fell short of the demands of science and were rejected.

The aggregate target was even more contentious. Some called for including countries that were not party to the Kyoto Protocol, most notably the US and emerging economies, in the discussions and the target-setting exercise. Some called the idea of targets and sectoral emissions trading for developing countries “poison pills” with potential to derail the negotiations. With these positions entrenched and little likelihood of bridging them in some form of an agreement, some parties started to float ideas for a “plan B” in November, namely, a COP decision with targets for industrialized countries, and references to actions major developing countries could undertake.

Underwriting these negotiations was an ongoing tension regarding the interlinkages between the two tracks of negotiations. Several developed countries, most vocally Japan and the Russian Federation, were reluctant to discuss “the numbers,” meaning specific targets for Annex I countries after 2012 and the aggregate target for Annex I countries, without clarity on the plans and targets of the US and other advanced economies. For these countries, it was difficult, perhaps impossible, to set an aggregate target in line with what science demanded without these major emitting countries involved in the effort. Recently elected US President Barack Obama struggled to push through a domestic climate agenda that could reach the relatively weak proposed target of reaching 1990 levels by 2020.

At the fourth intersessional meeting in Bangkok, calls to merge the work of the AWGs reached their highest volume. The EU, later supported by Japan, Australia and New Zealand, called for a single, legal agreement in Copenhagen that would merge the work of the two AWGs, migrating several provisions of the Protocol to the new agreement. Developing countries accused these countries of “attempted murder” of the Kyoto Protocol, and objected to any such merger that could break down the “firewall” of differentiated obligations for developed and developing countries. While China, India, South Africa, Brazil and other developing countries announced major domestic initiatives throughout 2009, these countries objected to turning these voluntary actions into legally-binding obligations.

These dynamics would play out in Copenhagen, where moderated expectations of a skeletal agreement from the AWG-LCA and a “plan B” COP decision from the AWG-KP would prove to be optimistic.

Source: *Earth Negotiations Bulletin* summaries of [AWG-LCA 5 and AWG-KP 7](#), [AWG-LCA 6](#), [AWG-KP 8 and SB 30](#), [AWG-LCA and AWG-KP informal consultations](#), [AWG-LCA 7 and AWG-KP 9](#) and [AWG-LCA 7-2 and AWG-KP 9-2](#).

A BRIEF ANALYSIS OF COP 15 AND CMP 5 – COPENHAGEN, DENMARK: 7–19 DECEMBER 2009

The UN Climate Change Conference in Copenhagen was, in many ways, an historic event. It marked the culmination of two years of intensive negotiations under the UNFCCC and the Bali Roadmap, which was agreed by the thirteenth meeting of the Conference of the Parties (COP 13) in December 2007. Millions of people around the world hoped that “Hopenhagen” would be a turning point in the battle against climate change. The high-level segment brought together 115 Heads of State and Government, and was widely reported as one of the largest high-level gatherings outside New York. More than 40,000 people applied for accreditation for the conference, far exceeding the 15,000 capacity of the conference venue. Large, and at times violent, demonstrations took place in Copenhagen during the conference as people urged the world’s leaders to reach a meaningful agreement. There is little doubt that the Copenhagen conference left its mark in history—never before has climate change featured so prominently on the international agenda. However, feelings about the outcome are, at best, mixed and some even consider the conference to be a failure.

This brief analysis focuses on the Copenhagen outcome, both in terms of substance and process, examining what the outcome might mean for the UNFCCC process, and most importantly, for the battle against climate change.

EXPECTATIONS FOR COPENHAGEN

Early in 2009, UNFCCC Executive Secretary Yvo de Boer identified what he saw as the key deliverables for Copenhagen, namely agreement on: ambitious mid-term emission reductions by developed countries; clarity on mitigation actions by major developing countries; short- and long-term finance; and governance structures. The two key bodies, the AWG-LCA and the AWG-KP, held five negotiating sessions in 2009 before the Copenhagen conference. Related discussions also took place in various other settings, including the Greenland Dialogue, the Major Economies’ Forum on Energy and Climate Change, the Group of Eight (G8) and the Group of Twenty (G20).

Negotiations under the AWG-KP made little progress in 2009, with developing countries urging Annex I parties to commit to ambitious emission reduction targets in line with science and developed countries stressing that making progress on “numbers” and providing a meaningful response to climate change requires negotiations that also involve the US and major developing countries. Under the AWG-LCA, the negotiating text evolved into the most complex document in the history of the UNFCCC, with nearly 200 pages reflecting various proposals by all UNFCCC parties and thousands of brackets indicating areas of disagreement. Throughout the year, progress on issues such as adaptation, reducing deforestation and forest degradation in developing countries plus conservation (REDD+) and technology was commonly seen as “positive.” Countries’ positions on finance and mitigation, however, remained entrenched. Many also characterized questions concerning the legal structure of the mitigation framework and the continuation of the Kyoto Protocol beyond 2012 as “clouds” hanging over the negotiations.

As Copenhagen approached and as each negotiating session achieved less than what was needed for an ambitious outcome, many began lowering their expectations, especially concerning a legally-binding outcome. At the same time, rumors circulated about positive progress during various informal meetings, including between China and the US. During the UN Secretary-General's Climate Summit in September over 100 world leaders expressed political will to reach a meaningful outcome in December. Coming to Copenhagen, many hoped that, failing to reach a legally-binding outcome, the unique gathering of international decision-making power would result in a political agreement on the key issues, including quick-start finance to address climate change in developing countries and a process towards a legally-binding agreement in 2010.

DECISIVE MOMENTS IN COPENHAGEN

The Copenhagen Conference was characterized by many dramatic events. From the outset, there were rumors about a “Danish text” that had reportedly been shown to select countries participating in the “Pre-COP 15” in November, with the intention of tabling it in Copenhagen. Indeed, during the first week of the Conference, a document was leaked through *The Guardian* newspaper in the UK, which some veteran negotiators identified as an earlier draft of the “Danish text.” In anticipation of the COP Presidency's text for a Copenhagen Agreement, many negotiating groups and *ad hoc* coalitions began working on their own texts, some of which were also leaked to the media. During the opening of the high-level segment on 16 December, the Danish COP Presidency officially announced its intention to table two texts “based substantially on the two texts forwarded by the AWGs.” The proposal angered many delegates, especially developing countries, who argued that the proposal undermines their “transparent and democratic” efforts throughout the year to develop negotiating texts under the AWG-LCA and AWG-KP. “Those writing the ‘Danish text’ are not adequately familiar with the process,” lamented another, continuing: “You cannot just assume that you understand these enormously complex issues and come up with something from out of the blue. You should listen and take advice from those who know how this process works.”

Informal consultations ensued, taking up an entire day of negotiating time on Wednesday during the second week, at what many saw as a “critical point” in the Conference. As a result, parties agreed that only texts developed by the AWG-KP and AWG-LCA would be used as a basis for further discussion. While many blamed the Danish COP Presidency for the time wasted, some others voiced concerns over the rejection of the Presidency's proposal: “The texts from the AWG-LCA and AWG-KP are too complicated and full of brackets – Ministers and Heads of State cannot negotiate based on them. Tabling a compromise text would have been a way out. The current situation effectively means that high-level negotiations will need to start from scratch.”

There were also other time-consuming procedural hurdles. On Monday, 14 December, the African Group and least developed countries (LDCs), supported by the rest of the G-77/China, called for suspending negotiations under the AWG-LCA and on all other issues under the AWG-KP apart from Annex I parties' further emission reductions beyond 2012. The move was intended as a protest against only AWG-LCA issues being taken up during informal ministerial discussions. “The key outcome from Copenhagen must be extension of the Kyoto Protocol and agreement on Annex I countries' new targets. They must therefore be given adequate consideration at higher level,” was the position explained by a developing country delegate. What some characterized as a “walk-out” by the G-77/China caused “severe frustration” among most developed country negotiators. “We have come here to negotiate in good faith and listen to developing country concerns and all they do is block any progress for procedural reasons,” commented one developed country negotiator.

Lengthy discussions also took place on whether to establish “friends of the chair” consultations under the COP on issues being discussed by the AWG-LCA. While many saw this as the only sensible way to move forward, some developing countries strongly opposed and stressed the need for transparent and inclusive processes. “Some agreements have been negotiated with everyone in the room. This must be a transparent process,” remarked one developing country delegate. Many other delegates expressed frustration noting that their leaders

were already in Copenhagen at a formal dinner hosted by the Queen of Denmark and there were only hours remaining before they would be engaged in the process.

Transparency also dominated discussions concerning the involvement of observers and civil society representatives. The Bella Center, with its 15,000-person capacity, could not accommodate all 40,000 people who had applied for accreditation, comprising more than 21,000 NGOs and 5,000 media with the remainder being parties or intergovernmental organizations. In the beginning of the second week, many spent between six and nine hours queuing in the cold and waiting to register—often in vain. Only a very limited number of civil society delegates were allowed to access the venue during the last critical days of the conference. Many NGO representatives were angry, arguing that their exclusion from the negotiations at such a critical moment was not good for the outcome: “How can we keep up the pressure when we do not know what is going on and are not even allowed near the building where these crucial negotiations are taking place?” asked one NGO representative during COP President Connie Hedegaard’s briefing to civil society.

Ultimately, the arrival of 115 Heads of State and Government in Copenhagen changed the dynamics and routine of the negotiations. On the last day, many well-known negotiators were seen nervously waiting in the corridors with everyone else. Presidents and Prime Ministers, followed by their entourages and journalists, were seen rushing from one meeting to another.

Late in the evening on Friday, 18 December, “friends of the chair” consultations at the highest political level resulted in an agreement, which was immediately announced by US President Barack Obama before his quick departure back to Washington and widely reported by the media. In fact, many delegates first learned about the Copenhagen Accord on the internet and draft versions of the text were also leaked through the media long before the official UNFCCC document was produced. Most media reports alluded to a deal crafted by a small number of countries. Many close to the process despaired, arguing that announcing an agreement reached by a small group of countries was not democratic or diplomatic. “We are at the United Nations and everyone has to agree before you can report that agreement has been reached,” commented one negotiator from a small developing country delegation. Some, however, argued that the only way to “get a real deal” was to get the “big boys” involved—and they would inevitably use their own procedures and tactics. They also stressed that most of them are democratically-elected leaders and directly accountable to their constituencies.

“How can we keep up the pressure when we do not know what is going on and are not even allowed near the building where these crucial negotiations are taking place?”

Yet, whether the procedure leading to the Copenhagen Accord was transparent and democratic enough by UN standards was subject to much debate. Late Friday night, COP President and Danish Prime Minister Lars Løkke Rasmussen submitted the “Copenhagen Accord” for formal adoption. The proposal sparked what many saw as an unprecedented and deeply divisive debate. A small number of developing countries, with Venezuela, Bolivia, Cuba and Nicaragua in the forefront, voiced strong objections to an “untransparent and undemocratic” negotiating process and renounced the Copenhagen Accord. Tuvalu also criticized the text and the procedure. Sudan called the Accord “a suicide note for Africa.” However, all developed countries, most developing countries, as well as spokespersons for AOSIS, LDCs and the African Group, recognized that the negotiating process had been legitimate and urged COP 15 to adopt the Copenhagen Accord. While willing to admit that the outcome was far from perfect, most countries recognized the Accord as an important step forward. As a result of informal consultations facilitated by UN Secretary-General Ban Ki-moon early on Saturday morning, COP 15 agreed to “take note” of the Copenhagen Accord and establish a procedure without precedent under the UNFCCC for countries willing to do so to register their support for the Accord and submit their targets by 31 January 2010.



NGOs express their solidarity with small island states and Tuvalu and its proposal for a new Protocol to complement the Kyoto Protocol during COP 15 in Copenhagen. Photo: IISD/Leila Mead.

Many saw this as an unsatisfactory result. Some also felt that what many media reports seemed to be missing is that while it is very true that many countries—developed and developing ones alike—had serious misgivings about the substance of the Accord, the vast majority considered the negotiating process adequately representative and supported the formal adoption of the Copenhagen Accord.

THE COPENHAGEN ACCORD

In terms of substance, the Copenhagen Accord immediately faced strong criticism. Others, however, argued that the agreement did include a 2°C target and many other important provisions. Indeed, many saw the Copenhagen Accord as a concise document containing an outline of a future framework to address climate change.

Nevertheless, its provisions on mitigation by developed countries are widely seen as “clearly weak” and “a step backwards from the Kyoto Protocol.” Developed countries do not commit themselves to legally-binding emission reductions. Similarly, there is no quantification of a long-term global goal for emission reductions, or specific timing for global emissions to peak. Instead, the agreement suggests a bottom-up approach whereby developed and developing countries submit their pledges for information purposes to the Convention, a method advocated most prominently by the US.

With regard to mitigation actions by developing countries, the Accord does not contain any quantified emission reduction objectives and mainly elaborates on the measurement, reporting and verification (MRV) of developing country actions, one of the major stumbling blocks in the negotiations leading to Copenhagen. MRV of unsupported actions are suggested to be done domestically and reported to the Convention through national communications. The Accord, however, does contain some language, reportedly a compromise between the US and China, stating that there will be some provisions for “international consultations and analysis,” a concept yet to be defined. Those actions supported by international finance, technology transfer and capacity building will, however, be subject to international MRV.

What many characterized as “the most successful part of the Accord” relates to short- and long-term financing. Developed countries came to Copenhagen with clear promises to fund mitigation and adaptation actions in developing countries. According to the Copenhagen Accord, US\$30 billion for the period 2010-2012 will be provided, and long-term finance of a further US\$100 billion a year by 2020 will be mobilized from a variety of sources. The Accord also establishes four new bodies: a mechanism on REDD+, a High-Level Panel under the COP to study the implementation of financing provisions, the Copenhagen Green Climate Fund and a Technology Mechanism. Furthermore, the Accord contains a reference to possibly limiting temperature increase to below 1.5°C, as advocated by many small island developing states (SIDS) and others, although only with regard to the future assessment of the implementation of the Accord.

“If adopted, the Accord would have been an important step forward towards a better and legally-binding outcome,” commented one delegate before leaving the Bella Center. After many long nights of tense negotiations many were, however, reluctant to analyze its legal and operational implications given the “exceptional procedure” through which the Accord was adopted. In particular, the basis for operationalizing the financing provisions in the text is uncertain, which many have pointed out is very unfortunate and detrimental to those developing countries that really need it. To delegates leaving Copenhagen the future also remained somewhat unclear. The COP and CMP agreed to extend the mandate of the AWG-LCA and AWG-KP for another year. No decision was taken, however, on when and where the negotiations would continue.

COPENHAGEN IN CONTEXT

Now that the last “confusing” and “highly emotional” moments in Copenhagen are history, the question remains of how the conference and its outcome should be characterized in the larger scheme of things. Was Copenhagen a failure? There seems to be no question that the deep divisions and ill will that characterized the negotiations and the resulting Copenhagen Accord were disappointing to many negotiators and observers alike. However, when looking back through the history of the UNFCCC, there has been important progress in the past five years. In other words, long-term discussions have evolved from an informal one-day seminar for government experts in May 2005, through the Convention Dialogue and Bali Roadmap, to the Copenhagen Conference, where, for the very first time, the majority of the world’s leaders gathered to frankly and seriously discuss climate change—now commonly recognized as a serious threat to humanity. Their discussions also covered a full range of formerly “unmentionable” issues, such as adaptation and mitigation by developing countries. Agreement was reached on mitigation actions by both developed and major developing countries, and billions of US dollars were pledged for short- and long-term finance. Had the threat posed by climate change not been so urgent and serious, delegates would therefore have had every reason to be satisfied with their achievements over the past few years. However, as things stand, the Copenhagen outcome highlights that an enormous amount of work remains to be done before people can safely believe that the world has seen a turning point in the fight against climate change. It remains to be seen whether the political and public profile created in Copenhagen can be translated into a binding and ambitious international agreement on climate change.

Source: [Earth Negotiations Bulletin analysis of COP 15 and CMP 5](#). Written and edited by Tomilola “Tomi” Akanle, Asheline Appleton, Kati Kulovesi, Ph.D., Anna Schulz, Matthew Sommerville, Chris Spence, and Yulia Yamineva.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2009

March-April	AWG-LCA 5 and AWG-KP 7 convene in Bonn, Germany. Also, in April, the Group of Twenty (G20) leaders, convening in London, issue a statement reaffirming their commitment to address the threat of irreversible climate change, based on the principle of common but differentiated responsibilities, and to reach agreement at COP 15.
March-October	The Major Economies Forum on Energy and Climate Change (MEF) is launched in March as an initiative by US President Barack Obama, aimed at facilitating candid dialogue among major emitting countries, both developed and developing, to garner the political leadership needed to advance efforts against climate change. The MEF holds meetings throughout the year, including the First Leaders Meeting in July in L'Aquila, Italy, and subsequent meetings in September in Washington, D.C. and October, in London, UK.
June	AWG-LCA 6, AWG-KP 8 and SB 30 meet in Bonn, Germany.
July	In their final declaration at the Group of Eight (G8) summit in L'Aquila, Italy, the leaders reconfirm their strong commitment to the UNFCCC negotiations and a successful conclusion of a global, wide-ranging and ambitious post-2012 agreement in Copenhagen, involving all countries, consistent with the principle of common but differentiated responsibilities and respective capabilities. Recognizing that the increase in global average temperature above pre-industrial levels should not exceed 2°C, the leaders declare they will undertake robust aggregate and individual mid-term reductions, while calling for major emerging economies to undertake quantifiable actions to reduce emissions below business-as-usual.
August	AWG-LCA and AWG-KP informal consultations take place in Bonn, Germany.
September	AWG-LCA 7 and AWG-KP 9 meet in Bangkok, Thailand. The UN Secretary-General convenes a Summit on Climate Change, held at UN Headquarters in New York, which brings together 163 countries, including 101 Heads of State and Government, to build consensus for an agreement in Copenhagen.
October	IPCC 31 meets in Bali, Indonesia, approving the outlines for the three Working Group contributions to the panel's fifth Assessment Report (AR5).
November	AWG-LCA 7-2 and AWG-KP 9-2 convene in Barcelona, Spain.
December	COP 15 and CMP 5 convene in Copenhagen, Denmark.

CHAPTER 4

CANCUN: THE DIFFERENCE A YEAR CAN MAKE



Christiana Figueres, UNFCCC Executive Secretary (left) confers with COP President Patricia Espinosa at the Cancun Climate Conference. Photo: IISD/Leila Mead.

INTERSESSIONAL HIGHLIGHTS 2010

After the confusion and deep divides that characterized the final days of COP 15 in Copenhagen, in 2010 UNFCCC delegates were expected to “pick up the pieces.” They were facing the double challenge of restoring trust in the process and setting the basis for future multilateral action on climate change. As new UNFCCC Executive Secretary Christiana Figueres put it, the discussion was “not just about process but about the credibility of the UNFCCC as to whether it can constructively move forward.”

During 2010, delegates convened in four intersessional meetings. The first intersessional was AWG-LCA 9 and AWG-KP 11, which took place from 9-11 April in Bonn, Germany. Parties agreed on the organization and methods of work in 2010. Delegates returned to Bonn for SB 32, AWG-LCA 10 and AWG-KP 12, from 31 May to 11 June. The AWGs met on two further occasions: AWG-LCA 11 and AWG-KP 13 took place in Bonn from 2-6 August; and AWG-LCA 12 and AWG-KP 14 were held in Tianjin, China, from 4-9 October.

Unsure what to expect, delegates arrived in Bonn for the first intersessional meetings gauging the state of negotiations, wondering if the level of ambition had lowered after Copenhagen and to what extent they were aiming to provide a strong and meaningful international response to climate change.

The path from Copenhagen depended heavily on acceptance of the Copenhagen Accord and the submission by parties of mitigation efforts by 31 January 2010. Given that the Accord was negotiated by a limited number of countries while excluding many developing countries, it had the potential to undermine the trust and atmosphere of cooperation needed to resolve the various outstanding issues. Much of negotiating time in early 2010 focused on how the Accord would be taken into account. Some countries stressed that political guidance from world leaders should be reflected in further negotiations, while others opposed this on the grounds that the Accord was not adopted by the COP and that its negotiating process “had not been legitimate.” However, in 2010, over 140 countries indicated support for the Copenhagen Accord, and more than 80 countries provided information on their national mitigation targets or actions.

Another key division between parties in 2010 was one that existed pre-Copenhagen, namely the divergence of views between developed and developing countries on the relationship between the two AWGs.

During the four intersessional meetings and at COP 16, the UNFCCC process addressed these and other issues, in an attempt to chase the ghosts from Copenhagen and build on the results of COP 15 to reach more substantial agreement in Cancun, Mexico. Along the way, there was hope that Executive Secretary Christiana Figueres would be instrumental in turning hearts and minds around and gradually “repairing the damage of Copenhagen.” Furthermore, some multilateral meetings outside of the formal UNFCCC process also contributed to lowering expectations regarding the possible Cancun outcomes.

Discussions during this period under the AWG-LCA focused on whether to give its Chair, Margaret Mukahanana-Sangarwe (Zimbabwe), a mandate to prepare a new draft negotiating text before AWG-LCA 10 in June 2010 and, if so, on the basis of what documents and discussions. After lengthy debates, the AWG-LCA agreed to mandate its Chair to prepare text, under her own responsibility, for the June session drawing on the AWG-LCA report to COP 15 as well as work undertaken by the COP on the basis of that report. Chair Mukahanana-Sangarwe noted that this mandate should be read with the understanding that such work refers to all work undertaken by the COP, including its decisions—so indirectly the Copenhagen Accord. The AWG-LCA also agreed to invite parties to submit additional views by late April, which the Chair may draw upon in preparing her draft negotiating text.

The AWG-KP, chaired by John Ashe (Antigua and Barbuda), reached conclusions on various issues, including Annex I parties’ further commitments under the Protocol, and agreed to continue considering Annex I parties’ aggregate and individual emission reductions. The AWG-KP also mandated Chair Ashe to prepare documentation for the next session. One of the last issues to be resolved late the last night of the meeting was

that of cooperation with the AWG-LCA. While many developed countries stressed the need for close cooperation, many developing countries opposed, preferring to keep the two negotiating tracks strictly separate. Parties eventually agreed on text noting that the AWG-KP Chair has undertaken, under his own initiative, to meet with the AWG-LCA Chair to identify information on commitments of Annex I parties, which is to be made available to parties.

The AWG-LCA and AWG-KP also agreed to hold two additional meetings between June and November, in advance of COP 16 and COP/MOP 6, and that the AWGs would hold their sessions in conjunction with COP 16 as long as necessary.

Discussions continued in Bonn from 31 May to 11 June, where the tone of discussions for most of the two weeks was positive. The SBSTA meeting was noteworthy for a dispute over a proposal for a technical paper on options for limiting global average temperature increase to 1.5°C and 2°C above pre-industrial levels. The proposal from AOSIS garnered widespread support, but was blocked by Saudi Arabia, Oman, Kuwait and Qatar.

AWG-LCA 10 focused on the Chair's new draft text. Two days before the end of the meeting, AWG-LCA Chair Mukahanana-Sangarwe circulated the advance draft of a revised text, which she said could be considered by AWG-LCA 11. She explained that the draft text would still be revised before the August session and that she did not wish to discuss it at AWG-LCA 10. Some developing countries felt that the advance draft was "unbalanced" and should not be used as the basis for further negotiations unless their views were reflected more fully. Many left Bonn wondering about the next steps and if it would be possible to find an acceptable balance on issues where parties have long-standing and deep divides, such as measurement, reporting and verification (MRV), compliance, and mitigation by developed and developing countries. A revised version of the text was circulated in July.

AWG-KP 12 focused on Annex I emission reductions and the underlying assumptions for using the flexible mechanisms and land use, land-use change and forestry (LULUCF) in the post-2012 period. Parties also addressed ways to avoid a gap between the first and subsequent commitment periods. Although there was no progress on mitigation, many developed country delegates said they were positively surprised at a "substantial amount of support" for creating a "common space" for discussions by the two AWGs.

They requested the Secretariat to prepare a paper on legal options and organize a technical workshop on the scale of the emissions reductions to be achieved by Annex I parties before AWG-LCA 13. Many felt that even though the level of ambition reflected in Annex I parties' pledges remained inadequate, the AWG-KP had made some "progress in the right direction."

The next step was the August meetings, again in Bonn, which were to convert the AWG-LCA "Chair's text" into a workable "negotiating text" that could be considered for possible adoption by the COP in December. While there was progress on some issues such as LULUCF and mechanisms under the AWG-KP, progress under the AWG-LCA in refining and streamlining the August text was limited, with the text ballooning from 45 pages to a three-digit number.

Some participants felt that progress in the AWG-KP was particularly noteworthy, because large sections of the text contained clear options on technical rules, such as on LULUCF and flexibility mechanisms, ready for a future political decision. The AWG-KP agreed to forward a Chair's draft proposal on Annex I parties' further commitments for further discussion in Tianjin.

According to some observers, the Bonn meeting in August was also successful in managing expectations for the Cancun COP. As one official observed, after Bonn "no one will expect a legally-binding agreement in Cancun, but rather a package of implementing decisions and hopefully a mandate to negotiate a binding agreement in 2011." While most negotiators privately acknowledged no legally-binding treaty would be possible in Cancun, and the Mexican Presidency was not seeking one, managing public perception was crucial for avoiding the inflated expectations of Copenhagen, and maintaining political support for the steady, step-by-step process.

“No one will expect a legally-binding agreement in Cancun, but rather a package of implementing decisions and hopefully a mandate to negotiate a binding agreement in 2011.”

The AWG-LCA and AWG-KP texts that were developed in Bonn formed the basis for negotiations in Tianjin in October, where delegates sought to narrow down options and produce outcomes to be considered in Cancun.

Under the AWG-KP, parties focused on narrowing down options and attempted to make progress on substantial issues. However, with no movement on the issue of the actual numbers (scale of emission reductions from Annex I parties), progress during the week in Tianjin was generally regarded, particularly by developing country parties, as useful but far from sufficient. Parties agreed that a revised Chair’s proposal would be considered in Cancun.

The AWG-LCA sought to focus on issues that lent themselves to resolution in the time available before COP 16, bearing in mind the need to achieve balance. According to many, it made mixed progress. For technology and REDD+, where substantial progress had been previously reported, many lamented that some parties had begun throwing up roadblocks and backtracking on previous agreements. On other issues, such as mitigation, parties barely discussed any substance, instead spending much of the week, as a frustrated delegate said, “discussing how to discuss.” At the end of the meeting, parties agreed to reflect their work in an information document prepared by the Secretariat and that the AWG-LCA negotiating text would remain the basis for negotiations in Cancun.

Despite these barriers to moving forward, many delegates commented on the “positive attitudes,” and “deep listening” that characterized the informal discussions.

Source: *Earth Negotiations Bulletin* summaries of [AWG-LCA 9 and AWG-KP 11](#), [AWG-LCA 10, AWG-KP 12 and SB 32](#), [AWG-LCA 11 and AWG-KP 13](#) and [AWG-LCA 12 and AWG-KP 14](#).

A BRIEF ANALYSIS OF COP 16 AND CMP 6 – CANCUN, MEXICO: 29 NOVEMBER TO 11 DECEMBER 2010

THE DIFFERENCE A YEAR CAN MAKE

This year was a make-or-break-year for international climate change negotiations. After the debacle in Copenhagen in 2009, many agreed that without a positive, balanced outcome in Cancun, there would be little chance of achieving meaningful global action on climate change and restoring trust in the UNFCCC and its Kyoto Protocol. When the Cancun Agreements were adopted early on Saturday morning, there was a visible, cumulative sigh of relief. The Agreements, reflecting five years of work, leave many important details open, but garnered support from all but one of the Convention’s 194 parties. “The beacon of hope has been reignited and faith in the multilateral climate change process has been restored,” said UNFCCC Executive Secretary Christiana Figueres.

This brief analysis will first consider the political dynamics and negotiating process leading to the Cancun Agreements. It will then analyze their substantive achievements and conclude with an assessment of what this means for the next UN Climate Change Conference in Durban, South Africa, in 2011, and for international cooperation in addressing climate change.

EXORCISING THE GHOSTS OF COPENHAGEN

The UN Climate Change Conference in Copenhagen had an important influence on the negotiating process and expectations for Cancun. Negotiations in Copenhagen were characterized by mistrust, confusion and parallel discussions by experts and Heads of State and Government. Through an extraordinary process, a small group of high-level representatives from the major economies and main UNFCCC negotiating groups crafted the Copenhagen Accord. The text was presented to the plenary for adoption only after US President Barack Obama had already announced it to the media as the “Copenhagen outcome.” A long and acrimonious plenary debate ensued, and the result was that the Accord was never formally adopted, with parties agreeing instead to “take note” of it. Since that day a year ago, the “ghosts of Copenhagen” have haunted the negotiations. Some perceived the process as “untransparent and undemocratic,” since the text of the Copenhagen Accord had appeared “out of nowhere.” For others, the most disturbing element was the consensus rule within the UNFCCC that allowed a few countries to prevent the Accord from becoming part of the formal legal framework.

From the start, Cancun was very different from Copenhagen: fewer Heads of State and Government, less media and celebrity frenzy electrifying the corridors, and considerably lower expectations. Cancun was not expected to produce a “big bang” outcome, rather it was widely perceived as a stepping stone toward a future agreement. Still, most attending the Conference agreed that the stakes were high for multilateralism and the fate of the UNFCCC process: “If we cannot reach agreement here, I can’t see how things would be different next year,” commented one negotiator. Overall, participants agreed that another failure could lead to countries sidelining the UNFCCC framework and increasingly working through informal initiatives, thereby hindering international climate change cooperation. Some estimated that this “real and concrete risk” to the UNFCCC process increased parties’ willingness, even determination, to search for acceptable compromises in Cancun.

IT’S ALL ABOUT PROCESS, PROCESS, PROCESS...?

Given the feelings of mistrust after Copenhagen, the Mexican Presidency understood that they would need to “change the tone” in Cancun. Mexico managed a disciplined and extensive campaign aimed at restoring faith within and among the delegations. Their commitment to a “transparent and inclusive” process was reinforced throughout the two weeks of negotiations. Indeed, during the first days of the Conference, the corridors were rife with rumors that a “Mexican text” might magically emerge and some delegations would find themselves locked outside “green rooms” during the high-level segment. In response, COP President Patricia Espinosa repeated a daily mantra of “there is no Mexican text” to delegates and emphasized that all parties are welcome to attend all meetings.

The Mexican hosts mapped out and carefully followed a multi-pronged process that included the AWG-KP and AWG-LCA, drafting groups, informal ministerial meetings and “green room” meetings with COP President Espinosa. Each of these forums gave parties the opportunity to bring forward views and, in the final days, to seek “compromise text,” particularly on the crunch issues of mitigation, MRV/international consultation and analysis (ICA), and a second commitment period under the Kyoto Protocol. Mexico also displayed strong commitment to including stakeholder voices. Mexican President Felipe Calderón held a number of open sessions with delegates at the Moon Palace to recognize the wide range of youth, NGO and other voices with a keen interest in the outcome. In addition, there were open and regular “informal stocktaking” sessions where both country delegates and NGOs were updated at the same time. During the second week, this methodology began to yield results.

Regardless of the widely shared perception that the Mexican Presidency had skillfully steered the negotiations, procedural questions did play a visible role during the four closing plenaries. While the “overwhelming” sense in the room was that parties and observers were willing to accept the Cancun Agreements, Bolivia listed a number of substantive concerns and argued that lack of consensus prevented the proposed COP and CMP decisions

from being adopted. However, these arguments did not win any significant support from parties or observers, and President Espinosa was adamant that the Cancun Agreements would formally become part of the UNFCCC regime: “Consensus requires that everyone is given the right to be heard and have their views given due consideration, and Bolivia has been given this opportunity. Consensus does not mean that one country has the right of veto, and can prevent 193 others from moving forward after years of negotiations on something that our societies and future generations expect.”

“The beacon of hope has been reignited and faith in the multilateral climate change process has been restored.”

In the end, the integrity of the process mattered. While a small number of observers were visibly upset that the decisions were adopted despite Bolivia’s opposition, the vast majority seemed convinced that Espinosa’s approach was the right one. Representatives of many of the most vulnerable countries in Africa, Asia and small island states spoke in favor of the compromise texts. In a surprise appearance in the small hours of Saturday morning, President Calderón argued that Cancun marked a “new era of international cooperation on climate change” and called on delegates to “write new history.” Afterwards, a sigh of collective relief was almost audible, as parties and observers greeted the outcome with a series of standing ovations and loud cheers.

DON’T ASK FOR THE MOON

For a successful substantive outcome, “balance” was the magic word. Coming to Cancun, most parties specified that balance was required between the two negotiating tracks under the Protocol and the Convention, and between the key elements of the Bali Action Plan. UNFCCC Executive Secretary Figueres offered the following recipe: “Everyone must be equally happy and equally unhappy with the outcome.”

In the end, parties and observers alike seemed satisfied with the balance reached under the Convention track. The outcome creates a process for “anchoring” mitigation pledges by developed and developing countries, combined with technical work to better understand them. It also establishes a registry for Nationally Appropriate Mitigation Actions (NAMAs) by developing countries and enhances procedures on MRV/ICA. The Convention track outcome also establishes the Green Climate Fund, addresses fast-start and long-term finance, and creates a Standing Committee under the COP to assist parties. A long-awaited decision on REDD+ was agreed on, which gives a signal that the international community is committed to positive incentives, although it postpones clarity on long-term finance for results-based REDD+. Agreement was also reached on a new Technology Mechanism, encompassing a Technology Executive Committee as well as a Climate Technology Centre and Network. The Cancun Adaptation Framework, aimed at enhancing actions on adaptation including through international cooperation, was also established.

“We’ve managed to bring the main Copenhagen outcomes formally under the UNFCCC—and in some cases, we’ve gone beyond the Copenhagen Accord and added some flesh to the bones,” explained one party. “I would not characterize this outcome as ‘strong,’ especially concerning mitigation, but it is clearly a positive one,” said another.

The AWG-LCA’s mandate was also extended by a year “to carry out the undertakings” included in the package. The legal form of the outcome to be adopted by COP 17 in Durban next year remains, however, open. “We’ve only agreed to continue discussing legal options, and didn’t manage to agree on whether the outcome will be a COP decision or a new protocol,” explained one delegate.

Concerning balance between the Protocol and Convention tracks, many saw the outcome as less successful. Those insisting on a clear signal regarding the continuation of the Kyoto Protocol, preferably in the form of adoption of a second commitment period, did not get all they wanted. The AWG-KP outcome text does



At COP16 in Cancun, youth delegate Hilary Bowman holds up a t-shirt that says “You have been negotiating all my life. You cannot tell me that you need more time.” Photo: IISD/Leila Mead.

not set a deadline for when the AWG-KP should complete its work. Rather, it merely states that it shall “aim” to complete its work and report to the COP/MOP “as soon as possible.” This formulation walked a fine line between developing countries supporting a second commitment period and those, such as Japan and the Russian Federation, who had come out against it. However, those wanting more did get some reassurance in the statement that the AWG-KP’s work should be completed “in time to ensure that there is no gap between the first and second commitment periods.” Some had resisted this latter reference in previous sessions and its inclusion was a clear compromise. In addition, although Annex I parties’ emission reduction commitments for a second commitment period were not established, the AWG-KP text “takes note” of developed countries’ voluntary quantified emission reduction pledges, as communicated by them. These two provisions appear to provide further reassurance to these parties that the Protocol is not “dead.”

BACK ON TRACK(S)

What, then, is the significance of the Cancun outcome for the UNFCCC process and for a meaningful global response to climate change? In many areas, important progress has been made on substance. Positive outcomes include the establishment of the Green Climate Fund, the Technology Mechanism and the Cancun Adaptation Framework. Many are also satisfied with the welcome signal regarding REDD+. In addition, although the second commitment period under the Kyoto Protocol was not established, the Cancun Agreements bring industrialized countries’ mitigation targets and developing countries’ mitigation action formally under the UNFCCC process. Still, as important as these agreements may be, they represent only small steps in reducing global emissions that contribute to serious climate change. The pathway to a successful outcome in Durban, South Africa in 2011 is far from clear. Nevertheless, many saw restoring faith in the process and laying to rest the ghosts of Copenhagen as the most important achievement: “We’ve shown the world and each other that Cancun can—and did—deliver what was required at this stage to keep moving forward on this long and winding road.”

Source: *Earth Negotiations Bulletin analysis of COP 16 and CMP 6*. Written and edited by Tomilola “Tomi” Akanle, Asheline Appleton, Kati Kulovesi, Ph.D., Eugenia Recio, Anna Schulz, Chris Spence, and Matthew Sommerville.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2010

April	AWG-LCA 9 and AWG-KP 11 convene in Bonn, Germany. Also, the World People's Conference on Climate Change and the Rights of Mother Earth, in Cochabamba, Bolivia, concludes with the adoption of a 10-page declaration that calls on developed countries to, <i>inter alia</i> , commit to quantified emission reductions that will limit the global temperature increase to 1°C above pre-industrial levels and bear the costs to compensate developing countries for their lost development opportunities.
April to November	The Leaders' Representatives of the Major Economies Forum on Energy and Climate (MEF) convene four times, in the US and Italy. The meetings address how parties to the UNFCCC would take into account the various elements of the Copenhagen Accord. Towards the end of the year, MEF participants reflect the general view that Cancun would not seek to adopt another agreement, but rather a package of decisions.
May	The first Petersberg Climate Dialogue, a German initiative, is held as a follow-up to COP 15 and in preparation for COP 16. Also, at the Oslo Forest Climate Conference, representatives of 50 countries conclude an agreement on financing and a framework to rapidly operationalize measures for REDD+. The Conference adopts a Declaration indicating partner governments' intent to provide a voluntary, non-legally binding framework for the interim REDD+ partnership while a future mechanism under the UNFCCC is negotiated. Countries also pledge almost US\$4 billion to quick-start implementation between 2010 and 2012.
May-June	AWG-LCA 10, AWG-KP 12 and SB 32 convene in Bonn, Germany.
June	The Group of Twenty Summit, held in Toronto, Canada, addresses the finance elements of the Copenhagen Accord. This momentum behind the Accord would provide the basis for delegates in Cancun to turn many of its elements into more formal outcomes. Many participants also identify the need for agreement on future commitments under the Kyoto Protocol. The Group of Eight also meets in Canada, with leaders expressing their support to the Copenhagen Accord.
July	After being announced by the US in Copenhagen in 2009, the first Clean Energy Ministerial meeting is convened in Washington D.C., where 19 ministers share experiences in clean energy development and deployment. The meeting also includes a Public Forum with more than 500 participants from the private sector and non-governmental and other organizations.
August	AWG-LCA 11 and AWG-KP 13 convene in Bonn, Germany.
September	The Geneva Dialogue on Climate Finance in Switzerland brings together ministers and government representatives from 46 countries and the EU, the AWG-LCA Chair and the UNFCCC Executive Secretary. In an informal setting, participants discuss finance architecture, the new climate fund, the private sector's role and sources of long-term finance. The meeting sees the launch of a new website called Fast Start Finance, a Dutch initiative that aims at enhancing transparency of fast-start financing by providing an overview of contributors and recipients of fast start finance.
October	AWG-LCA 12 and AWG-KP 14 take place in Tianjin, China.
November	At a Summit in Seoul, Republic of Korea, the G20 Heads of State stress their commitment to achieving a successful, balanced result in Cancun that includes the core issues of mitigation, transparency, finance, technology, adaptation, and forest preservation. COP 16 and CMP 6 convene in Cancun, Mexico, at the end of the month.

CHAPTER 5

UBUNTU IN DURBAN: A NEW ERA IN CLIMATE NEGOTIATIONS



Youth delegates occupy COP 17, calling for a strong outcome in Durban. Photo: IISD/Leila Mead.

INTERSESSIONAL HIGHLIGHTS 2011

In 2011, three official UNFCCC negotiating sessions were held to unpack the Cancun Agreements and lay the groundwork for COP 17 in Durban, South Africa. Negotiations under the two tracks took place from 3-8 April, in Bangkok, Thailand (AWG-LCA 14-1 and AWG-KP 16-1); from 6-17 June, in Bonn, Germany, in parallel with meetings of the subsidiary bodies (SB 34, AWG-LCA 14-2 and AWG-KP 16-2); and from 1-7 October, in Panama City, Panama (AWG-LCA 14-3 and AWG-KP 16-3).

Despite the momentum that had swept out of Cancun on a wave of standing ovations, it was soon interrupted at the AWG-LCA's first meeting of 2011 in Bangkok, chaired by Daniel Reifsnyder (US), as parties became immersed in the most preliminary of tasks: constructing the agenda and the programme of work for the year. Many observers and negotiators were straightforward in their acknowledgement that the impasse over the agenda was a proxy battle. The over-arching dispute, in the eyes of the G-77/China parties, centered on their rejection of a view—associated with certain other parties—that the Cancun Agreements had sufficiently resolved the issues standing in the way of a new, global climate regime. The G-77/China saw the Cancun Agreements as one more step in an ongoing iteration that must keep the elements of the Bali Action Plan in play, including on issues such as enhanced action on adaptation and finance measures.

The AWG-KP's ongoing debate on the future of the Kyoto Protocol also continued in Bangkok under the chairmanship of Adrian Macey (New Zealand). Led by Tuvalu, some members of the G-77/China determined that this was not the time for another round of technical discussions on the rules to inform target setting by Annex I parties. The result was widely regarded as an unprecedented level of frankness by delegates from both developed and developing countries as they exchanged views on the assumptions behind their targets and actions tabled in Cancun.

Observers commented on how, just twelve months previously, some of the statements by Annex I parties still working towards a position on a second commitment period would have been met with hostile reactions by certain other parties. In Bangkok, there was a discernible shift in tone, albeit intangible, as some participants went even further than their interventions during the pre-session workshops to explain, for example, the conditions behind their contingent targets. It was not all good news, of course. Japan and the Russian Federation repeated their determination to remain outside any new binding treaty together with the US. But for those closest to the process the “surprise of the week” was the lack of active resistance to negotiations on the second commitment period from those very countries.

A Chair's paper, summing up ideas raised during the AWG-KP discussions, provided a tentative picture of how the Protocol debate would be managed in the months ahead. Most notable, perhaps, was a sense in some quarters that there would be a role for ministers to provide clarity, direction and sign off on a second commitment period.

The upside to what several observers called the “four-million-dollar agenda,” referring to the cost of the meeting, seemed to be that parties left Bangkok with a carefully considered workplan for 2011.

However, as its negotiations recommenced in Bonn in June, the AWG-LCA groaned under the weight of efforts to institutionalize the Cancun Agreements and make progress on outstanding issues. Progress on some matters, such as developed and developing country mitigation, remained slow as parties struggled to sequence issues in a way that made them all comfortable, and some ensured that technical work on certain parts of the text were contingent upon technical work on other parts. On issues where there was more progress, such as the Technology Mechanism, some worried that everything would grind to a halt if parties perceived that they were getting ahead of other issues.

Under the AWG-KP, most developing countries continued to stress the Protocol's importance as a legal "firewall" to separate binding mitigation commitments by developed countries from voluntary mitigation actions by developing countries. Those worried about the prominence of the bottom up "pledge and review" approach, advocated by the US, also saw the value of preserving the top-down legal structure created by the Protocol during what they hoped would be a "transitional period." "At this point," as one Kyoto proponent underscored, "it is about saving the rules-based system and the institutions we have created over the past 14 years."

“At this point,” as one Kyoto proponent underscored, “it is about saving the rules-based system and the institutions we have created over the past 14 years.”

At the same time, it seemed apparent that a second commitment period, if adopted, would be considerably weaker than the first. With Japan, Canada and the Russian Federation declaring that they would not commit to a second commitment period, developing countries argued that these countries should not even participate in discussions shaping the rules for the second commitment period.

Reconvening in Panama City in October, many delegates hoped to bridge differences and smooth the trajectory towards Durban. And in some areas they did. However, the meeting also highlighted a wide gulf on several issues, and even exacerbated chasms in some areas.

Among the issues that negotiators grappled with were: convening "a common space" to begin dialogue on bridging the gap between the level of ambition of party pledges communicated in 2010 and the emission reductions required by the science; operationalizing the 2013-2015 Review of the 2°C target agreed in Cancun; agreeing on modalities for measurement, reporting and verification (MRV) of mitigation reduction actions for developed and developing countries; and, against the backdrop of the prevailing debt crisis and a gloomy global economic outlook, assuaging developing countries' unease about a possible "financing gap" over the 2012-2020 period that could render the newly-established Green Climate Fund (GCF) an "empty shell." At one point it seemed as if the finance discussions might break down entirely until the EU extended an olive branch by tabling a submission on long-term finance. This was followed by a joint submission from Japan, Canada and Australia reaffirming their commitment to long-term financing.

Meanwhile, a satisfactory agreement on the future of the Protocol appeared more elusive than ever. The EU had called for a "balanced deal that is going to put us on the road to a new global deal on climate action." As part of this, it had indicated a willingness to agree to a second commitment period, as long as delegates in Durban agreed to a mandate for a path forward for a legally-binding instrument under the Convention. The EU saw this position as a "major concession" on its part since COP 13 in Bali.

However, during the closing US press conference in Panama, the US reiterated its position that conditions were not ripe for such a mandate, and that "we would be better served" by focusing on implementing existing agreements and scaling up actions. The US also favored commitments from all major economies that were not conditional on funding. "I do not see a meeting of the minds on these fundamental issues," said the country's lead negotiator.

Splits on some of these vital issues were also evident within the G-77/China. While all developing countries wished to keep the Kyoto Protocol alive, their views on a new agreement under the Convention diverged. AOSIS, for example, was very clear that it wanted a legally-binding instrument, presenting a detailed proposal on possible elements for a Protocol or other legally-binding agreement under the Convention. By contrast, India and China were not supportive of a mandate to negotiate a new agreement under the Convention.

Would parties be able to bridge their political differences under both the AWG-LCA and the AWG-KP to ensure these intrinsically interwoven elements were addressed? With less than two months to go until COP 17, the prospects for a successful outcome in Durban seemed far from certain.

Source: *Earth Negotiations Bulletin* summaries of [AWG-LCA 14 and AWG-KP 16](#), [AWG-LCA 14-2, AWG-KP 16-2 and SB 34](#) and [AWG-14-3 and AWG-KP 16-3](#).

A BRIEF ANALYSIS OF COP 17 AND CMP 7 – DURBAN, SOUTH AFRICA: 28 NOVEMBER TO 11 DECEMBER 2011

UBUNTU: THE MEANS AND THE ENDS FOR A NEW ERA IN CLIMATE NEGOTIATIONS?

“I am because you are.” – African proverb

Stirring a sense of history and leadership, the South African hosts challenged negotiators in Durban to embrace the spirit of Ubuntu or interdependence. Across time and space, the defining challenge was to transform the troubled past of the Kyoto Protocol and re-imagine a 21st century multilateral climate change regime where the gap between sufficient levels of mitigation and the competing demands of science and politics will be closed by a transparent commitment to equity. In parallel, entrenched boundaries and positions were shaken up and critical new alliances were forged to facilitate agreement on a balanced package that extends the Kyoto Protocol and initiates a process to design a successor agreement while building new institutions to focus on the implementation of both adaptation and mitigation.

The negotiations were driven by a series of interdependent linkages—some constructed to drive the negotiations forward, some integral to the field of climate change politics, and some based decisively on an understanding that 21st-century global challenges need global solutions. This brief analysis examines some of the defining interdependencies that help tell the story of the Durban Climate Change Conference and the launch of a new phase of climate change negotiations.

FINDING MIDDLE GROUND

“Honest differences are often a healthy sign of progress.” – Mahatma Gandhi

At the outset, expectations were modest with many countries feeling that “operationalizing” the Cancun agreements was all that could be achieved. Others wanted a balanced and interdependent package within a year that resolved the Kyoto Protocol question, moved to a new legally-binding treaty and operationalized the Green Climate Fund.

During the first week in Durban, delegates quietly began frank conversations, helping to outline respective political “red lines,” on a series of related and dependent elements, notably the fulfillment of outstanding business from Bali, Cancun and Copenhagen. The process was helped by a recovery in the negotiating dynamic and momentum wherein key participants began to appreciate both the positions put forward by their counterparts and respect the domestic circumstances and constraints that inform them—with just a few notable exceptions from within the Bolivarian Alliance for the Peoples of Our America (ALBA) countries.

Although the line-by-line review of text remained painstakingly slow on dozens of issues, parties began to seek “mutual reassurances” on what the South African Presidency called the “bigger picture,” and, critically, how to reconcile the looming termination of the first Kyoto commitment period at the end of 2012 with the challenge of codifying the 2020 pledges that were made in Cancun in a new and inclusive instrument capable of reflecting the need to capture and support different kinds of effort in a common framework. Any new instrument must provide a common legal architecture while reflecting and supporting the variable efforts of countries at different

points on the development spectrum, thus respecting while recasting the Convention's principle of common but differentiated responsibilities. In Durban, early informal consultations helped to clarify the technicalities of the second commitment period under the Kyoto Protocol, especially the two-stage approach that defers the definition of quantified emission limitation and reduction objectives (QELROs) and their adoption as amendments to Annex B to the eighth session of the Kyoto Protocol Meeting of the Parties, proved very useful in keeping prospective participants on board.

The debate over how to manage the eight-year window between the end of 2012 and 2020 created space for the “roadmap” championed by Connie Hedegaard, EU Commissioner for Climate Action, and her colleagues in the EU. Ever since Copenhagen, the EU had indicated a readiness to raise its level of ambition to reduce greenhouse gas emissions by 30%, but not alone—and not unless other UNFCCC parties moved rapidly to launch negotiations for a new and inclusive legally binding agreement under the Convention for all emitters. This core demand drew legitimacy from Bali and helped frame the Durban negotiations. Indeed it is arguable that the EU drafted the script for the central plot in Durban by setting out its stall early in the process and offering to do the heavy lifting to save the Kyoto Protocol within the context of a roadmap that put up a challenge to other parties—developed and developing.

Parties addressed the risk of a gap between the first and second commitment periods but will submit their voluntary QELROs by 1 May 2012 in a “pledge and translate” exercise that, unlike Kyoto, will not be derived, for now, by an overall aggregate level of ambition. Parties’ unilateral pledges will be converted to QELROs without reference to an overall global mitigation target, not to mention one that is evidence-based. This helps to explain some of the skepticism among environmental NGOs regarding the prospect for the ambitious effort required to stay within the global temperature range of 1.5 to 2.0 degrees Celsius.

Progress on each element of the Durban Platform unlocked other elements. For example early in the second week, delegates made headway on the GCF as an operating entity of the financial mechanism of the Convention; a fund expected to mobilize US\$100 billion a year by 2020. Reports of early progress on the GCF—a priority deliverable for the South African hosts and the region, proved to be a major contributor in raising the stakes. A fragile sense of possibility emerged as Ministers arrived, although there were increasing concerns about the diplomatic management of the process by the South African Presidency.

Drawing on African traditions, COP President Maite Nkoana-Mashabane called for a series of Indabas, in a spirit of Ubuntu (interdependence) hoping the parties would find wisdom in “coming together to solve common challenges for the larger community.” They convened several Indabas, ranging from plenary hall reports, to technical sessions for negotiators to a table of 50+ Ministers in the final days. When these ministerial sessions ran their course and seemed to fail to take full advantage of the window that was opening for a deal, certain parties began to push the Presidency to take a more proactive approach to identifying and brokering outstanding issues. The Presidency responded and a number of helpful conference room papers were distributed at the Indaba sessions, setting out different approaches to the second commitment period in table format together with elements of a “bigger picture.”

NEW POLITICAL GEOMETRY

“Only free men can negotiate. Your freedom and mine cannot be separated.” – Nelson Mandela

Critically, in a deeply complex mix of issues, with essential and constructed linkages across the package there was an onus on the Presidency to draw on all available talent and experience to line up the interdependent chain of deliverables with clarity and dexterity. Even as late as Thursday evening, anxiety was rising and, in the wee hours of Friday morning, a relatively closed high-level Indaba of 26 parties representing the major negotiating groups began to hammer out the final terms of a deal. This was also helped by a parallel set of ministerial-led facilitations and bilateral meetings to seek common ground.



The dais at a morning AWG-KP session at the UN Climate Change Conference Bangkok in April 2011 with Henning Wuester, UNFCCC; AWG-KP Vice-Chair Madelaine Rose Diouf Sarr, Senegal; Karen Smith, UNFCCC; and AWG-KP Chair Adrian Macey, New Zealand. Photo: IISD/Franz Dejon.

It took a critical engagement between the EU, AOSIS and LDCs to really inject a sense of direction and pace into the negotiations as the countdown to the end of the Conference began. There was a palpable shift in the atmospherics after EU Commissioner Hedegaard joined with AOSIS and the LDCs in issuing a public statement backing the EU “roadmap” plan linking the second commitment period to the early launch of new negotiations under the Convention. As news of the Commissioner’s battle behind closed doors emerged, there was an extra spring in the step of European negotiators as Hedegaard’s brinkmanship in Durban drew stark comparisons with Copenhagen where the Europeans had found themselves isolated and out on a limb in their attempts to lead from the front and champion a second commitment period.

But gaining support of AOSIS and the LDCs was not enough. It was deemed essential that the EU assure China and India that they would simply be expected to turn their Cancun pledges into new legal arrangements. As one observer noted, the 2020 timeframe for any future instrument under the Convention was a source of some reassurance to BASIC countries (Brazil, South Africa, India and China) that their Cancun pledges and their timeframes would be acceptable. The Presidency and the EU were able to lock in the relatively constructive role of countries such as Brazil. While China seemed content to allow India to do BASIC’s heavy lifting and profile the “equity” issue, an issue—alongside common but differentiated responsibilities—that has helped define the contest over contemporary rights to development and the debate over mitigation commitments.

Equity will come to the fore in the negotiation of a new instrument as the distribution and pace of mitigation responsibilities increasingly mirrors a debate on access to ecological space, driven by an ethical demand from the least developed and most vulnerable that the world must overcome a form of “atmospheric apartheid” wherein the glittering prizes of development have—to date—been heavily concentrated in the hands of the few. It’s a demand that also finds an echo in popular protests in response to the crisis-prone global financial system. An intriguing decision recognizing loss and damage also points to the future prominence of the equity debate.

The EU concession to BASIC countries on allowing any new instrument under the Convention to be implemented “from 2020” drew fire from its AOSIS allies and environmental NGOs, some of whom have severely criticized the Durban Platform. While there was some compensation in the final package under the 2013–2015 Review to enhance mitigation ambition, they are still concerned that this will be too little too late.

With complex issues and strains on even the most natural alliances there was an onus on the Presidency to weigh in and offer reassurance as one party's interdependence sometimes became another's unacceptable price. At the outset some observers wondered how the South African Presidency would respond to the competing loyalties to BASIC and the African Union. On the one hand, and significantly, BASIC spoke in plenary for the first time ever as a united negotiating group. On the other, the Presidency inevitably sought to align the potential wins in Durban with their leadership role on the African continent. Determined that the Kyoto Protocol would not be "buried in African soil," the African hosts sought to capitalize on the quid pro quo of a second commitment period and a renewed, science-led, determination to close the "mitigation gap" by pressing home their advantage in the form of closure on the Green Climate Fund, arrangements for the Adaptation Committee, and new technology capacity.

“Climate change COPs have evolved into a carnival-like forum for the latest trends in climate change with a dizzying array of events competing for attention and mindshare.”

Although there was enough political ground to secure a deal, it was not until the final moments on the floor of the plenary that the ultimate deal fell into place. Described as a "defining moment," a last-minute "huddle" on the plenary floor—perhaps the most authentic of all the Indabas—in the early hours of Sunday morning enabled the EU to reach a compromise with India on an option to describe the new UNFCCC instrument in acceptable legal terms. At the eleventh hour, they agreed to launch a process to develop a protocol, another legal instrument or an "agreed outcome with legal force" under the Convention applicable to all parties. It is an issue that could come back to haunt the Europeans who might well discover with the passage of time just how big a compromise they made to India, if other countries choose to construct an "escape hatch" around the legal terminology that falls short of a new protocol.

VIRTUAL INDABA

"The Internet is the town square for the global village." – Bill Gates

As climate change negotiators in Durban marked the 14th birthday of the Kyoto Protocol, the air in the conference rooms was thick with a sense of both the troubled history of climate politics and a historic opportunity for inter-generational change and redefined responsibilities. Veteran negotiators who invoked personal memories of their formative days negotiating the original Convention and/or Protocol knew that their audience reached far outside the room to a virtual global society wanting meaningful and immediate action. As one religious leader put it, "We're here to bear witness for the planet." The popularization and bandwagoning effect of climate change politics is one of the major transformations since Kyoto and this shift was all too evident, once again, when Ministers' statements were instantaneously tweeted from inside the Indaba rooms out to the global village. Combined with the South African Presidency's commitment to the Indaba format—designed to encourage a true participatory and open process of deliberation, the transparency of Durban had a number of unexpected consequences. Not least was the effect of depriving some ALBA negotiators of an opportunity to repeat—with credibility—complaints about exclusion. In contrast, Ministers, negotiators and youth delegates found themselves sometimes competing for the same seat in the Indaba room.

Outside the official negotiating rooms, civil society held their own Indabas. Climate change COPs have evolved into a carnival-like forum for the latest trends in climate change with a dizzying array of events competing for attention and mindshare. From side events, displays of green technology, marches and colorful protests, to real time commentary over the internet through Twitter, Facebook and thousands of blogs, civil society Indabas

are something that a transparent COP host has to manage. South Africa certainly understood the virtual social media huddle could render swift judgments to the champions of ambition and ridicule for those who did not measure up to the ambitions of the global environmental community. At one point the President convened a meeting at a critical endpoint in the negotiations with, apparently, little other purpose than to ensure that global civil society's expectations were raised and primed to maintain pressure on Ministers and their negotiators.

A high point in civil society's management of their presence—in the corridors of the International Conference Centre (ICC) at Durban and in the global media—was a moment that brought together South Africa's 20th century struggle with the new frontline in 21st century struggles for climate justice. With negotiators apparently on the brink of breakthrough or deadlock, a former African National Congress (ANC) activist, now head of Greenpeace, led delegates in chants of anti-apartheid anthems seeking climate justice. Dozens of traditional and new media practitioners were on hand to produce an iconic image of the Greenpeace activist as he co-opted the trappings of the UN for a well-executed piece of agitprop and was led away by UN guards to be expelled from the ICC. This was a supreme example of the way in which climate politics have been transformed by the professional politics of media spectacle—on this occasion drawing on a deep tradition of South African activism twinned now with a new technological capacity that brings climate politics to every screen.

A NEW ERA IN CLIMATE NEGOTIATIONS

While 21st century global challenges certainly need global solutions, it is important not to forget that climate change has very local impacts. One such story loomed over the Conference. UN Secretary-General Ban Ki-moon recalled a tragic encounter with a child in Kiribati who could not sleep soundly for fear that he would be stolen away in the night by a rising ocean. This story captures the urgency of the dilemma confronting negotiators—the call to respond to the most vulnerable states and their peoples facing the impacts of climate change. The story also speaks of an impatient generation of young people who care passionately about the issue because they will “live their lives in the future.” This is a future of networked interdependence that stands in stark contrast with the geopolitics of dependency that marked most of the 20th century and the era that gave rise to the Berlin Mandate and Kyoto Protocol.

These are the voices calling across generations for urgency and increased ambition on targets to ensure that temperatures will not rise more than 1.5 to 2 degrees Celsius. And these are the voices that recognize that the only bridge that will span the current gap in ambition is a global ethic of inclusion and fairness built on foundations of transparency and accountability. These are the voices bearing witness in the corridors, engaging with delegations, disseminating every twist and turn in the negotiations in the unforgiving virtual public commons of the internet where negotiators are held to account in real time. These are the voices that have judged the Durban Platform harshly.

Negotiators, however, who embody the incremental expectations of the institutions they serve, judge themselves with more modest benchmarks. From their point of view, after the trauma of Copenhagen and the struggle to rescue the multilateral climate regime in Cancun, negotiators in Durban turned a corner and not only resuscitated the Kyoto Protocol but, in doing so, leaped to a decision that will see negotiations on a more inclusive 21st century climate regime with something approaching symmetrical reporting systems for country efforts on mitigation. The variable but symmetrical architecture of any new instrument will be important for countries such as the United States in convincing skeptical domestic publics that a truly universal effort is now in prospect. To paraphrase one US negotiator commenting at the conclusion of negotiations, the sales job just went from impossible to very hard.

There was a strong sense that elements of the Cancun-Durban packages, guided by a need to fulfill long overdue commitments from Bali, restored sufficient momentum for new negotiations that will need to be shaped by moving beyond the traditional lines dividing the developed and developing world. This transcendence was

first signaled in Bali but only came into full view after Copenhagen. A fluid new set of coalitions is now taking shape, defined by shifting interests. However, those who look first to science to measure success were the least enthusiastic about the Durban Platform, for they know that—once again—the endemic incrementalism that has haunted climate negotiations since 1992 continues to force compromise on sufficient commitments on mitigation. The prospects for something different this time remain to be seen.

With the completion of several work programmes and the establishment of new bodies at the UNFCCC expected in 2012, there will be a rationalizing within the climate change governance system to create a greater focus on implementation and transparency. Countries must now define strategies to deliver a global and ambitious climate treaty in four years and citizens will turn their attention to build support for action in their domestic political and economic systems as the uncertain road opens up to what some in China call an emerging “ecological civilization.”

Source: [Earth Negotiations Bulletin analysis of COP 17 and CMP 7](#). Written and edited by Soledad Aguilar, Asheline Appleton, Joanna Dafoe, Peter Doran, Ph.D., Elena Kosolapova, Leila Mead and Eugenia Recio.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2011

April	AWG-LCA 14 and AWG-KP 16 meet in Bangkok, Thailand. Also, the Second Clean Energy Ministerial, held in Abu Dhabi, United Arab Emirates (UAE), sees energy ministers and high-level representatives from the major economies report on progress in accelerating the transition to clean energy technologies and plan future activities. Discussions revolve around smart policies for clean energy supply, smart policies for energy efficiency, and strategic deployment of public finance for clean energy.
May	IPCC 33 , convening in Abu Dhabi, UAE, <i>inter alia</i> , accepts the Summary for Policy Makers of the Special Report on Renewable Energy Sources and Climate Change Mitigation. Also, at the Group of Eight Summit in Deauville, France, leaders discuss, <i>inter alia</i> , green growth, climate change and biodiversity.
June	AWG-LCA 14-2 , AWG-KP 16-2 and SB 34 take place in Bonn, Germany.
July	At the second Petersberg Climate Dialogue in Berlin, Germany, 35 participating states consider how to link implementation and negotiation. In 2010, the Dialogue’s two chairing countries—Germany and South Africa—had launched the International Partnership for Emission Reductions and MRV to draw developed and developing countries closer together on this negotiating issue.
September	The 12th meeting of the Major Economies Forum on Energy and Climate Change in Washington, DC, US, brings together representatives from 17 major developed and developing economies, to discuss the road forward on climate change, and partnerships and regional agreements on clean energy and climate. Discussions focus on funding for developing countries and other aspects of the Cancun Agreements.
October	AWG-LCA 14-3 and AWG-KP 16-3 meet in Panama City, Panama.
November	The Group of 20 Summit in Cannes, France, sees leaders mobilize in support of innovative financing for development and climate change. Also, the joint 9th Meeting of the Vienna Convention COP and 23rd MOP to the Montreal Protocol on Substances that Deplete the Ozone Layer in Bali, Indonesia, discusses two proposed amendments to the Protocol to address hydrofluorocarbons.
November-December	COP 17 and CMP 7 are held in Durban, South Africa.

CHAPTER 6

DOHA: GATEWAY TO A NEW CLIMATE REGIME



Nadere Saño, the Philippines, receives a standing ovation by NGOs after a moving statement in the closing AWG-KP plenary. Photo: IISD/Leila Mead.

INTERSESSIONAL HIGHLIGHTS 2012

Following COP 17 in Durban, there was a strong feeling that negotiators had turned a corner and restored momentum towards a more inclusive 21st-century climate regime. COP 17 had launched a new phase of negotiations under the newly-established *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP), established a second commitment period under the Kyoto Protocol and agreed to terminate the AWG-LCA and AWG-KP at COP 18 in Doha. The challenge in 2012 was to begin this new round of negotiations and to work out the details of the second commitment period. The pressure was on delegates to live up to the promise of Durban.

Two intersessional meetings took place in 2012. The first, in Bonn, Germany, from 14-25 May, saw AWG-LCA 15, AWG-KP 17, the first meeting of the ADP, and the 36th sessions of the permanent subsidiary bodies (SBI and SBSTA). In Bangkok, Thailand, from 30 August to 5 September, informal additional sessions convened under the AWG-LCA, AWG-KP and ADP.

Despite the momentum from Durban, negotiations in 2012 got off to an inauspicious start, with the June Bonn Climate Change Conference marred by mistrust and unabashed posturing. Delegates faced a heavy workload, which included tasks related to operationalizing the institutions and mechanisms agreed in Cancun and Durban. Many felt that the atmosphere of the conference was “tense.” A key challenge was to begin to interpret the ambiguous language of the Durban package, which had been negotiated sensitively to accommodate the myriad of parties’ interests.

The ADP faced a rocky start. At its first session in Bonn, the ADP was almost paralyzed by prolonged procedural wrangling as negotiators took nearly two weeks to adopt the agenda and agree on the election of officers. A key issue was finding the proper forum for addressing enhancing ambition to close the “mitigation gap.” Decision 1/CP.17 (on the establishment of the ADP) had ruled that the ADP process for the post-2020 regime would raise the level of ambition and had launched a post-2012 work plan on enhancing mitigation ambition for all parties. However, the decision did not specify when and which body would implement this work plan. Some favored enhancing ambition under the AWG-LCA, pointing to its underlying Bali Action Plan, which affirms the Convention’s core principles, including common but differentiated responsibilities (CBDR). They felt that this “level of comfort” was missing under the ADP for developing countries. Other parties insisted on addressing enhancing ambition under the ADP.

Once finally adopted, the ADP agenda comprised two workstreams, one addressing matters relating to Decision 1/CP.17 paragraphs 2-6 of (the post-2020 regime) and the other addressing paragraphs 7-8 (enhancing ambition during the pre-2020 period). Harald Dovland (Norway) and Jayant Moreshwar Mauskar (India) were elected as the first co-chairs.

During the second round of intersessionals in Bangkok, parties held an initial exchange of views on these two workstreams. One issue was how the Convention’s principles should guide the work of the ADP and what “applicable to all” implied. The CBDR and equity principles proved particularly contentious in this regard. The priority to be given to mitigation versus the other Bali “pillars” was also an issue highlighted by developing countries.

Negotiations under the AWG-KP, chaired by Madeleine Diouf Sarr (Senegal) in 2012, focused on issues to be finalized for adopting a second commitment period (CP2) under the Kyoto Protocol and for the AWG-KP to conclude its work at CMP 8 in Doha. Despite a sense that negotiators in Durban had resuscitated the Kyoto Protocol, several major questions remained outstanding at the conclusion of the 2012 intersessionals, including the length of CP2, how to ensure a smooth transition to CP2, how to deal with surplus units from CP1, and how to extend rules and, in particular, the flexibility mechanisms, including eligibility, given that some countries had indicated they would not be part of CP2. While the Bonn meeting did not make progress on the text of

the Kyoto Protocol amendment, the Bangkok talks produced a non-paper outlining the elements for a Doha decision adopting the amendment. Despite this, a lot of work was left for Doha.

Discussions under the AWG-LCA, chaired by Aysar Tayeb (Saudi Arabia), centered around which issues required consideration so that the AWG could finalize its work at COP 18 in Doha. A difficulty arose in Bonn because of the wording of the Durban package, which had been left open to interpretation regarding how to proceed with the inconclusive work beyond Doha. Developed countries considered that many issues had already been sufficiently addressed and forwarded to different bodies for further consideration, including institutions created for that purpose in Cancun and Durban. Some developing countries, in turn, identified the need to continue discussing issues required to fulfill the Bali Action Plan mandate such as adaptation, finance, technology, capacity building and response measures.

“ Despite the momentum from Durban, negotiations in 2012 got off to an inauspicious start, with the June Bonn Climate Change Conference marred by mistrust and unabashed posturing. ”

Overall, the second round of intersessionals in Bangkok took place amidst a more productive atmosphere than Bonn. Some progress was made on all three AWG tracks, with the UNFCCC Executive Secretary noting in her closing press conference that Bangkok had created space for a “landing zone” in Doha.

Some, however, pointed to broader concerns emanating from the 2012 discussions: developing countries expressed fear that parties are “jumping from the Kyoto Protocol ship” by shifting the focus to the ADP and, thereby, beyond 2020. Tensions between members of the G-77/China, which were noticeable in Durban, continued throughout the 2012 intersessionals. Arguably, the 2012 intersessional period also highlighted the disadvantages of the constructive ambiguity of the Durban package, and made it clear how many issues had yet to be resolved.

Source: *Earth Negotiations Bulletin* summaries of [AWG-LCA 15](#), [AWG-KP 17](#) and [SB 36](#) and [AWG-LCA](#), [AWG-KP](#) and [ADP](#) informal additional sessions.

A BRIEF ANALYSIS OF COP 18 AND CMP 8 – DOHA, QATAR: 26 NOVEMBER TO 8 DECEMBER 2012

“...If not us, then who? If not now, then when? If not here, then where?” – Naderev Saño, Lead Negotiator, the Philippines

Beamed across global mainstream and social media networks, one of the defining moments of the Doha Climate Change Conference was the impassioned plea from the Philippines’ Naderev Saño in the wake of typhoon Bopha. Calling for action, he stated: “even as we vacillate and procrastinate here the death toll is rising.” This appeal resonated in many quarters: climate change manifestations are increasingly typified by devastation, havoc and human tragedy wrought by hurricanes, typhoons and other “natural” disasters. Unfortunately, international climate change negotiating sessions have not always responded with a concomitant sense of urgency.

The “transitional” Doha Climate Change Conference was a case in point. Doha was about moving forward on a trajectory towards adopting a universal climate agreement by 2015—rather than immediately raising ambition as demanded by many youth and NGOs. Delegates also arrived in Doha with the objective of adopting a second commitment period under the Kyoto Protocol and finally closing the door on the two *Ad Hoc* Working Groups:

the AWG-KP and AWG-LCA. Doha was also very much about the cost of addressing climate change and, in particular, making progress on long-term funding to support action in developing countries, which is supposed to reach a level of US\$100 billion a year by 2020, as agreed in Copenhagen in 2009.

With this in mind, this brief analysis looks back on the contribution of the two AWGs to the climate change process over the years and examines the outcome of the meeting, known as the “Doha Climate Gateway,” and its implications for the future.

“Even as we vacillate and procrastinate here the death toll is rising.”

THE GATEWAY TO A SECOND COMMITMENT PERIOD

When parties established the AWG-KP at CMP 1 in Montreal in 2005 to address industrialized countries’ commitments for the post-2012 period under the Kyoto Protocol, they requested the Working Group to present its results “as early as possible” to ensure there would not be a gap between the first and second commitment periods. At that time, negotiators probably could not imagine that this task would require seven long years of negotiations—the same amount of time it took for the Protocol to enter into force. If anything, these marathon negotiations point to the increasingly complex dynamics that now typify UN climate change negotiations.

It has been clear for some time that ensuring a “seamless transition from the first to the second commitment period” would not be enough to guarantee ambitious emission reductions. The first commitment period included binding targets for 37 industrialized countries and the EU to achieve average emission reductions of 5% below 1990 levels in 2008–2012, a figure that was far from ambitious when it was adopted in 1997. By 2005, when the AWG-KP was established, many already accepted the fact that the US would never ratify the Protocol. However, they probably did not expect that some of the key Kyoto Protocol parties would jump ship, as Japan, Canada, New Zealand and the Russian Federation did, by refusing to take on commitments in the second commitment period. This, coupled with the fact that under the Kyoto Protocol major developing countries, such as China—currently the world’s highest emitter—do not have commitments, means that in 2012, the Kyoto Protocol only covers about 15% of global GHG emissions.

In the end, Doha was able to deliver on the AWG-KP mandate, with parties agreeing that the second commitment period “can” be provisionally applied from 1 January 2013. However, it is well-known that the average 18% emission reduction by Annex I parties from 1990 levels in 2013–2020 is not nearly enough to put the world on track to avoid the 2°C temperature increase limit. The AOSIS campaign for a five-year commitment period to avoid locking-in a low level of mitigation ambition bore no fruit. Annex I parties, such as the European countries, preferred a longer commitment period due to their internal legislation already in force and due to a desire to avoid a gap between the second commitment period and the new regime expected to enter into force in 2020. As a compromise, parties agreed to establish a voluntary mechanism to review Annex I parties’ quantified emissions limitation or reduction commitments (QELRCs) and thus hope for a rise in mitigation ambition under the Kyoto Protocol in the near future.

With the adoption of a second commitment period, the fears of many that institutions, common accounting rules and flexibility mechanisms developed under the Kyoto Protocol would collapse can be assuaged. However, some Annex I parties have been accused of only wanting to “cherry-pick” from elements of the Kyoto Protocol, such as the market mechanisms, which have spawned burgeoning carbon industries back home. Agreeing on the eligibility criteria for participating in the Protocol’s flexibility mechanisms, including the Clean Development Mechanism (CDM), occupied a great deal of delegates’ time in Doha. Parties eventually agreed that only those Annex I parties taking on commitments will be able to trade (“transfer and acquire”) carbon credits generated through the flexibility mechanisms during the second commitment period.



A view of the dais prior to the convening of the ADP plenary in Doha: Andrew Higham, ADP Secretary; Oleg Shamanov, ADP Rapporteur; ADP Co-Chair Harald Dovland; Tracy Tollman, ADP Focal Point; and ADP Co-Chair Jayant Moreshwar Mauskar. Photo: IISD/Leila Mead.

Without doubt, the most drama in Doha unfolded over the use of excess Assigned Amount Units (AAUs), and whether these could be carried over to the second commitment period. Parties that have AAUs to spare because of emission reductions above their Kyoto commitments are permitted to sell the excess units to other countries. However, these surplus AAUs are mostly “hot air” units that do not represent real mitigation efforts but are due to the economic decline experienced during the transition to a market economy by a number of countries, such as the Russian Federation, Ukraine and Poland.

The final “wrangling” took place in the closing plenary on Saturday afternoon between those wanting to limit the use of excess AAUs to ensure the “environmental integrity” of the emission reduction commitments put forward and those arguing that “overachievement” of commitments should not be punished by a limitation in the use of AAUs. Russia, Ukraine and Belarus attempted to block the adoption of the AWG-KP outcome during the CMP closing plenary, but the nimble COP President gaveled its adoption before appearing to notice Russia’s raised flag. A round of applause welcomed the adoption of the decision, which limits the amount of surplus AAUs that can be used and provides that only parties taking on second commitment period QELRCs can use them. Russia objected to what he said was a breach of procedure by the President, while the COP President responded he would do no more than reflect his view in the final report. This action on the part of the COP President brought back echoes of the events of Cancun when Bolivia’s objections to the adoption of the Cancun Agreement were overruled/ignored in much the same way. It also made many wonder whether this was becoming a trend in the climate negotiations; as many have repeated, consensus does not mean the right of one party to block progress.

LEAVING THE AWG-LCA BEHIND

On the Convention side, the AWG-LCA came to a rather anti-climactic demise in Doha, devoid of the excitement and resounding applause accompanying its birth five years ago when the Bali Action Plan (BAP) was adopted at COP 13. At that time, weary but good-spirited delegates headed home, heralding COP 13 as a “breakthrough,” stewarding a “new era of multilateralism.” After lengthy and difficult negotiations, delegates had agreed on a two-year process—or Bali Road Map—a set of decisions aimed at finalizing a post

2012-regime by Copenhagen in December 2009. The Bali Road Map was ostensibly about addressing some of the shortcomings of the Kyoto Protocol, particularly the US refusal to join a treaty that did not require emission reductions from major developing country emitters. In the meantime, the global economic landscape has been changing beyond recognition and China and India's rising carbon emissions are increasingly under sustained scrutiny.

At its birth, the BAP was seen as progressive, because for the first time it introduced the notion of “developed” and “developing countries,” under the Convention as opposed to “Annex I” and “non-Annex I parties.” This new categorization opened up the possibility of differentiation according to levels of economic development among developing countries, a nascent concept at that time.

Fast-forward two years, and instead of adopting a new protocol at COP 15 in Copenhagen, the fractious meeting nearly collapsed with parties in the end merely agreeing to “take note” of the Copenhagen Accord. The AWG-LCA's mandate was extended for another year and subsequently renewed at both COP 16 and COP 17, where parties finally agreed to terminate the AWG-LCA at COP 18.

Leading up to Doha, speculation had been rife that there would be no agreement on closing the AWG-LCA, if its work was not deemed to be satisfactorily completed. Negotiations under the AWG-LCA in Doha at times appeared haphazard—even chaotic—leaving many delegates second guessing AWG-LCA Chair Tayeb's intentions and modus operandi. Agreement appeared elusive, especially with finance and loss and damage still up in the air and only a weak framework for Annex I countries' mitigation. Ultimately, after intense consultations and trade-offs, the AWG-LCA completed its work as scheduled.

But what is the AWG-LCA's legacy? Was it able to deliver on its promises or were delegates naively aspirational in 2007? In Bali, even if anchored in the principle of common but differentiated responsibilities, both developing and developed countries ultimately agreed to undertake mitigation efforts. In a historic move, developing countries agreed to “nationally appropriate mitigation actions in the context of sustainable development, supported by technology and enabled by finance and capacity building in a measureable, reportable and verifiable manner.” Developed countries meanwhile agreed to undertake, “measurable, reportable and verifiable nationally appropriate mitigation commitments or actions, including QELROs, while ensuring the comparability of efforts among them, taking into account differences in their national circumstances.”

Since Copenhagen, over 85 developing and developed countries presented emission reduction pledges under the Convention. However, many of these pledges are unclear, containing targets to be achieved on conditionalities and wide ranges of possible reductions proposed. As one commentator noted, five years down the line, mitigation under the AWG-LCA has increasingly devolved from a “top-down to a race-to-the-bottom approach,” and, he added, “characterized by a pledge and report system, with emphasis on reporting mitigation actions through national communications and inventory reports.” Agreement in Doha under mitigation for developed countries “urges” them to increase the ambition of their quantified economy-wide emission reduction targets to levels recommended by science and establishes a work programme to continue clarifying these pledges. The work programme is aimed at identifying “common elements” for ensuring progress towards emission reduction targets and comparability of efforts.

“The decision does not refer to the establishment of common accounting rules, methodologies and common base years for developed countries,” lamented one developing country delegate. Assessing comparability of mitigation efforts among Annex I parties is key for many reasons, including for maintaining robust international carbon markets. This decision has left many questioning the commitment of developed countries to raising the level of ambition. On the side of developing country mitigation, Doha also establishes a work programme to “further the understanding of the diversity of NAMAs,” which for many, is a long way short of addressing the runaway emissions of several emerging economies.

If anything, the AWG-LCA has fashioned an entirely new institutional landscape under the Convention. Doha endorsed Songdo, Republic of Korea, as the Green Climate Fund's (GCF) host. The Standing Committee on Finance is also firmly established. Under technology, a mechanism was created and Doha confirmed a UNEP-led consortium as the host of the Climate Technology Centre (CTC). The Adaptation Committee was established to work on adaptation. When the concept of loss and damage was first proposed by AOSIS during the AWG-LCA negotiations several years ago, it seemed inconceivable then that parties would eventually agree in Doha to develop institutional arrangements to compensate developing countries for loss and damage caused by slow onset events, such as sea level rise.

Finance has always been the linchpin of the negotiations. While the Copenhagen Accord provided for fast-start finance up to 2012 and the mobilization of US\$100 billion both for adaptation and mitigation by 2020, the agreement was silent on financing during the period 2012-2020. This mid-term gap has preoccupied the hearts and minds of many during every negotiating session over the last few years. The agreement reached in Doha "encourages" developed countries to increase efforts to provide finance between 2013 and 2015 at the same levels as provided during the fast-start period. For many, this falls considerably short of the MRV of financial support envisaged in the wake of Bali. The agreement also extends the mandate of the work programme on long-term finance by one year, where "efforts to scale up the mobilization of climate finance" will be considered. Although the GCF has been established, without a concrete signal on its replenishment, many see it as just an "empty shell."

At the end of the day the success of the AWG-LCA's outcome will be judged by how effectively these new institutions can implement their mandates and enable developing countries to address climate change challenges.

THE ADP: THE GATEWAY TO A NEW CLIMATE SYSTEM?

In trying to forge the path towards a more ambitious climate regime, parties in Durban in 2011 decided to develop "a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties" with the objective to complete its work as early as possible but no later than 2015, so it can be implemented beginning in 2020. These negotiations have been entrusted to the recently-established *Ad Hoc* Working Group on Enhanced Action under the Durban Platform (ADP).

In Doha, many feared that lack of agreement under the AWG-KP and AWG-LCA would have serious repercussions for the work of the ADP, preventing it from delivering a new agreement by 2015. Since agreeing on the ADP's agenda in June, parties have exchanged views in a roundtable format addressing how to put its mandate into practice. These discussions for some, however, are reminiscent of similar discussions and positions during the early days of the AWG-LCA. Divergent views prevailed in Doha during many of these exchanges, particularly on how the mandate will be "applicable to all," and whether the Convention principles, including the principles of equity and common but differentiated responsibilities, will be at the core of the new regime. For some, the core of the matter lies in how to apply the principles and not whether to apply them. As the decision adopting the ADP does not include explicit references to the Convention's principles, for the US, it is rather an issue of not "rewriting the ADP's mandate."

Under the ADP, developed countries increasingly envisage an evolving and dynamic framework that reflects current socio-economic realities and definitively dismantles the "firewall" between developed and developing country mitigation. As European Commissioner for Climate Action Connie Hedegaard put it: "We are crossing the bridge from the old climate system to the new system. Now we are on our way to the 2015 global deal."

“ We are crossing the bridge from the old climate system to the new system. Now we are on our way to the 2015 global deal. ”

The evolving negotiating dynamics perhaps herald a new world order on a different level. Developing countries have started to look at the future with different perspectives. A coalition, which emerged in Bonn, comprising Colombia, Peru, Costa Rica, Chile, Guatemala and Panama, formally spoke in Doha as AILAC (Association of Independent Latin American and Caribbean states). According to its members, AILAC is “founded on a collective conviction that a strong and robust Convention is the most effective way to achieve the objective of a below-2 degree world.” Meanwhile, another group, dubbed the “like-minded group,” primarily comprised of members of the Arab Group, some Latin American countries, including Argentina, Venezuela, Bolivia and Ecuador, as well as India and China, appears to be firmly established since June in Bonn. Their goal is to uphold the Convention’s principles of common but differentiated responsibilities and equity, as well as developed countries’ historical responsibility for climate change.

With the baton having now been passed to the ADP, many are asking how to ensure that the ADP delivers on a more effective regime, within such a tight timeframe and many opinions on how just to do it. The success of the ADP may depend, in part, on how negotiators manage to build on the experiences and lessons learned from other processes within and outside the Convention. As delegates left Doha, many appeared satisfied with the agreement on a “firm timetable to adopt a universal climate agreement by 2015” and a path to raise necessary ambition in the context of discussions on raising ambition for the pre-2020 period under the ADP’s Workstream 2. Many also welcomed the announcement by UN Secretary-General Ban Ki-moon of his intention to convene world leaders in 2014 in what many see as “an attempt to keep climate change as the utmost priority on global leaders’ agendas.”

In the words of COP 18 President Abdullah bin Hamad Al-Attiyah “Doha has opened up a new gateway to bigger ambition and to greater action—the Doha Climate Gateway.” He added “Now governments must move quickly through the Doha Climate Gateway to push forward with the solutions to climate change.”

“IF NOT US, THEN WHO”

Closing the meeting, COP President Al-Attiyah remarked: “I am not saying what is in store is a perfect package. Perfection is just a concept. If great minds like Plato and Socrates were in the COP presidency, I assure that even they would not been able to deliver a perfect COP 18 package...” He acknowledged the sentiments of many that Doha had reached an agreement but at the same time had also fallen short. As a civil society representative pointed out “success should not be measured by saving the process” but by taking real action to combat climate change.

Under the Kyoto Protocol, for example, the expectations of non-Annex I parties in 2005 were far from realized, but as one insider mentioned “Doha will go down as a very modest step forward in safeguarding the only existing legally-binding top-down and rule-based system.”

The world is changing dramatically and it promises to change just as much or more before 2020, especially as some “developing” countries’ economies and even per capita emissions surpass developed countries, and as the impacts of climate change become more common and destructive. All eyes now look ahead to see what a future universal climate change regime can deliver and whether this time around there will be the requisite urgency and political will to ensure that dangerous climate change is avoided. Only history will judge, as a negotiator from the Philippines said “whether we have opened our eyes to the stark realities that we face.”

Source: [Earth Negotiations Bulletin analysis of COP 18 and CMP 8](#). Written and edited by Tomilola Akanle Eni-ibukun, Ph.D., Jennifer Allan, Beate Antonich, Asheline Appleton, Elena Kosolapova, Kati Kulovesi, Ph.D., and Eugenia Recio.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2012

April	The UK hosts the third Clean Energy Ministerial (CEM), attracting the participation of ministers from more than 20 countries. The discussions focus on progress made in the CEM's 11 clean energy initiatives, enhancing collaboration among the participating governments and strategies to drive public-private engagement in support of clean energy deployment.
April and September	The Major Economies Forum on Climate Change meets in Rome, Italy, and New York, US, discussing, <i>inter alia</i> , ways to increase collective ambition, equity, scaling up of low-carbon investment in developing countries and expectations for the Doha COP.
May	AWG-LCA 15, AWG-KP 17, ADP and SB 36 meet in Bonn, Germany. The meeting of Group of Eight leaders issues the Camp David Declaration in which they, <i>inter alia</i> , agree to continue efforts to address climate change and recognize the need for increased mitigation ambition in the period to 2020. They strongly support the Durban COP outcome and agree to continue to work together in the UNFCCC and other fora toward a positive outcome at Doha. The leaders also recognize the impact of short-lived climate pollutants on near-term climate change and agree to join the Climate and Clean Air Coalition to Reduce Short-lived Climate Pollutants.
June	A total of 44,000 UN member states' representatives and observers convene in Rio de Janeiro, Brazil, for the UN Conference on Sustainable Development (UNCSD), or Rio+20, and adopt the outcome document "The Future We Want," which: reaffirms that "climate change is one of the greatest challenges of our time"; expresses alarm at climate impacts; emphasizes that adaptation should be a priority; underscores the need for cooperation; notes the mitigation gap; and urges parties to the Convention and Kyoto Protocol to fully implement their commitments. Also in June, the Group of Twenty leaders, meeting in Los Cabos, Mexico, reiterate their commitment to fight climate change.
July	Germany and Qatar co-chair the fourth Petersberg Climate Dialogue under the title of "Matching Ambition with Action." The dialogue gathers ministers from 31 countries and focuses on: the gap in ambition gap between targets and science; low-emission economy strategies; and the 2015 climate agreement.
August	The Green Climate Fund Board convenes for its first meeting in Geneva, Switzerland, electing Zaheer Fakir (South Africa) and Ewen McDonald (Australia) as the Board's first Co-Chairs.
August-September	The AWG-LCA, AWG-KP and ADP convene for additional sessions in Bangkok, Thailand.
November	The 24th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer takes place in Geneva, Switzerland, adopting numerous substantive decisions but is unable to reach agreement on a draft decision to amend the Montreal Protocol to include hydrofluorocarbons, a potent GHG.
November-December	COP 18 and CMP 8 take place in Doha, Qatar.

CHAPTER 7

WARSAW: BIRTH OF THE INDC



ADP Co-Chairs Artur Runge-Metzger, EU, and Kishan Kumarsingh, Trinidad and Tobago. Photo: IISD/Franz Dejon.

INTERSESSIONAL HIGHLIGHTS 2013

The Doha COP successfully streamlined the negotiating process by concluding the work of two *ad hoc* working groups (AWGs). Left with only the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP), many hoped delegates would be able to make good progress in 2013. After an April ADP session structured around workshops and roundtable discussions, which parties described as helpful, the June intersessional meetings hit a roadblock, with the Subsidiary Body for Implementation (SBI) unable to convene due to an agenda dispute. Meanwhile, the Subsidiary Body for Scientific and Technological Advice (SBSTA) was able to make good progress, and exchanges of views continued under ADP workshops and roundtables.

In 2013, the UNFCCC convened two intersessional meetings, both taking place in Bonn, Germany. ADP 2 met from 29 April to 3 May. The 38th sessions of the SBI and SBSTA and a resumed ADP 2 convened from 3-14 June, under the continuing co-chairmanship of Harald Dovland (Norway) and Jayant Moreshwar Mauskar (India).

The ADP had a tremendous task ahead to complete its two objectives: UNFCCC Executive Secretary Christiana Figueres was quoted for calling 2013 “the year of the sponge,” since parties and Co-Chairs Dovland and Mauskar were gathering views and concrete proposals on key elements that the 2015 agreement could contain and on sectors where further mitigation action could take place before 2020. This conceptual work, as agreed in Doha, would then feed into a draft ADP negotiating text to be considered by COP 20 in 2014.

At the five-day April-May session, discussions took place in workshops and roundtables, centered on the two Workstreams of Decision 1/CP.17 (Durban Platform for Enhanced Action). The workshops comprised expert presentations, panel interventions and a general discussion and included participants from parties and observer entities.

Under Workstream 1 (the 2015 agreement), developed countries put forward ideas on commitments, including a spectrum for countries to choose from and a mechanism to ensure that the overall ambition is in line with climate science. Some developing countries, in turn, expressed support for reconsideration of the Brazilian proposal, originally made in 1997, seeking to allocate mitigation action based on negative historical contributions to temperature increases rather than on emission flows.

Under Workstream 2 (pre-2020 ambition), delegates put forward several proposals on how to bridge the pre-2020 gap, including entry into force the Doha Amendment (second commitment period) to the Kyoto Protocol. Under both Workstreams, many developing countries expressed frustration with means of implementation, arguing that developed countries were not adequately implementing their commitments and describing the GCF as “an empty shell without adequate resources.”

Nevertheless, the mood at the April-May session was largely positive. Many delegates felt that the format adopted at this meeting helped move the ADP discussions forward, but others noted the need for the ADP to become more focused and interactive. Reporting back on parties’ consultations on the establishment of a contact group aimed at moving some of the work to a more formal setting, ADP Co-Chair Dovland noted that “the time was not ripe” to take up the issue.

The ADP resumed its work at the June intersessional meetings in the same format, through workshops and roundtables. These “conversations,” structured around outlining the contours of a possible agreement and enhancing ambition for the pre-2020 period, were met with mixed reviews. Some felt the meeting was characterized by “marathon sessions where previous discussions were rehashed.” Others suggested the session had presented an opportunity to start “defining the scope, structure and design of the new agreement.”

As was the case during the April-May session, parties were not able to reach agreement on establishing one or more contact groups. Many considered that switching to “negotiating mode” would be important for ensuring

progress in future sessions, but there was no consensus. Instead, the ADP agreed to invite the incoming Co-Chairs to propose, based on parties' submissions, a more formal mode of work going forward. In the closing ADP plenary, Co-Chair Mauskar suggested that the Co-Chairs' goal of "laying a solid foundation for the 2015 agreement and addressing pre-2020 ambition" had been achieved, but noted that "a ten-thousand-mile journey starts with one step and we have taken several, but the real difficulties start now." Some predicted that, going forward, agreeing on a modus operandi that keeps everyone happy would be no easy feat.

“ A ten-thousand-mile journey starts with one step and we have taken several, but the real difficulties start now. ”

In addition to the ADP, the SBI and SBSTA were expected to make progress on a long list of items, some of which they had inherited from the AWG-KP and AWG-LCA. The SBI however, was unable to launch substantive work at this session due to an agenda dispute concerning a proposal by the Russian Federation, Belarus and Ukraine to introduce a new item on legal and procedural issues related to decision-making under the COP and CMP. This proposal was in response to events that transpired during the closing CMP in Doha, where the second commitment period under the Kyoto Protocol was gavelled through amid controversy. These countries were also dissatisfied with the final decision on the use of excess Assigned Amount Units (AAUs) in the Kyoto Protocol's second commitment period. In contrast, the SBSTA, which consequently received more negotiating time, made progress on a number of agenda items, with agriculture and REDD+ being among the key beneficiaries.

Source: *Earth Negotiations Bulletin* summaries of [ADP 2](#) and [ADP 2 \(part 2\) and SB 38](#).

A BRIEF ANALYSIS OF COP 19 AND CMP 9 – WARSAW, POLAND: 11–23 NOVEMBER 2013

“We're on a road to nowhere. Come on inside.” – Talking Heads

Last year, Typhoon Bopha ravaged the Philippines during the Doha Climate Change Conference, prompting the Philippines' Naderev Saño to ask “If not us, then who? If not now, then when? If not here, then where?” A year later, the Warsaw Climate Change Conference opened as Supertyphoon Haiyan, the strongest storm to ever make landfall, ravaged the Philippines yet again and Saño chose actions over words, undertaking a voluntary fast, joined by over 200 supporters, until a meaningful outcome was reached in Warsaw. The fast, the supertyphoon, and the many marches and protests, became touchstones of the urgency of climate action, backed by alarms sounded by the scientific community leading up to COP 19.

Heading into Warsaw, the scientific community issued a “clarion call” that climate change is unequivocal and its effects are evident in many parts of the world, including flooding in the Middle East and Europe, and prolonged droughts in the US and Australia. Two months before the COP, IPCC Working Group I concluded that human influence on the climate system is clear and limiting climate change will require substantial and sustained reductions of GHG emissions. The World Meteorological Organization confirmed that 2013 has been among the top ten warmest years on record and that melting ice caps and glaciers, in part, brought global sea level to a new record high.

While these reports outlined the already-evident effects of climate change, others showed how paltry the international response currently is. The UNEP Emissions Gap Report showed an increase in emissions in 2013, noting that the opportunities for reaching the 2°C goal are closing and warning against the costs of inaction.

Against this backdrop of urgency—for ambitious mitigation, earnest adaptation, and resolute efforts on loss and damage—COP 19 convened in Warsaw. In striking contrast to reality on the ground and in the atmosphere, a sense of resolve was notably absent at the Warsaw National Stadium, the venue for the conference. Halfway along the road between Durban and Paris, this brief analysis takes stock of the COP’s ability to fulfill expectations, the ADP’s progress towards a 2015 agreement and enhancing pre-2020 ambition, and the UNFCCC’s ability as a process to respond to the grave challenge posed by the changing climate.

MODEST EXPECTATIONS FOR A STOP ALONG THE ROAD

Before the opening of the conference, many expected Warsaw to be a “Finance COP,” or an “Implementation COP.” Yet, by the end of the meeting, those wondering if COP 19 could be a “REDD+ COP” were ultimately proven correct. Parties approved a package of decisions, heralded by many as an overdue success, creating the Warsaw Framework for REDD+ that addresses a series of methodological questions, institutional arrangements and results-based finance. COP 19 also reached relatively timid decisions on some issues, such as long-term finance, and loss and damage.

At COP 19, financial issues proved thorny, ultimately tied to diminishing trust among parties in the climate process. Pledges made in Warsaw, including US\$40 million by the Republic of Korea to the Green Climate Fund (GCF) and US\$72.5 million by seven European governments to the Adaptation Fund, were insufficient to build confidence among developing countries that the 2009 promise of US\$100 billion per year by 2020 would be realized. Developing countries point to the fact that climate finance pledged through multilateral funds decreased by 71% in the last year, and the GCF contains only US\$6.9 million donated by only ten countries. With the GCF in large part still an “empty shell,” many developing countries worried that pledges would not materialize into actual deposits to realize the 2020 goal. Thus far, developed countries have explained that their finance ministers are leery of sending funds to an institution lacking finalized operating procedures. In Warsaw, with the operationalization of the GCF, several developed countries expressed willingness to pledge, yet the pledges did not necessarily raise developing countries’ confidence that the funds will actually materialize.

Another key COP 19 agenda item, loss and damage, was also unable to restore developing countries’ confidence that the UNFCCC process can meet their expectations. Last year in Doha, it was agreed that COP 19 would establish “institutional arrangements, such as an international mechanism,” to address loss and damage in countries that are particularly vulnerable to the adverse effects of climate change, and elaborate its functions and modalities in accordance with the role of the Convention. This issue proved to be one of the most contentious of the conference.

Loss and damage results from slow onset or extreme weather events that cannot be prevented by even the most ambitious mitigation action. Due to the extreme, and sometimes permanent, nature of the damage and losses involved, loss and damage cannot be adequately addressed through adaptation either. For developing countries, particularly members of AOSIS and the African Group, it was therefore crucial that the mechanism’s specific functions and modalities include provision of support and that funding for actions on loss and damage come from a dedicated source separate from adaptation finance. Conversely, developed countries repeatedly emphasized that, as part of the Cancun Adaptation Framework, arrangements on loss and damage should not duplicate or add layers to the existing institutional framework.

In the end, agreement was only reached during the closing plenary, with the G-77/China squeezing in last-minute amendments in a final attempt to distinguish loss and damage from adaptation, even if only in the preamble. Building to a large extent on the Doha decision, the new Warsaw international mechanism provides for enhancing knowledge, action and support for loss and damage, as well as strengthening dialogue among relevant stakeholders. Yet it merely “requests” developed countries to provide developing countries with financial support. Provisions on the 2016 review of the mechanism’s structure, mandate and effectiveness came as a last-

ditch effort by developing countries to get a better deal; however, with three more years to go before the review could potentially strengthen the mechanism, it could be a case of too little, too late for those already suffering from climate change-related loss and damage.

While parties found minimal agreement on finance and loss and damage, they were unable to achieve consensus on other key issues, including markets, agriculture, response measures, and Articles 5, 7 and 8 (methodological issues under Protocol). A standout among these issues was work related to non-market-based approaches, the new market mechanism and the framework for various approaches, which seek to elaborate common rules for all mitigation efforts, market and non-market based, to ensure environmental integrity. COP 19 inherited the politically difficult issues of markets from the *Ad Hoc* Working Group on Long-term Cooperative Action.

“The World Meteorological Organization confirmed that 2013 has been among the top ten warmest years on record and that melting ice caps and glaciers, in part, brought global sea level to a new record high.”

Developed countries point to the need for a variety of tools, such as market mechanisms, to “stretch” their ambition. Developing countries, however, have a fundamentally different view, pointing to sputtering carbon markets and low prices for carbon credits as proof of the need for greater mitigation ambition. Despite the COP President’s attempt to intercede during the second week and find a way forward on the issue, parties could not reach agreement, finally forwarding this highly political issue to its technical body to address next year.

Amid what many called “mixed” or “disappointing” results, REDD+ stood out as perhaps a singular achievement. After eight years of negotiations, and extra time allotted to negotiate technical REDD+ issues in June, parties finally completed a package agreement. Still, institutional arrangements and finance proved difficult. Both institutional and financial issues had to contend with the myriad of REDD+ initiatives and projects currently underway outside the UNFCCC process. While negotiators worked for years to secure common MRV guidance and financial arrangements, a multitude of bilateral and multilateral, public and private initiatives sprung up. Various parties and other stakeholders were already invested with a particular set of arrangements and unwilling to shift midway through their REDD+ process, which weakened the decisions on REDD+ institutional arrangements and finance. The institutional arrangements decision amounts to annual meetings between national focal points and funding agencies. The decision on finance creates yet another REDD+ information hub. It falls short of establishing the market mechanism envisioned by those who brought deforestation back to the UNFCCC agenda in 2005. Instead, it leans toward a fund-based approach, which could, by some estimates, require US\$30 billion annually.

Aside from the relative success of the REDD+ package, COP 19 really did not even meet its modest expectations. For some, solely meeting the bare minimum was a further sign of increasingly diminishing confidence in the process, as issues of trust among parties led to sober reflections on the process itself.

CONDUCTING A PROCEDURAL DIAGNOSTIC: GREASING A SQUEAKING WHEEL

Since Copenhagen, concerns over transparency and process have cast a shadow over the UNFCCC. The need to rebuild both trust among parties and legitimacy of the process is dire. To some extent, more transparent and inclusive talks in Cancun and the Durban “indabas” did manage to restore a certain degree of confidence. Yet, acrimonious discussions returned again in Warsaw as the fragile feeling of trust dissipated. Developing countries complained of “broken promises” and made desperate calls for implementing agreed commitments on finance, while mutual accusations of backtracking were thrown around. Some controversial statements made during a

press conference sparked a finger-pointing session between the Like-Minded Developing Countries (LMDCs) and the EU, which some even described as “negotiating through the media.” With trust issues like these, the road to Paris is likely to be a bumpy one.

Procedural trepidations, too, never truly left the process. In Cancun, COP President Patricia Espinosa gaveled through the adoption of the Cancun Agreements despite Bolivia’s opposition, leaving many to ponder the meaning of consensus. Just two years later, COP President Abdullah bin Hamad Al-Attiyah gaveled through the adoption of the Doha Amendment notwithstanding Russia’s raised flag. This caused Russia to demand that decision-making be put on the SBI agenda, which resulted in a procedural impasse last June when the SBI was unable to begin its work for two weeks. Following protracted consultations immediately prior to the Warsaw conference, a new agenda item on decision-making in the UNFCCC was introduced under the COP, and informal open-ended consultations were launched. In these informal consultations, parties considered procedural issues that will shape their future discussions.

Although no formal outcome in the form of a COP decision was reached, the creation of a designated window for procedural discussions is significant. Parties appeared to be on the same wavelength on the timeliness of addressing the decision-making process perceived as flawed by many, and “cleaning house” before Paris. The task seems daunting, however, as numerous issues have been added to a laundry list dominated by an overarching concern over legitimacy of the process.

Anxieties surrounding transparency and inclusiveness versus efficiency and effectiveness; the roles of the COP President, the Secretariat and presiding officers; organization of high-level engagement as well as the process for achieving outcomes—all harking back to Copenhagen—have been haunting the UNFCCC process for years. And although COP President Marcin Korolec was hailed for conducting the process in a transparent and party-driven manner, many developing countries’ delegations were spread too thinly to be able to effectively follow the packed agenda. Late nights, too, continued to compromise transparency, efficiency and inclusiveness, which led some to wonder if all-night negotiations could be some parties’ tactic, and to question their good faith.

The avoidance of package deals, too, engendered discussions. With the adoption of the rules of procedure nowhere in sight, package deals have, in the past, been the means to reach consensus. Yet, package deals often mean that parties are forced to accept compromises on issues that, if taken on their own, they would not agree to. During the informal stocktaking plenary on Saturday morning, COP President Korolec slipped up to mention “a package,” an eyebrow-raising comment he later retracted after the G-77/China and others sought reassurance that each decision would be considered on its face value. Other parties, however, seemed more comfortable with package-deal language. The outcomes of several COPs leading up to Warsaw have been the result of take-it-or-leave-it, not give-and-take, deals. Warsaw prudently showed caution on that front.

ADP: HALFWAY STOP ON THE ROAD TO NOWHERE?

The main expectation for the ADP at COP 19 was to intensify work on the content of the 2015 agreement and on concrete outcomes on pre-2020 ambition, thereby instilling confidence that this process can deliver on both fronts. Despite the best efforts of the Co-Chairs, results were sparse.

The task to “develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties” by 2015 to enter into force by 2020, agreed in Durban, has become a touchstone of the UNFCCC’s ability to respond to the urgency of climate change. Progress toward a new agreement is one indication of whether the UNFCCC is still relevant and able to take the necessary action to combat climate change.

At the halfway mark to 2015, with just two years to go, parties seem far from delivering on their goal to complete a negotiating text at COP 20 in Lima.



Delegates huddle to resolve issue of loss and damage. Photo: IISD/Franz Dejon.

It appears that the 2015 agreement is developing into a purely “bottom-up” arrangement, meaning that states delineate the extent and nature of their contributions. What seems to be lacking is top-down commitments and a pledge-and-review mechanism to assess the patchwork of national contributions to determine if they represent emission reductions substantial enough to stay within the 2°C target. The controversial reference to “intended nationally determined contributions” that would not prejudice their legal nature was introduced as an oral amendment in the final minutes of the ADP closing plenary. The term “contributions,” as opposed to “commitments,” represented a divide between developed countries and some developing countries, particularly the LMDCs. This effectively left fundamental issues, such as the legal nature of the 2015 agreement and the means to differentiate commitments in an agreement “applicable to all,” unresolved.

Differentiation is also side-stepped in the decision. Many developed and several developing countries supported a discussion on how differentiation could be reflected in the 2015 agreement, which, according to the Durban mandate, should be “applicable to all.” However, LMDCs are hesitant to revisit this issue and argue instead for any future agreement to reflect the Annex I/non-Annex I distinction. Developing countries supporting discussions on differentiation, such as Association of Independent Latin American and Caribbean states (AILAC), felt their voices were drowned out by the rising visibility of the LMDCs as well as the acrimony between the EU and Venezuela, which became a distraction during the final days.

Revising differentiation in the 2015 agreement is a key demand of developed countries. Given fundamental changes in the global economy since 1992, some non-Annex I countries, such as the Republic of Korea, China, Brazil and India, are now economic powerhouses with associated increases in GHG emissions. For a long time, their argument for retaining Annex I/non-Annex I differentiation was rooted in their per capita emissions being much lower than those in developed countries and their right to sustainable development. Today, China, the world’s largest emitter in absolute terms, also ranks on par with the EU in per capita terms, prompting those open to differentiation to note the need for the 2015 agreement to look at current and future emissions as those will amount to tomorrow’s historical responsibilities.

Furthermore, several developed countries, currently holding the historical responsibilities for atmospheric concentrations of GHGs, have yet to embrace their leadership role, as evidenced by the gap between the slim pledges and implementation of commitments, and the cuts needed to keep global temperature rise below 2°C.

Meanwhile, pre-2020 mitigation ambition has been slow to emerge. Only four countries—Bangladesh, Barbados, Mauritius and the United Arab Emirates—have ratified the Doha Amendment, which needs 144 ratifications to enter into force. China and the EU did announce their intentions to ratify; however, even with all of the EU member states on board, a further 110 ratifications are needed. Thus, until the Doha Amendment enters into force, parties with quantified emissions limitation or reduction commitments (QELRCs), are not legally bound to fulfill them. Furthermore, the second commitment period covers only about 15% of global emissions, which makes it imperative that other countries contribute to the global mitigation effort if the global temperature goal of 2°C is to be achieved. The COP decision on “Further advancing the Durban Platform” contains no targets for 2020, merely urging states that have not communicated their quantified economy-wide emission reduction target, or nationally appropriate mitigation action, to do so. It further urges developed countries “to implement without delay” their quantified economy-wide emission reduction targets under the Convention, and QELRCs for the second commitment period of the Kyoto Protocol, if applicable.

If anything, the Warsaw COP saw pre-2020 mitigation ambition wane. For example, Japan, one of the few Annex I countries without a QELRC for the second commitment period, announced its new GHG emission reduction target during the first week of the COP. It has pledged to reduce its emissions by 3.8% compared to 2005 by 2020, which, if using 1990 as the base year, results in an increase of 3.1%, whereas under the Kyoto Protocol first commitment period, Japan was supposed to reduce its GHG emissions by 6% compared to 1990 levels.

The COP also decided to intensify the technical examination of opportunities with high mitigation potential next year, building on a technical paper briefly considered at COP 19. This, however, is less specific than the AOSIS proposal for a technical process focused initially on renewable energy and energy efficiency, coupled with submissions and high-level engagement on those issues. The decision offers little to developing countries on the enhancement of pre-2020 ambition on provision of support other than to urge developed countries to increase technology, finance and capacity-building support to enable increased mitigation ambition by developing countries.

Under the ADP, the task of COP 19 was to show progress toward a 2015 agreement and enhancing pre-2020 ambition, and provide confidence that the UNFCCC can deliver on a substantial mandate in a very short time. On both these fronts, results appeared inadequate. In the absence of delineated potential elements of the 2015 agreement, one wonders if at this stage, the ADP is any closer to a 2015 agreement. Progress toward increasing pre-2020 ambition seems stunted despite the growing evidence and calls for urgent action. On the road to Lima, and only two years from the deadline for an agreement in Paris, the Warsaw outcomes provide little reason for high hopes.

ON THE ROAD TO NOWHERE?

Announcing his voluntary fast, Naderev Saño reminded participants of the many criticisms of the UNFCCC process as a “farce [and] an annual carbon-intensive gathering of useless frequent fliers.” But he also tried to instill hope that the process can fulfill its potential to be “the project to save the planet, saving tomorrow, today.” What he did not characterize, and what is increasingly gaining relevance, are the growing number of initiatives, policies and programmes outside the UNFCCC actively addressing climate change. Often, these are borne out of the frustration of subnational jurisdictions and non-state actors with the lack of progress in the UNFCCC. In some cases, governments eager for progress have turned to other international institutions, such as the Montreal Protocol, or taking unilateral measures. Several hundred civil society representatives, even those usually engaged constructively in the negotiations, walked out of COP 19, demonstrating their deep reservations—also felt by others—on the ability of the UNFCCC to deliver.

The problem, however, may not be only the flawed process, but also the absent political will. Even a preeminent functioning process will fail when facing a lack of political will to move forward and find a solution. The UN

Secretary-General's upcoming 2014 UN Climate Summit may be able to inject high-level engagement in the climate change arena lacking since Copenhagen. This engagement may entrench positions, but could also find common ground that is currently elusive, but will be necessary if the UNFCCC is to retain any relevance. Ultimately, the question is if climate change will wait for the UNFCCC. Thus far, the evidence shows the UNFCCC is being left behind.

Source: [Earth Negotiations Bulletin analysis of COP 19 and CMP 9](#). Written and edited by Jennifer Allan, Beate Antonich, Alice Bisiaux, Elena Kosolapova, Ph.D., Kati Kulovesi, Ph.D., Mari Luomi, Ph.D., and Annalisa Savaresi, Ph.D.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2013

March-October	During 2013, the Green Climate Fund (GCF) Board meets three times, deciding on the initial structure of the GCF Secretariat and selecting Hela Cheikhrouhou (Tunisia) as the Fund's first Executive Director. The Board also signs a Headquarters Agreement with the Republic of Korea, adopts the Fund's business model framework, and decides to kick-start the Fund's resource mobilization through an initial resource mobilization process.
April-May	ADP 2 convenes in Bonn, Germany. Also, the Clean Energy Ministerial and the Petersberg Climate Dialogue meet to identify concrete ways to accelerate the transition to a global clean energy economy and enhance national climate action, and to exchange views on how to make progress in the UNFCCC negotiations.
April-September	The Major Economies Forum on Energy and Climate holds three Leaders' Representatives meetings, exchanging views on, <i>inter alia</i> , the key elements of the 2015 agreement, including options for its legal form and ways to promote ambition, the issue of differentiation, and expectations regarding COP 19.
June	A resumed session of ADP 2 and SB 38 takes place in Bonn, Germany. Also, leaders of the Group of Eight, meeting in Lough Erne, UK, express strong commitment to reaching agreement on the 2015 agreement and on climate action, including reducing emissions pre-2020, and reiterate the developed countries' US\$100 billion climate finance mobilization goal.
September	At the Group of Twenty Summit in Saint Petersburg, Russian Federation, leaders express their commitment to the full implementation of the outcomes of Cancun, Durban and Doha, and support to the operationalization of the GCF. Also, IPCC Working Group I (WGI), focused on assessing the physical scientific basis of the climate system and climate change, meets in Stockholm, Sweden, for its twelfth session, finalizing its contribution to the IPCC's Fifth Assessment Report (AR5). The WGI report, titled "Climate Change 2013: The Physical Science Basis," highlights that limiting global warming to less than 2°C with a probability level of 66% would require remaining within a "carbon budget" of 1000 gigatons, of which 531 had already been emitted by 2011.
September-October	The International Civil Aviation Organization (ICAO) Assembly meets for its 38th session in Montreal, Canada, and decides to develop a global market-based measures scheme for international aviation emissions to be agreed by the 39th session of the ICAO Assembly in 2016 and implemented from 2020.
October	In Bangkok, Thailand, at the 25th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer , parties to the Protocol continue debating whether or not Montreal Protocol has a mandate to consider hydrofluorocarbons (HFCs), and agree to convene a workshop in 2014 related to HFCs.
November	COP 19 and CMP 9 convene in Warsaw, Poland.

CHAPTER 8

LIMA: BUILDING AN AGREEMENT BRICK BY BRICK



The Lima Climate Change Conference begins as Manuel Pulgar-Vidal, Minister of the Environment of Peru and President-Designate of COP 20/CMP 10, assumes the gavel from COP 19/CMP 9 President Marcin Korolec, Poland. Photo:ILSD/Kiara Worth.

INTERSESSIONAL HIGHLIGHTS 2014

With eyes on the 2015 Paris Climate Conference, three official UNFCCC negotiating sessions were held in 2014 to deliver on the mandate of the Durban Platform to agree on the elements of a legal instrument or an agreed outcome with legal force. Negotiations under the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP) took place in Bonn from 10–14 March (ADP 2-4), from 4–15 June, in parallel with the SBs (SB 40 and ADP 2-5) and from 20–25 October (ADP 2-6). Artur Runge-Metzger (EU) and Kishan Kumarsingh (Trinidad and Tobago) took over as ADP co-chairs.

At the March meeting, the marathon Warsaw COP was still fresh on the minds of delegates as many acknowledged that there will be choppy waters to navigate before the COP in Lima. The week opened with a request from the G-77/China, spurred on by the Like-Minded Developing Countries (LMDCs), to establish a contact group under the ADP to start textual negotiations. Many delegates felt that the time for general, informal exchanges, facilitated by open-ended consultations was over, and it was now time to step up the pace to more structured negotiations in a contact group.

The debate over the establishment of a contact group intensified behind closed doors rather than in the plenary, particularly in the G-77/China coordination meetings, resulting in lengthy delays to the official agenda. During an informal stocktaking plenary mid-week, consensus emerged rather painlessly to establish a contact group, which would begin its work at the ADP's June session.

Some developed countries and the Alliance of Small Island States (AOSIS), worried about the contact group discussions leading to an unwieldy document based on parties' submissions. Others were worried about spin-off groups of the contact group leading to fragmented discussions, failing to capture essential interlinkages among various elements under the ADP mandate, i.e. mitigation, adaptation, finance, technology development and transfer, capacity building, and transparency of action and support.

During the closing plenary at the end of the week, responding to these underlying fears, ADP Co-Chair Kumarsingh went a long way to assure parties that the negotiating text would be “collectively constructed based on views expressed by parties in their submissions and statements, which would reflect a truly party-driven process.”

This session was also the first opportunity to address ambiguities surrounding the concept of intended nationally determined contributions (INDCs). While some developed countries argued that INDCs refer solely to mitigation, developing countries insisted that they should also encompass adaptation and means of implementation. The latter interpretation would imply that adaptation and means of implementation pledges by developed countries—not only those related to mitigation—are to be assessed in relation to the global goal and subject to measurement, reporting and verification (MRV).

The COP 19 Decision on Further Advancing the Durban Platform (1/CP.19) had further stipulated that contributions are to be submitted “in a manner that facilitates the clarity, transparency and understanding of the intended contributions.” Consequently, the March ADP meeting kick-started discussions on what information is essential for this purpose, and what level of specificity is useful and necessary in order to facilitate parties' domestic preparation of their contributions.

On raising pre-2020 ambition, the discussions under the ADP's Workstream 2 moved away from roundtables and open dialogues to embark on technical expert meetings (TEMs), with further technical workshops planned in June on mitigation from land use and urbanization. In addition, newer ideas, such as a possible global goal for adaptation, were debated.

As delegates convened for the June intersessionals, many hoped the participation of ministers in this meeting could spur political will for the new agreement and help raise ambition for the pre-2020 phase. Despite these high hopes, ministerial roundtables on the ADP and Kyoto Protocol were not conducive to constructive discussions, as only roughly 30 ministers delivered statements in what some described as a “mini-high-level segment.” The ministerials took two full days and, since no concurrent meetings could be scheduled, many felt they were a waste of negotiating time, with the African Group labeling the roundtable on the Kyoto Protocol “a lost opportunity for raising ambition.” A delegate lamented that he did not see the urgency called for by the recently released IPCC Working Group II and III reports.

At the June meeting, the INDC stole the show. Delegates engaged in heated debates over: how INDCs should be defined, developed and communicated; what information should be included in INDCs; and whether they should be subject to any assessment and review. Parties also spent many hours discussing how to sequence the steps of INDCs’ communication, review, adjustment, inscription, and possible further review and adjustment.

Not everyone agreed on the need for these steps. Many feared that without review, they would be heading for a “minimal agreement” in Paris since there would be no mechanism to ensure that nationally-determined contributions produce the level of ambition commensurate with the global temperature goal. The timing and order of the submission of INDCs, a possible review and an even more circumspect increase of INDCs’ ambition remain unclear.

In Bonn, it also became clear that the TEMs format had evolved into “starting points for new action, rather than one-off events,” with many hoping that TEMs would catalyze action by organizations outside the Convention. Originally envisioned as a means to share experiences on issues with high mitigation potential, the TEMs were now an ongoing process. The TEMs involved partnerships with organizations outside the UNFCCC, although it was still unclear to many how these relationships would play out and what the implications for pre-2020 ambition would be. For example, some issues such as the role of cities were at the enthusiastic, brainstorming stage but lacked the turnkey institutions resourced and ready to quickly start new work.

As delegates convened again in Bonn in October for the final intersessional before the Lima COP, they were under pressure to capitalize on the momentum provided by the UN Climate Summit held in New York in September and the COP 20 Presidency’s informal meeting that took place in early October—which many characterized as positive and constructive—to “build a bridge” to Lima. Despite a call made by incoming COP 20 President Manuel Pulgar-Vidal to make progress on the expected outcomes of Lima with “a sense of urgency and high level ambition,” it soon became evident that urgency and ambition would not characterize this round of talks.

“Despite a call made by incoming COP 20 President Manuel Pulgar-Vidal to make progress on the expected outcomes of Lima with ‘a sense of urgency and high level ambition,’ it soon became evident that urgency and ambition would not characterize this round of talks.”

Discussions continued to revolve around the three key “pillars” on which outcomes were expected in Lima: a decision on INDCs; advancing on the elements of the 2015 agreement to ensure a draft negotiating text is available before May 2015; and a decision on accelerating the implementation of enhanced pre-2020 climate action. More specifically, at this session, parties were given the task to reach agreement, if possible, on draft decisions on both INDCs and pre-2020 ambition.

As parties reiterated and clarified their views on key aspects of INDCs, including differentiation, scope, types of information, and ex ante review or consideration, it became increasingly clear that positions remained far apart. This left many wondering if a decision on INDCs in Lima would be in jeopardy. Despite a generally cordial atmosphere, many were concerned that parties were clinging to long-held positions, or even walking back from understandings reached in Durban and Warsaw.

Disagreement persisted on the scope of the “Warsaw mandate” on INDCs, in particular on whether INDCs include mitigation only, as insisted by many developed countries, or also adaptation and means of implementation, as suggested by a number of developing countries. The developing countries’ voiced concerns about what they saw as a “mitigation first” approach that would lock in mitigation elements of the 2015 agreement, including weak MRV modalities, in Lima, while leaving other issues as afterthoughts in Paris.

The launch of consultations, according to some, did represent a significant shift in the mode of work and signaled that parties may be more willing in Lima to leave the comfort of open-ended discussions in one single contact group, for more focused negotiations taking place in parallel. Clarity on some key aspects of adaptation and finance could serve to provide assurances for developing countries that these crucial issues were being given sufficient attention and carried forward at the same pace as mitigation.

In addition, some proposals attempted to provide middle ground between parties’ either-or options. A number of Latin American countries (the Independent Association of Latin American and Caribbean states (AILAC)), in particular, stood out as potential “bridge builders” by making concrete proposals on how to address differentiation and finance—perhaps the two most crucial aspects of a successful 2015 agreement. Much attention was attracted by Brazil’s concept of “concentric differentiation,” which seeks to create a dynamic agreement that “preserves the principles of the Convention” while “avoiding pure self-differentiation” in which countries decide for themselves their level of ambition. AILAC’s proposals on formulating short- and longer-term goals for finance, and Norway’s proposal on adopting a step-wise readiness-based approach to finance, also drew interest across groups.

Some advances were also made in Workstream 2, on pre-2020 ambition, where two technical expert meetings were held. While many wondered whether the TEMs, a key component of Workstream 2, were generating any additional implementation of mitigation actions on the ground, a general consensus prevailed on their importance as a technical space alongside the political negotiations, and concrete proposals were made on how to institutionalize the TEMs under the Technology Mechanism. However, some noted that there were still significant differences on how to carry Workstream 2 beyond 2015, including how to reflect elements of the Warsaw Decision on the ADP, such as existing commitments, in a Lima decision.

Source: Earth Negotiations Bulletin summaries of [ADP 2-4](#), [ADP 2-5 and SB 40](#), and [ADP 2-6](#).

A BRIEF ANALYSIS OF COP 20 AND CMP 10 – LIMA, PERU: 1–14 DECEMBER 2014

“Brick by brick my citizens, brick by brick.” – Attributed to Roman Emperor Hadrian

Arriving in Peru, delegates were welcomed by a decidedly positive spirit. As COP 20/CMP 10 President Manuel Pulgar-Vidal observed in his opening speech, prior to the Lima Conference, the world had received a number of “good signals” from the UN Secretary-General’s Climate Summit, the initial resource mobilization of the Green Climate Fund (GCF), “historic” announcements by several major greenhouse gas emitting countries, including the EU, the US and China, as well as momentum generated from the IPCC’s Fifth Assessment Report. This spirit of “unprecedented optimism and achievement,” as described by UNFCCC Executive



“Fossil of the Day,” hosted by Climate Action Network, presenting awards to countries perceived as “blocking progress in the climate negotiations.” Photo: IISD/Kiara Worth.

Secretary Christiana Figueres, was expected to help advance work on a number of key deliverables intended to provide what ADP Co-Chair Kishan Kumarsingh referred to as a “solid foundation” upon which to build a new agreement to be adopted in Paris.

In October, in an address to the ADP, Pulgar-Vidal indicated the outcomes he expected in Lima, including: a clear, structured and substantive text on the elements of the new agreement; defining the information to be submitted in 2015 as part of parties’ intended nationally determined contributions (INDCs); and a concrete plan for the pre-2020 period, including actions to ensure compliance with existing obligations, and the implementation of policy options with the greatest mitigation potential. He also emphasized the importance of confidence and trust in the process, as well as among parties. As many have learned from previous climate change meetings, no foundation for the future can be built without confidence and trust.

This brief analysis will assess to what extent these outcomes expected from Lima have been delivered, the implications of the ‘Lima Call for Climate Action’ for the negotiations towards the new climate agreement, and whether the Lima Conference succeeded in laying a solid foundation for constructing an ambitious global climate agreement in Paris, under which each country is able to find a “room.”

LAYING BRICKS

A fervent facilitator and an invisible enabler, the Peruvian Presidency spared no effort in ensuring that time during the Lima Conference was managed effectively. With most formal negotiating sessions scarcely going over the 6:00 pm mark and the Subsidiary Bodies concluding their work unprecedentedly early, delegates were able to roll up their sleeves and get down to work on the building blocks for the new agreement, the draft decision text on INDCs, and enhanced pre-2020 climate action.

Over six days, parties exchanged views on the Co-Chairs’ non-paper containing the elements for a draft negotiating text and made various proposals, which were all reflected in a revised document published on the UNFCCC website early in the morning on Monday, 8 December, by which time the text had swollen from 23 to 33 pages. Some worried that a proliferation of options, while indicating that the negotiating process is clearly party-driven, did not add to the draft negotiating text’s clarity and structure, and could complicate future work.

In the end, delegates agreed to annex this text to the COP decision on further advancing the Durban Platform with a disclaimer contained in a footnote stating that the elements for a draft negotiating text reflect “work in progress” and “neither indicate convergence on the proposals presented, nor do they preclude new proposals from emerging in the course of negotiations in 2015.” This disclaimer addressed concerns raised by many developing countries that annexing the elements text to the COP decision might preempt the legal form, structure or content of the Paris agreement and were therefore against “formalizing” any language that could potentially exclude some options from consideration in 2015, while locking in others. Limited substantive progress on the elements will no doubt put pressure on ADP negotiators meeting in Geneva in February 2015, which is expected to deliver a draft negotiating text for parties’ consideration later in the year.

MOVING WALLS IN A “DIVIDED” HOUSE

Discussions on elements for a draft negotiating text and on the draft decision advancing the Durban Platform were both underpinned by a number of broad political issues. These included differentiation, the role of the Convention and its principles and provisions in the future agreement, and the issue of legal parity between mitigation and adaptation, on the one hand, and mitigation and financial and other means of support, on the other. Many delegates pointed out that on those issues the ADP had a distinctly “divided house”—to the point that some felt trust among parties dissipating.

The question of how differentiation will be reflected in the Paris agreement permeated the ADP negotiations. For example, most developing countries, in particular the LMDCs, maintained that there should be differentiation, both in the 2015 agreement and the INDCs, in accordance with parties’ obligations under the Convention, and reflecting the principles of CBDR and equity. On the other side, the US advocated differentiation in accordance with CBDR and respective capabilities in line with varying national circumstances. The LMDCs also strongly opposed the formulation “parties in a position to do so” in relation to providing support to developing countries for the preparation and implementation of their INDCs, and to providing additional resources to the GCF, the GEF, the Technology Mechanism and the Adaptation Fund, arguing that such language disrupted Convention-based bifurcation, effectively dismantling the wall between Annex I and non-Annex I parties.

A related issue, namely that of legal parity between different components of the 2015 agreement, was also the subject of heated debate. Developing countries repeatedly cautioned against a “mitigation-centric” approach to INDCs, and urged for a balanced reflection of adaptation and means of implementation, with provision of finance taking the center stage. Of particular importance to AOSIS and the LDCs was that loss and damage be reflected as a separate element of the future agreement not only in the elements text, but also in the decision on the ADP.

Parties’ inability to reach consensus led to the adoption of a three-pronged approach, including continued negotiations under the ADP, ministerial consultations, and consultations by the COP President. After the Presidency’s consultations with negotiating groups that continued late into Saturday night—many hours after the Conference was supposed to conclude at 6:00 pm on Friday, the “Lima Call for Climate Action” was concluded. This outcome document, arguably, shifts the wall of differentiation. Although the work of the ADP “shall be under the Convention and guided by its principles” and the new agreement “shall address in a balanced manner” not only mitigation, but also adaptation, finance, technology development and transfer,

capacity building, and transparency of action and support, the ADP's commitment to reaching an ambitious agreement in 2015 is nevertheless described as reflecting CBDR and respective capabilities "in light of different national circumstances." This formulation appears to open the door to a subjective interpretation of differentiation. Some also wondered if it modifies the interpretation of CBDR as reflecting historical responsibility, even if it avoids using the controversial terms "dynamic" or "evolving." On the issue of parity, however, the final text provides some assurances to developing countries by giving adaptation a more prominent role in the future agreement and parties' INDCs, as well as, and in relation to, provision of support.

The Lima Call for Climate Action also refers to the Warsaw International Mechanism for Loss and Damage in the preamble. Following the adoption of the decision by the COP, Tuvalu, for the LDCs, made a statement requesting that it be recorded in the report of the meeting. He stressed that the preambular text on the Warsaw International Mechanism, in conjunction with "*inter alia*" in the operative paragraph listing INDCs components, is, in the LDCs' understanding, a "clear intention" that the new agreement will "properly, effectively and progressively" address loss and damage. While legally redundant, such declarations reaffirm parties' positions and interpretations of agreed text, maintaining their relevance and visibility.

During the negotiations, an additional concern expressed by developing countries, similar to the one raised in relation to the elements text, was that a COP 20 decision on advancing the Durban Platform could be prejudicial to the outcome in Paris. In this regard, the Lima Call for Climate Action explicitly states that the INDCs-related arrangements specified in it "are without prejudice to the legal nature and content" of parties' INDCs, or to the content of the future agreement.

TEARING DOWN THE WALL?

COP 20 was generally expected to help strengthen INDCs as a core component of the new agreement by clarifying their scope and specifying information required to facilitate their clarity, transparency and understanding. However, parties were also divided on their expectations for the text on INDCs, relating to information-related requirements, scope and communication. While the Lima Conference fulfilled these expectations to some extent, many parties and observers felt the decision has important shortcomings.

The Lima Call for Climate Action succeeds in delivering on a mandate from Warsaw to identify the "information that parties will provide when putting forward their contributions," by referring to quantifiable information, time frames, coverage, methodological assumptions, and a subjective evaluation of fairness and ambitiousness. However, by stating that INDCs "may include, as appropriate, *inter alia*," these various aspects, the text fails to set a minimum level of common types of information to be communicated by all parties, thus significantly weakening the prospects of comparability across, and a meaningful aggregation of, contributions.

A major area of divergence of views related to the scope of INDCs. This debate centered on the interpretation of the Warsaw decision, which states that INDCs should be aimed "at achieving the objective of the Convention as set out in its Article 2." Developed countries interpreted this as referring to mitigation being the only component of INDCs, while developing countries insisted on the need to include adaptation and means of implementation as well, with developing countries providing information on their means of implementation needs and developed countries providing information on their financial contributions, as a precondition of enhanced action by developing countries. As a compromise between these two views, the Lima Call for Climate Action invites parties to "consider including" an adaptation component in their INDCs, which reflects broad agreement that adaptation action requires strengthening alongside mitigation. Parties were also able to agree on recognizing the special circumstances of LDCs and SIDS by allowing them to present "strategies, plans and actions" for low-emission development. Meanwhile, all other countries are implicitly expected to do something more. This latter aspect is yet another example of built-in flexibility, which translates into a lack of a clear

requirement for parties to prepare a strong, quantitative mitigation component in their INDCs. Furthermore, in relation to the scope of INDCs, parties were unable to agree on any language on finance or other means of implementation, which left developing countries disappointed. Issues related to finance, therefore, remain a fundamental area for further trust building in 2015.

Another issue on which parties disagreed was how INDCs would be communicated and what their possible ex ante consideration or review might look like. Many developing countries insisted that Lima should only focus on the process of communication. Some delegations, including the US, preferred a “consultative” process or period. Others, such as the EU and AOSIS, demanded a strong review that would assess the aggregate effect of INDCs against the latest climate science and what is deemed necessary to avoid dangerous climate change. Considered by some the weakest link of the Lima outcome, the decision text simply requests that the Secretariat publish the communicated INDCs on the UNFCCC website and prepare, by 1 November 2015, a synthesis report on their aggregate effect. This translates into an absence of any kind of ex ante review of individual contributions in 2015. Further, it also leaves parties with less than a month for possible upward adjustment prior to COP 21 in Paris in December 2015. Resulting from strong opposition by some, such as the LMDCs, to a review of their INDCs, this outcome left many disappointed. Some disenchanted observers, however, felt that, irrespective of its content, the decision would not have strong implications for global climate action, suggesting that the major factors driving the level of ambition of national contributions are in any event external to the UNFCCC process.

RAISING THE CEILING

With regard to enhancing pre-2020 ambition (ADP Workstream 2), the technical expert meetings (TEMs) emerged as an area where countries could find a common cause. Relating to the key question of how to carry work forward under Workstream 2 beyond Paris, there was broad agreement that the TEMs, which have created a technical and less political space for discussions around scaling up implementation and which allow for “bringing down the brick wall of the UNFCCC” by engaging non-state actors, would be the proper vehicle. The Lima outcome sets out a clear process for building on the TEMs’ experience by providing guidance on their purpose, organization and follow-up, and seeking to further engage key institutions and mechanisms under the Convention. Views still diverged, however, on how to ensure the implementation of the Bali Action Plan, in particular with regard to the provision of means of implementation to developing countries, and enhancing mitigation efforts by all parties under the Convention. As a result, the final text does not include a proposed “Accelerated Implementation Mechanism” to assess progress made in these areas—an idea originating in the conviction of developing countries that developed countries’ leadership pre-2020, which currently remains insufficient, will be essential for both addressing climate change and ensuring a successful 2015 agreement.

Discussions under the COP on long-term finance, which developing countries wanted to result in further assurances—such as quantitative milestones—on scaling up of climate finance by developed countries to US\$100 billion annually by 2020, and beyond, were also disappointing to developing countries. Yet, an undeniable success was the initial resource mobilization of the GCF, which reached its target of US\$10 billion, collecting a total of US\$10.2 billion in pledges by the end of the Lima Conference from both Annex I and non-Annex I countries. While developed countries considered it a show of commitment and something they should be recognized for, developing countries felt GCF capitalization, together with the first biennial ministerial dialogue on climate finance organized during the second week as well as biennial submissions by developed countries on scaling up climate finance, were still insufficient. Some suggested that before celebrating the GCF pledges, they would first need to see how and whether they would translate into resources for the Fund.

The first session of the multilateral assessment of developed countries’ mitigation targets, organized as part of SBI 41, reflected a similar divergence in views. Annex I countries celebrated the event for “going beyond simple reporting,” and increasing transparency and building trust, while some developing countries felt the process

required further strengthening in the form of a clear “follow-up,” such as substantive conclusions for the SBI’s consideration. Notwithstanding these differences and given the positive “Lima Spirit” characterized by an open exchange of views and transparency that persisted throughout the conference, these developments may have succeeded in “raising the ceiling” of pre-2020 ambition, and thus rebuilding some of the confidence and trust for the tough year ahead.

“But perhaps more importantly, the question may be if the Lima outcome can enable the construction in Paris of a ‘house’ where all parties can coexist, while keeping in mind that in this process there is one party that does not negotiate—nature.”

ENABLING CONSTRUCTION

Many expected that momentum created by the political events of the previous months would contribute to an atmosphere of trust in Lima. These events included the GCF initial capitalization, the EU’s announcement of its 2030 mitigation target and, in particular, the bilateral announcements by the US and China, on their respective mitigation targets for 2025 and 2030, as well as by the US and India, on expanded cooperation on climate change, including on phasing down HFCs. However, it soon became evident that too little time had passed for these external political events and high-level signals of change to translate into cardinal shifts in negotiating positions. Yet, some found discernible indications of a more immediate impact. For example, how CBDR and respective capabilities are defined in the Lima Call for Climate Action decision “in light of different national circumstances,” is a near-verbatim citation from the November joint announcement by the US and China. It remains to be seen if the ADP session in February will see further shifts in negotiating positions when parties have had the time to reflect on these events.

In spite of parties arriving in Peru with different expectations and widely diverging views, at the end most felt that, in the words of the South African Minister of Environmental Affairs Edna Molewa, the Lima Conference managed to strike a “delicate balance between very difficult issues” and laid “a solid foundation” for work towards Paris.

But did it really? The two key outcomes from Lima, the decision on Advancing the Durban Platform and its annex containing elements for a draft negotiating text, may have served to move the process forward and create a shared feeling of achievement and confidence in the process. However, given that key political issues, including differentiation and finance, remain unresolved, many parties are unwilling to declare the Lima outcome an absolute success.

The year of 2015 will be one that defines the true significance of the Lima Climate Conference. Many wonder if the positive “Lima Spirit” can continue in the run-up to Paris. But perhaps more importantly, the question may be if the Lima outcome can enable the construction in Paris of a “house” where all parties can coexist, while keeping in mind that in this process there is one party that does not negotiate—nature.

Source: *Earth Negotiations Bulletin analysis of COP 20 and CMP 10*. Written and edited by Beate Antonich, Rishikesh Bhandary, Elena Kosolapova, Ph.D., Mari Luomi, Ph.D., Anna Schulz, and Mihaela Secieru.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2014

March	ADP 2-4 takes place in Bonn, Germany. Also, IPCC Working Group II, which focuses on impacts, adaptation and vulnerability, meets in Yokohoma, Japan, along with IPCC 38 approving the group's summary for policy makers.
April	In Berlin, Germany, IPCC Working Group III, tasked with assessing the different aspects of mitigation of climate change, and IPCC 39 approve its summary for policy makers.
May-September	The Major Economies Forum on Energy and Climate meets three times, in Mexico, France and the US, discussing, <i>inter alia</i> , content of mitigation contributions and differentiation under the Paris Agreement, and climate finance. Also, the Clean Energy Ministerial takes place in May in Seoul, Republic of Korea, under the theme "Act Together, Think Creative."
June	ADP 2-5 and SB 40 meet in Bonn, Germany. The Group of Seven (G7) Summit in Brussels, Belgium, underscores commitments of members to achieve an agreement in 2015 that is ambitious, inclusive and reflects changing global circumstances. The Summit also endorsed the principles and actions of the Rome G7 Energy Initiative including on energy markets, energy supply and energy efficiency.
July	The Petersberg Climate Dialogue in Berlin, Germany, identifies two main deliverables from the COP in Lima: a balanced and comprehensive elements text of the 2015 agreement; and a decision on upfront information needed for intended nationally determined contributions (INDCs).
September	UN Secretary-General Ban Ki-moon's Climate Summit at UN Headquarters in New York is attended by over 100 Heads of State and Government and leaders of business and civil society. The Summit reflects a convergence on the need to limit temperature rise to below 2°C, finalize a durable agreement in 2015, and submit INDCs in the first quarter of 2015.
October	ADP 2-6 convenes in Bonn, Germany.
November	The Group of 20 (G20) Summit in Brisbane, Australia, stresses the G20's commitment to adopt an outcome in 2015 and encourages countries to submit their INDCs. Also, the US and China make a Joint Announcement on Climate Change, in which they commit to working closely with each other to achieve a 2015 agreement and announce their respective national actions on climate change.
December	Parties to the UNFCCC meet in Lima, Peru, for COP 20 and CMP 10 .

CHAPTER 9

PARIS: A BEAUTIFUL REVOLUTION



Laurence Tubiana, COP 21/CMP 11 Presidency; UNFCCC Executive Secretary Christiania Figueres; and COP 21/CMP 11 President Laurent Fabius, Foreign Minister, France; celebrate the adoption of the Paris Agreement. Photo: IISD/Kiara Worth.

INTERSESSIONAL HIGHLIGHTS 2015

Parties left COP 20 in Lima with a decision on Advancing the Durban Platform, including an annex containing elements for a draft negotiating text, with the objective of adopting a global agreement at the Paris COP in December 2015. The Lima Call for Climate Action (1/CP.20) called for the ADP to make the negotiating text available before May 2015 and stated that the 2015 agreement would address mitigation, adaptation, means of implementation and transparency of action, and support in a balanced manner. The decision also outlined the type of information that may be included in INDC communications and urged countries to submit their INDCs as quickly as possible.

However, key political issues including differentiation and finance remained unresolved. During 2015, the parties held four intersessional meetings, all of which involved developing a negotiating text that would form an acceptable foundation for agreement at the Paris Climate Change Conference.

ADP 2-8 took place from 8-13 February in Geneva, Switzerland, under the co-chairmanship of Ahmed Djoghlaif (Algeria) and Daniel Reifsnyder (US). ADP-29 and SB-42 took place in Bonn from 1-11 June. The third and fourth intersessional meetings, ADP 2-10 and 2-11, took place from 31 August to 4 September and 19-23 October, both in Bonn, Germany.

During the Geneva meeting, the negotiation text more than doubled in size to accommodate all parties' proposals, growing from the original 39 pages to 88 pages. The new text covered all key substantive areas of the ADP's mandate, including adaptation, finance, technology, capacity building, mitigation, and transparency. Some parties noted that a longer text is an "unavoidable part" of the process of transforming "the Co-Chairs' text" from Lima into a "party-owned text," noting that the task becomes more challenging when parties start searching for middle ground. Parties' views on the dynamic nature of the draft agreement radically diverged, for example, some parties favored five-year reviews of mitigation commitments and others favored ten-year cycles. Other potentially delicate issues emerging from Geneva included differentiation, adaptation, loss and damage, and finance.

When delegates arrived in Bonn in June, they faced a gargantuan task, namely to: produce a concise negotiating text; consider which elements to include in the agreement, and which ones to leave to COP decisions; and start substantive negotiations. At the meeting, 12 facilitated groups were formed, each with the task to streamline a section of the Geneva text. While the streamlining exercise generated a feeling of trust in a party-led process, by the end of the session the negotiating text had only shrunk by five pages. This left many delegates feeling time pressure, especially given the fact that substantive negotiations had been limited due to the time intensity of the streamlining exercise.

There was no progress, however, on the ADP's pre-2020 ambition discussions. The Co-Chairs identified as the objective of next the ADP session "the production of a clearer understanding and articulation of the elements of the 'Paris package' with regard to Workstream 1 (2015 agreement) and Workstream 2 (pre-2020 ambition), including by the development of bridging proposals and the crystallization of options for further negotiation."

The SBs made good progress during their substantive discussions on issues like REDD+ and capacity building, with both permanent subsidiary bodies forwarding substantive draft decisions for consideration at COP 21. Throughout laborious negotiations, parties noted progress in terms of facilitating cooperation and developing "coalition of the willing" approaches.

At the August-September ADP session, progress was defined, in the words of the French COP 21 Presidency, as "insufficient and uneven." However, there was enough forward movement to mandate the Co-Chairs to draft a new negotiating text. It became clear at this meeting that there were three levels of negotiations taking place simultaneously yet separately. In a broader political process, heads of state were engaging to generate political

will and vision, and would convene at UN Headquarters in New York on 27 September at a Heads of State meeting to be convened by UN Secretary-General Ban Ki-moon during the UN Sustainable Development Summit, which adopted the 2030 Agenda for Sustainable Development. Simultaneously, ministers were unlocking sticky political issues, such as differentiation and finance, and were expected to agree on a “finance package” in Lima on 7 October at a meeting of climate finance ministers in conjunction with the annual meetings of the World Bank and the International Monetary Fund. Finally, there were the technical negotiations under the ADP, which were expected to provide the bulk of the Paris agreement and crystalize options for decisions at the political level.

“As the final ADP session before the COP closed, many worried that the draft negotiating text was ‘far from what parties had hoped to have in their hands ahead of the negotiations in Paris.’”

At the ADP’s October session, text-based negotiations were intended to begin on the basis of two non-papers. However, many parties found the Co-Chairs’ text, contained in one of the papers, to be unbalanced and unacceptable as a basis for further negotiations. Several parties suggested that the text was iconic of a tradeoff between the competing technical and political priorities. While the text achieved politically minded clarity and conciseness, it was at the expense of technical comprehensiveness, a “hallmark of party ownership.”

Dissatisfied with the ADP Co-Chairs’ text, parties engaged in a text re-compilation exercise, followed by a painstaking process of streamlining and clustering. It often appeared that delegates were returning to positions expressed in Geneva in February, with many of the compromises reached at the June and August-September sessions of the ADP disappearing. Some worried that this would leave delegates with an “impossible task” in Paris. Rather than mandating the Co-Chairs to produce another text, parties decided to retain ownership and request the Secretariat to prepare a technical paper that would identify areas of duplication and opportunities for streamlining “without changing the content of the text.”

As the final ADP session before the COP closed, many worried that the draft negotiating text was “far from what parties had hoped to have in their hands ahead of the negotiations in Paris.” Some feared that the momentum of earlier sessions had been squandered, due in large part to the friction between “the political and the technical.” For example, work on the Paris package was meant to produce a draft agreement and a draft decision text. But progress on either component was inhibited by the other: “parties were loath to remove anything from the agreement without knowing what would be in the decision text, but also found it difficult to work on decisions without knowing what would be in the agreement.” As some pointed out, it is important for the political level to provide guidance to the technical negotiations, by identifying political trade-offs and crafting compromises, as technical negotiations have clearly struggled to pave the way forward.

Leaving Bonn 20 years after the adoption of the Berlin Mandate for the negotiations of the Kyoto Protocol, and ten years since its entry into force, parties to the climate regime remained far from reaching any agreement. With only five weeks to consider their options ahead of Paris, including opportunities to engage at the political level at the pre-COP convening from 8-10 November, in Paris, France, the French presidency urged parties to prepare for Paris “using all possible consultations that they can create among themselves.”

Source: *Earth Negotiations Bulletin* summaries of [ADP 2-8](#), [ADP 2-9 and SB 42](#), [ADP 2-10](#) and [ADP 2-11](#).

A BRIEF ANALYSIS OF COP 21 AND CMP 11 – PARIS, FRANCE: 29 NOVEMBER TO 13 DECEMBER 2015

“In Paris, we have seen many revolutions. The most beautiful, most peaceful revolution has been achieved, a climate revolution.” – François Hollande, President of France

The 2015 Paris Climate Change Conference was perhaps destined to succeed. After a bruising failure in Copenhagen in 2009 to produce a legally-binding agreement, many felt that Paris could not afford to fail. Yet there was also concern that the outcome would be watered-down or meaningless. In the end, the outcome of UNFCCC COP 21 exceeded expectations, producing an agreement that while perhaps not a revolution, is an important step in the evolution of climate governance and a reaffirmation of environmental multilateralism.

At COP 21, 195 countries gathered to complete the task they had set for themselves in Durban, in 2011, to complete a “protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties.” This brief analysis explores the extent to which parties fulfilled this mandate, in terms of universal participation, but also in terms of the Paris Agreement’s ability to catalyze ambitious action by parties and action by a wide range of actors, which many cited as indispensable to address the climate crisis.

EVOLUTION AND REVOLUTION

The Paris Agreement can be characterized as an evolution in climate governance, and a revolution in the UNFCCC COP process. At the center of the Paris Agreement are five-year cycles: each nationally determined contribution (NDC) cycle is to be more ambitious than the last and a global “stocktake” will inform collective efforts on mitigation, adaptation and support, and occur midway through the contribution cycle, every five years after 2023.

Through these cycles, parties are to “ratchet up” efforts to keep global temperature rise “well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.” To track progress, parties are bound to a transparency framework, which represents the legally-binding portion of the agreement, alongside an obligation to undertake and communicate their nationally determined contributions (NDCs).

The Paris Agreement also anchors, strengthens and creates institutions and mechanisms, particularly for means of implementation. The decision supporting the Agreement identifies modalities to be created or established for several new mechanisms, such as the new Paris Committee for Capacity-building and the mitigation and sustainable development mechanism. The decision also requests SBSTA to develop new modalities to account for public climate finance.

As many pointed out during the COP closing plenary, the Paris Agreement, as a compromise, “is good, but not perfect.” The communication of NDCs is legally-binding, but their content and targets are not. The Agreement includes reference to loss and damage, and the Warsaw International Mechanism on Loss and Damage associated with Climate Change Impacts, as a distinct article from adaptation. This separation was a “win” for many SIDS, yet the explicit exclusion of liability and compensation in the decision was a disappointment to many, as the costs associated with loss and damage cannot be covered by risk insurance alone.

In the immediate term, developed countries are not bound by the Agreement to increase their mitigation or support efforts beyond existing commitments. As many lamented, the US\$100 billion finance mobilization goal, set to be reached by developed countries in 2020, is “essentially extended in the decision through 2025,” after which time parties will have to negotiate a new collective goal, which some interpreted as including an expectation that some developing countries should participate in the mobilization.



Members of the newly-formed High Ambition Coalition enter the COP 21 plenary with Tony de Brum, Minister of Foreign Affairs, Marshall Islands, and US Special Envoy for Climate Change Todd Stern. Photo: IISD/Kiara Worth.

The inclusion of human rights in the preamble of the agreement was celebrated by many, including Venezuela and Bolivia. This makes the Paris Agreement the first multilateral environmental agreement to recognize human rights. The preamble also includes concepts not traditionally considered “climate issues,” such as intergenerational equity, climate justice and the right to health. Yet the Agreement does not operationalize these rights throughout, which disappointed, in particular, gender advocates who pointed out that the final text omits references to gender responsiveness that were present in a number of sections in earlier drafts.

In terms of the broader development of global climate governance, the Agreement reflects an evolution of the “bottom-up” approach. The Paris Agreement can be described as a hybrid between a top-down, rules-based system and a bottom-up system of pledge and review. The NDCs “codify” the bottom-up approach that emerged from Copenhagen. Yet, many pointed to “vestiges” of a Kyoto Protocol-type, top-down system, in the form of the common rules for transparency and the compliance mechanism, although some noted that the compliance mechanism is “merely” facilitative in nature as it lacks an enforcement branch. In short, the procedural aspects of the Paris Agreement are legally-binding. Nevertheless, most substantive elements, including the specific goals of the NDCs that will be housed in a public registry maintained by the Secretariat, are not legally-binding.

The Agreement also represents an evolution in how parties address differentiation. The Agreement builds on the compromise in Lima, which drew from a 2014 US-China joint announcement on climate change, that adds the element of “in light of different national circumstances” to the end of the familiar CBDR and respective capabilities. It makes no explicit mention of the annexes of the Convention, the historic harbingers of differentiation, but only developed and developing countries, with subtle re-alignments in various sections. The NDCs represent, as US Secretary of State John Kerry called them, a “monument to differentiation”: each country determines its “fair contribution,” according to its respective capabilities and in light of its “different national circumstances.”

The transparency framework is, according to one observer “subtly trifurcated,” asking all to take legally-binding reporting requirements, with recognition of developing countries’ need for support, and a further recognition of the special capacity-building needs of SIDS and least developed countries. As insisted by many developing countries, the provision of support is more strictly bifurcated, as developed countries “shall provide financial resources,” while other countries are encouraged to “provide such support voluntarily.”

“The Paris Agreement can be characterized as an evolution in climate governance, and a revolution in the UNFCCC COP process.”

Achieving such an evolution in global governance requires nothing short of a procedural revolution. This was the major innovation of the French Presidency. Under the guidance of COP 21 President Laurent Fabius, COP 21 managed to uphold a highly-transparent and inclusive process for parties, which catered to the needs of individual states, while challenging parties to craft an agreement that was more substantive than many thought possible.

The French borrowed the indaba model from the Durban COP, and learned from Copenhagen that Heads of State and Government provide political guidance and should not negotiate text. In a process that started before the 2014 Lima COP, the French Presidency worked in partnership with the Peruvian Presidency to convene several ministerial meetings “to get the ministers well-acquainted.”

On the margins of the meetings organized by the French Presidency, a group of approximately 15 “like-minded” ministers from different regions and groups was brought together by the Marshall Islands. These informal meetings formed the basis of what became known as the “High-Ambition Coalition.” This loose alliance, eventually representing up to 100 countries, rallied around a list of “ambitious asks,” such as a clear long-term goal and five-year review cycles, creating a show of solidarity that some said effectively marginalized those not in the group. Many noted that these ambitious asks eventually found their way into the Agreement.

Another procedural revolution by the Presidency was to keep the full responsibility for the text’s development on the parties’ shoulders. Ministers had to engage with the lengthy, heavily bracketed text parties had developed in the ADP contact group, and subsequent iterations released during the second week faithfully reflected parties’ consultations. By not dropping a surprise text late in the proceedings, the French Presidency ensured that the text was party-owned and parties understood they had the collective responsibility for its success or failure. Many parties had quietly speculated throughout the meeting that the Presidency had its own text, but regardless of its existence, one was never unveiled. This galvanized ministers to do the heavy lifting of sorting through options and brackets themselves.

The transparency of the process, as one delegate put it, drove the ambition of what parties could achieve; this time, there was no “easy out of rejecting the President’s text.” Above all, the French Presidency said it would, and did, listen. That every party praised the Presidency is not only a tribute to the French Presidency, but a recognition that they all believed their positions were heard.

A PARTICIPATORY OR AN AMBITIOUS EVOLUTION?

Universal participation can come at the expense of ambition. Often times, bringing all on board can result in a watering down of the overall level of ambition. At first glance, this appears to be the case, leading some observers to reject the deal as “business as usual.” Contributions that are nationally-determined, however, became a “necessity” to achieve universal participation because no single set of rules or targets could accommodate the vastly different circumstances of 195 states. The current set of 189 intended NDCs, representing 95% of global emissions—which many lauded as a remarkable level of participation—put collective efforts only on a path to an approximately 3°C temperature increase. For some, much of the success of the Paris Agreement will hinge on its ability to encourage parties to ratchet up their contributions to a sufficient level of ambition to safeguard the planet.

One way to increase ambition that many sought when they arrived in Paris was a legally-binding agreement. Yet specifying that an agreement is legally binding does not guarantee implementation and may reduce both ambition and participation. As Minister Vivian Balakrishnan of Singapore observed, “the Kyoto Protocol had

the best of intentions,” yet was modest in its aims. It also lacked participation by key countries. While the NDCs represent significant participation, their non-legally binding character raised concerns over their low collective ambition.

Others viewed goal-setting as a way to increase the ambition of the agreement. The Agreement’s references to pursuing efforts to limit global average temperature rise to 1.5°C, coupled with references to peaking emissions as soon as possible, and achieving a balance between anthropogenic emissions and removals by sinks, a phrase many believe refers to net-zero emissions, are significantly more ambitious than many expected before COP 21. These new goals have implications for governments. As one delegate observed, the intended NDCs submitted before COP 21 need to be re-evaluated in light of the goals articulated in the Paris Agreement. Some observers hoped this would inspire at least some countries to revise their intended NDCs into more ambitious NDCs.

The transparency framework and the global stocktake were described by some as the Agreement’s “mechanisms for ambition.” The dual obligation to report and take stock of mitigation, adaptation and support every five years creates a collective assessment of achievements and needed efforts. Reviewing the extent of support provided “places a microscope” on developed countries to provide adequate support to meet developing countries’ mitigation and adaptation ambitions. Many hoped this would also provide assurances to help some countries remove the conditionalities from the mitigation section of their INDCs.

For many developing countries, post-2020 ambition relies on pre-2020 ambition. The Paris Outcome includes the Durban Platform’s Workstream 2, tasked to address the pre-2020 mitigation gap, in a number of ways. These include a strengthened technical examination process (TEP) on mitigation that strives to involve more developing country experts and other actors, and formalizes the role of the technology and financial mechanisms of the Convention in the process. Also a new TEP is established on adaptation, welcomed by many developing countries where adaptation is as important as mitigation. Some viewed these institutional links as potentially moving the TEPs beyond “talk shops” and into “solutions spaces” where technologies and practices for both mitigation and adaptation become globally disseminated.

In addition, a facilitative dialogue at COP 22 will assess progress in pre-2020 implementation, and a high-level event at each COP from 2016-2020 will build on the current and previous COP Presidencies’ Lima-Paris Action Agenda (LPAA) initiative. Whether these processes together can raise pre-2020 ambition will only be determined in the coming years. For many, the answer to unlocking pre-2020 ambition lies in the Convention’s ability to engage transnational and subnational actors.

CREATING A “CLIMATE REVOLUTION FOR ALL”

As noted by COP 21 President Fabius, the success of the Paris conference would not only depend on a universal intergovernmental agreement. Action by state and non-state actors will ultimately determine whether Paris will go down in history as “the beginning of the end of the fossil fuel era,” as one country announced. The Paris Agreement could deliver in this area in three ways: through the agreement; by showcasing and mobilizing action by all actors; and by expanding the UNFCCC’s role in the fast-changing global implementation space.

At the Leaders Event on 30 November, numerous Heads of State and Government called for Paris to send strong long-term signals. UN Secretary-General Ban Ki-moon called on Paris to send a clear message to markets that transition to a low-carbon, climate resilient global economy is “inevitable, beneficial and already under way.” Also, some countries called for the Agreement to provide assurances that climate finance would be available and scaled up post-2020, in particular for the most vulnerable.

The Paris Agreement indeed sends strong signals for climate action by all. The ambitious goals of the Agreement, five-year review cycles, and the transparency framework were welcomed by many as much-needed signals to markets to enable investments to be redirected to low-carbon and climate-resilient development. Some also pointed out that the universal nature of the agreement and near-universal coverage of intended NDCs alone send

signals that opportunities for investments, innovation and technology development are opening up around the world. Article 6 on cooperative approaches and mechanisms was also praised for “having something for everyone” and giving carbon markets a much-needed, renewed basis for support, complete with demand for credits driven by countries’ progressively ambitious NDCs.

Another important goal set for COP 21 was to accelerate climate action by both state and non-state actors. In forming the LPAA in late 2014, the Peruvian and French COP Presidencies, together with the UN Secretary-General and the UNFCCC Secretariat, built on the momentum achieved by the September 2014 UN Climate Summit to bring non-state actors “inside the COP walls,” as described by COP 20 President Manuel Pulgar-Vidal.

Despite some concern that COP 21 would be a one-off tour de force of state and non-state actor commitments, many initiatives were launched or strengthened in Paris that will build momentum in the longer term. These include India’s International Solar Alliance involving more than 120 countries and the private investor-led US\$2 billion Breakthrough Energy Coalition. Also, thousands of pledges of action and hundreds of billions of dollars in commitments to emission reductions and resilience measures were articulated through and alongside the LPAA, ranging from electrification in Africa to emission cuts in forest countries and climate risk insurance in SIDS.

Finally, many felt the Durban Platform, in particular its pre-2020 Workstream, offered the UNFCCC a chance to reposition itself as the hub for global climate action. By Paris, this opportunity was seized at least three ways: the LPAA’s Non-State Actor Zone for Climate Action portal and the public registry for NDCs, both maintained by the UNFCCC Secretariat, will serve as important focal points for aggregated information on climate plans, actions and support. The strengthened mitigation TEP, new adaptation TEP, and the LPAA-based high-level events, too, are likely to spur accelerated engagement with non-state actors within the UNFCCC space. Also, while the Paris outcome decision simply includes an invitation to non-party stakeholders to scale up their efforts and support actions, UNFCCC COPs have already managed to establish themselves firmly as the main annual “cross-fertilization space” for civil society, scientists, businesses and industry from all around the world to rally public attention, network and share best practices.

“VIVE L’UN, VIVE LA PLANETE, VIVE LA FRANCE” —François Hollande, President of France

Getting to an agreement was an arduous, lengthy task, and yet, as many recalled during the closing plenary “the work starts tomorrow.” Work to catalyze climate action before 2020 is pressing, and immediately lying ahead is the substantial technical and methodological work in order to prepare the many modalities to support the Paris Agreement for when it enters into force. It was not lost for many that the entry into force is not a foregone conclusion, given that 55 countries representing at least 55% of global emissions are required to ratify. Before 2020, many eyes will be on the major emitters whose ratification is necessary for the Paris Agreement to “come into effect and be implemented by 2020,” thereby completing the final leg of the Durban mandate.

During the COP 21 closing plenary, many lauded the Paris Agreement as an ambitious, fair and universal climate agreement, and many more celebrated the return to successful multilateral efforts to address climate change. Some observers viewed Paris as the culmination of a vital year for the UN development agenda, with the adoption of the 2030 Agenda for Sustainable Development, including its Sustainable Development Goals, and the Addis Ababa Action Agenda on financing for development, which together with the Paris Agreement on climate change can be said to provide a strong basis for multilateralism for the coming decade.

After years of doubt and indecision, the Paris Agreement represents renewed faith that multilateralism can address pressing challenges facing the international community. With its adoption on Saturday, 12 December 2015, most participants agreed with UNFCCC Executive Secretary Christiana Figueres that “we must, we can and we did.”

Source: *Earth Negotiations Bulletin analysis of COP 21 and CMP 11*. Written and edited by Jennifer Allan, Beate Antonich, Rishikesh Ram Bhandary, Mari Luomi, Ph.D., Anna Schulz, and Virginia Wiseman.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2015

February	ADP 2-8 meets in Geneva, Switzerland. IPCC 41 meets in Nairobi, Kenya. Following the resignation of IPCC Chair Rajendra Pachauri, IPCC Vice-Chair Ismail El Gizouli is appointed as Acting Chair.
March-November	The Green Climate Fund Board meets three times, twice in Songdo, Republic of Korea (including GCFB 9) and once in Livingstone, Zambia. Decisions are taken on, <i>inter alia</i> : the Initial Resource Mobilization process; the first formal replenishment of the Fund; accrediting and monitoring entities; and terms of reference for various panels and committees.
April-September	The Major Economies Forum on Energy and Climate meets three times, in the US and Luxembourg, discussing various aspects of the Paris Agreement, including accountability, ambition, mitigation, adaptation, finance, transparency and differentiation.
May	At the High-level Event on Follow-up and Review Mechanisms for Natural Resource Management and Governance to Achieve the Sustainable Development Goals (SDGs) at UN Headquarters in New York, participants discuss methods for integrating climate change resources and issues into the SDGs. Also, the Clean Energy Ministerial holds its sixth meeting to discuss ministerial priority initiatives and new work streams. The Petersberg Climate Dialogue also convenes, co-hosted by Germany and France. Ministers from 35 countries discuss ways to accelerate progress towards an ambitious agreement at COP 21 in Paris and enhance climate action at the national level.
June	ADP 2-9 and SB 42 meet in Bonn, Germany. In their summit declaration, the Group of Seven leaders affirm their strong determination to adopt, in Paris, a protocol, another legal instrument or an agreed outcome with legal force under the UNFCCC applicable to all parties that is ambitious, robust, inclusive, and reflects evolving national circumstances. They announce measures to support vulnerable countries in strengthening climate change resilience and Africa and other developing countries in accelerating access to renewable energy.
July	Countries at the UN Third International Conference on Financing for Development (FfD3), held in Addis Ababa, Ethiopia, agree to the Addis Ababa Action Agenda, which contains a global framework for financing development post-2015, identifies a number of action areas in this regard, and sets next steps regarding data, monitoring and follow-up. At UN Headquarters in New York, the Post-2015 Intergovernmental Negotiations conclude with agreement on a new sustainable development agenda: “Transforming our World: The 2030 Agenda for Sustainable Development.”
August-September	ADP 2-10 is held in Bonn, Germany.
September	The UN Sustainable Development Summit at UN Headquarters in New York formally adopts the 2030 Agenda for Sustainable Development, including the 17 SDGs.
October	ADP 2-11 convenes in Bonn, Germany. At IPCC 42 in Dubrovnik, Croatia, Hoesung Lee (Republic of Korea) is elected as IPCC Chair.
November	The 27th Meeting of the Parties to the Montreal Protocol convenes in Dubai, United Arab Emirates, and agrees to begin work on an amendment that reduces the global production and consumption of HFCs and to prepare a Technology and Economic Assessment Panel report on alternatives to ozone depleting substances. Group of 20 leaders issue a summit declaration underscoring their commitment to reaching an ambitious agreement in Paris that reflects the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances.
November-December	COP 21 and CMP 11 take place in Paris, France.

CHAPTER 10

MARRAKECH: MOVING FURTHER, FASTER, TOGETHER



APA Co-Chairs Sarah Baashan, Saudi Arabia, and Jo Tyndall, New Zealand. Photo: IISD/Kiara Worth.

INTERSESSIONAL HIGHLIGHTS 2016

After nearly ten years of intensive negotiations, from the Bali Action Plan to adoption of the Paris Agreement, the 2016 intersessional period proved to be a time for technical negotiators to rest, regroup and launch work on the “Paris Rulebook.” The sprint across the finish line in Paris meant that many issues were agreed to in only the most expansive of terms to be elaborated and operationalized before the agreement becomes operational in 2020. The year was also characterized by an intense push to achieve enough signatories for entry into force before COP 22 in Marrakech.

While only a single intersessional took place in conjunction with the regular meeting of the subsidiary bodies, from 16-26 May, Bonn, Germany, 175 Heads of State and Government and other high-level representatives met at UN Headquarters in New York on 22 April to sign the Paris Agreement. The signing ceremony served to amplify the effort for early entry into force of the agreement and, by May, 17 ratifications had already been submitted.

The intersessional meeting was, in contrast to the high politics of Paris, an agenda-setting meeting. However, the meeting had several critical tasks, including the launch of the *Ad Hoc* Working Group on the Paris Agreement (APA), the body created to prepare for entry into force of the Paris Agreement, the SBI and SBSTA needed to resume work that had been postponed since Durban and begin work on agenda items related to the Paris Agreement. Also, parties needed to agree broadly on the agendas and work programme for the period leading up to key decision-making points in 2018 and 2020. These tasks included further guidance on features of the NDCs, the information to be provided by parties, and accounting for parties’ NDCs. Parties also had to consider modalities and procedures for the operation and use of the public registry and guidance to ensure that double counting is avoided on the basis of a corresponding adjustment by parties for both anthropogenic emissions by sources and removals by sinks covered by their NDCs under the Agreement. Furthermore, parties needed to address matters relating to Article 6 of the Paris Agreement (cooperative approaches), adaptation communications, accounting of financial resources provided, elaboration of the technology framework, and modalities for the global stocktake.

All tasks were complicated by the “overlaps and synergies among the tasks of the three subsidiary bodies,” which needed to be identified and addressed to ensure “the coherence of the future climate regime.” As a result, the outcome of the Bonn Conference was mixed, with some lamenting slow progress. However, the basic elements of the Paris Agreement were unpacked, work plans were created and technical work began on most issues.

The Bonn meeting was the final meeting presided over by outgoing UNFCCC Executive Secretary Christiana Figueres, who underscored that the technical work to be undertaken is critical “to breathe life to the vision that parties embedded into the Paris Agreement.” On 18 May, UN Secretary-General Ban Ki-moon appointed Patricia Espinosa to be the new Executive Secretary, beginning in July.

The Paris Agreement entered into force on 4 November 2016, 30 days after the dual entry into force requirement of ratification by at least 55 countries representing at least 55% of global GHG emissions was met. By the opening of COP 22, 100 countries had ratified the Agreement.

Source: *Earth Negotiations Bulletin* summary of [APA 1](#) and [SB 44](#).

A BRIEF ANALYSIS OF COP 22 AND CMP 12 – MARRAKECH, MOROCCO: 7–18 NOVEMBER 2016

COP 22 delegates returned to the city where 15 years ago they adopted the Marrakech Accords, the rulebook for the Kyoto Protocol, with a similar task at hand. Marrakech again became the site of technical negotiations aimed at operationalizing a treaty that the world hopes can combat global climate change amid ever-more alarming and certain evidence of its extent and effects. And, as before, US domestic politics created uncertainty on the ability of a treaty still in its infancy to achieve these necessary goals.

In many ways, the world is politically and economically very different than it was 15 years ago. The Paris Agreement has entered into force, providing certainty to parties' work on the rulebook and eliminating the possibility that a small "gang" of countries can demand concessions and weaken the treaty's operational rules in exchange for their ratifications. The US is no longer the world's largest emitter, meaning others can become climate leaders. Economically, the price and capacity of renewable energy rival fossil fuels in several developed and developing countries. Once China's national cap and trade system commences in March 2017, 60% of the world's gross domestic product will include a carbon price. During COP 22, 360 businesses, including global brands such as Nike and Starbucks, urged US President-elect Donald Trump to power the US economy with low-carbon energy. Today, governments, business leaders and investors routinely make climate-friendly decisions for the sake of their portfolios, if not the planet.

Occurring at the crest of this wave of momentum, COP 22 was perceived to have two tasks, each with a different audience. To the outside world, delegates had to demonstrate that the UNFCCC could contribute to the momentum generated post-Paris by the actions of non-state actors, as well as other international processes, including the Kigali Amendment to the Montreal Protocol that phases out HFCs, a powerful GHG, and the International Civil Aviation Organization's new offsetting mechanism for carbon emissions from the international aviation sector. Internally, delegates had considerable technical work at hand to build a foundation for the accelerated completion of the modalities, procedures and guidelines that will make the Paris Agreement implementable. This brief analysis considers the extent to which COP 22 achieved these two tasks.

CARRYING THE MOMENTUM

After a historically rapid entry into force of the Paris Agreement, many outside the process looked to COP 22 to maintain the momentum. Many anticipated CMA 1 as a moment of celebration. Indeed, during the pre-COP meeting, parties collectively worried that connotations of terms such as "suspend" and "adjourn" would send the signal that the UNFCCC is halting, rather than making progress.

It can be difficult to show significant progress when relatively bland technical work is at hand. COP 22 rose to the challenge, by creating a sense of urgency and accountability for the development of a rulebook that will make the Paris Agreement implementable from day one. The COP and CMA decisions both set 2018 as the deadline for the rulebook. This was a year earlier than many envisaged when they were in Paris, but a year later than coalitions such as the LDCs believed necessary for some parts of the rulebook. The LDCs advocated for adoption of decisions as they are ready, in order to avoid separate parts of the rulebook from being tied together in a package deal.

Parties also agreed to add to their workload by considering other items, such as the Adaptation Fund's role, as necessary components of the post-Paris climate regime, if not its rulebook. While delegates reached agreement on a fairly ambitious work programme and timeline for technical work, most of the high-level signals of commitment and energy came from outside the technical negotiations.

The Moroccan Presidency seemed determined to ensure that COP 22 would not be overly mundane, especially following the charismatic Parisian COP. Technical work concluded early in the second week, to the consternation of some who felt that the *Ad Hoc* Working Group for the Paris Agreement (APA) should enjoy the full two weeks of negotiating time that other *ad hoc* working groups traditionally received. Concluding this work, however, cleared the schedule for the many high-level events planned by the Moroccan hosts.

The Presidency invited and hosted approximately 50 heads of state and government during the high-level segment, and convened several other high-level events, including on accelerating action and on climate finance. The conference also strengthened the Global Climate Action Agenda, which dates back to 2014 and is designed to catalyze and showcase pre-2020 action by state and non-state actors. It did so by launching the Marrakech Partnership for Global Climate Action, which aims at concretizing the Agenda and providing a roadmap for action from 2017 to 2020.

“ The election of Donald Trump, who advocated stronger climate action in 2009 and also promised to withdraw from the Paris Agreement in 2016, cast a shadow of uncertainty over the future of the Paris Agreement. ”

Throughout the second week, quiet informal consultations on the Presidency-led Marrakech Action Proclamation continued in the background. Several delegates saw this political document as a distraction, particularly as they continued to diminish its content through multiple rounds of consultations and revisions from four pages to a single page document essentially restating the least controversial elements of the Paris Agreement. Many understood the Presidency’s desire for an outcome beyond disparate announcements and a technical work programme, yet some small delegations favored technical work over ministerial engagements.

Following the US Presidential election, these high-level forums also served as important platforms for states to signal their resolve to move forward, preferably with the US still engaged in the multilateral climate process. The election of Donald Trump, who advocated stronger climate action in 2009 and also promised to withdraw from the Paris Agreement in 2016, cast a shadow of uncertainty over the future of the Paris Agreement. The words “unstoppable” and “irreversible” became common qualifiers to describe climate action and momentum articulated by UN Secretary-General Ban Ki-moon, at his last COP, UNFCCC Executive Secretary Patricia Espinosa, at her first COP, and US Special Envoy for Climate Change Jonathan Pershing, at his 22nd, and hopefully not final, COP.

Fifteen years ago, the announcement by US President George W. Bush that the US would not ratify the Kyoto Protocol dealt a blow to its entry into force and subsequent effectiveness. This time, many speculated that the rapid entry into force of the Paris Agreement was a quietly coordinated effort to “Trump-proof” the Paris Agreement since once the Agreement enters into force there is a three-year waiting period for any country wishing to withdraw, followed by a year before the withdrawal can take effect. Some celebrated that the Paris Agreement is secure, but others wearily noted that not withdrawing and actively engaging through implementation are very different actions. The US delegation and US Secretary of State John Kerry did their best to represent the Obama Administration, while sharing others’ uncertainty of what lies ahead for their country’s climate policy. Secretary of State Kerry had perhaps the most political room to speak, underscoring that “no one person has the right to make decisions on behalf of billions based solely on ideology.”



Hundreds of delegates gather for the largest-ever UNFCCC family photo in Marrakech at COP 22. Photo: IISD/Kiara Worth.

While declarations for the US to “lead or get out of the way” rung somewhat naïve in 2007, when the US signed on to negotiations for a post-Kyoto agreement, as many recognized the necessity of the involvement of the country that was then the world’s largest emitter. At COP 22 the resolve had precisely that message. With all the other significant emitters on board for the Paris Agreement, the engagement of social and economic actors, and dedication of subnational authorities, many ventured that the world could move ahead with the transformation to a low-emissions world and leave the US in the economy of the past.

COP 22 did much to ride and build the wave of momentum to show a united, progressive front. Disappointing for developing countries, however, was that this momentum was for post-2020 action, leaving, once again, pre-2020 action as a second act to the showier work of designing and operationalizing a new treaty. Many lamented that, “despite the Paris Agreement entering into force, the Doha Amendment from 2012 still has not.” An important part of the balance struck by the Durban mandate in 2011 was that parties would both negotiate a new agreement and enhance pre-2020 ambition under the Convention and the Kyoto Protocol. For developing countries, this was a promise still undelivered.

There were reasons to celebrate at COP 22, including the Paris Agreement’s entry into force and many announcements of funding and action by state and non-state actors. However, some delegates worried that “lost in the festivities” was the fact that the current pledges are inadequate to stay below 2°C and bridge the estimated emissions gap of 12-14 gigatons (roughly equivalent to taking all cars in Europe off the road for 12-14 years). Announcements of US\$81 million contributed to the Adaptation Fund, surpassing its fundraising target for 2016, helped, but did not fully placate calls to also close the finance gap and for equal treatment of pre-2020 and post-2020 ambition and action.

WRITING THE RULEBOOK

With regard to the Paris Agreement rulebook, Marrakech made a fair deal of progress. Important outcomes from the CMA included setting 2018 as the deadline for concluding the operationalization of the Agreement and rescuing the so-called “orphan issues” that had not yet been explicitly included on the agendas of the subsidiary bodies. Many parties welcomed the specific mandates given to the SBI to take up two of these orphan issues—common timeframes for NDCs and Paris Agreement Article 12 (education, training and public awareness)—in its second session in 2017.

Many also felt important clarity was provided on the preparations for the 2018 facilitative dialogue to take stock of collective progress towards the Paris Agreement’s long-term emissions goal and inform the preparation of NDCs, through the COP’s request to the COP 22 and 23 Presidents to undertake consultations on the organization of this dialogue and report back to COP 23.

There was also progress under the APA during the first week of the conference. Under the APA, informal consultations met six to seven times on each of the substantive items, namely mitigation, adaptation, transparency, global stocktake, implementation and compliance, and further matters relating to implementation. The agreed APA conclusions contain a reference to informal notes prepared by the co-facilitators of each of these discussions, capturing views expressed and, in some cases, guiding questions or elements to structure further discussions. Parties also welcomed the clear work programme set out in the APA conclusions for each item through May 2017, which includes, among other things, calls for submissions, workshops and a roundtable. For each substantive item, parties left COP 22 with homework, which many felt would enable progress to be made within, and across, all items in a balanced manner.

The SBI and SBSTA agreed on outcomes that advance both the institutional framework of the UN climate regime and work on the Paris Agreement rulebook, including the full operationalization of the Paris Committee on Capacity-building, which will start work in 2017, and agreement on a five-year rolling workplan for the Executive Committee of the Warsaw International Mechanism (WIM) on loss and damage, and agreement for subsequent periodic reviews of the WIM, which may become important as the mechanism shifts to serve the Agreement after 2020.

Work under the two SBs also supported the development of the post-2020 transparency framework for action and support in at least two ways. First, meetings to analyze and review individual parties’ mitigation policies and measures convened under the two tracks currently forming the UNFCCC transparency system established in Cancún: the multilateral assessment and the facilitative sharing of views. Second, parties also made progress in SBSTA discussions on accounting modalities for information on “public climate finance,” specifically support from developed countries provided and mobilized through public interventions to developing countries. An in-session workshop held on this item and a Co-Chairs’ reflections note will provide inputs for a technical paper to take this work forward.

Despite unquestionable progress made on technical work, some felt Marrakech could have done more. A number of developed and developing countries expressed disappointment that the APA did not continue its discussions during the second week. However, as pointed out by many observers, some developing countries clearly expressed in a number of the APA’s informal sessions that they were not ready to “rush” on the development of the rulebook, proposing instead submissions and further discussions as their preferred way forward. While many agreed that time could have been better utilized—especially given the fact that most negotiators and technical experts stayed on through the second week—a number of participants recognized that this was perhaps the best possible outcome given the differences in view on how quickly to proceed.

Discussions under, and beyond, the APA in Marrakech clearly demonstrated that important political misalignments remain, particularly with regard to the careful balance struck in the Paris Agreement between its elements, the differentiation of responsibilities and the attention given to the pre- and post-2020 eras. COP 22 confirmed the expectations—and fears—of long-term observers that different interpretations allowed by the constructive ambiguity of the Paris Agreement would continue to affect the pace and sequencing of work on its rulebook. In the APA discussions on mitigation, one developing country group made it clear that it was not happy to proceed further unless the discussions capture the “full scope of the NDCs” and provide specific information on means of implementation—finance, technology and capacity-building support. Seemingly straightforward, technical discussions under the SBI whether to have one or two public registries for countries’ NDCs and adaptation communications made little progress due to calls to first advance work under the APA on adaptation communications and NDCs.

A number of the “roadblocks” in advancing technical discussions on the rulebook arguably derive from how the Paris Agreement resolved the issues of differentiation between developed and developing countries, and of how work in the pre-2020 period would be advanced. This latter issue is essential to developing countries who continue to worry about developed countries’ wanting to “delay” fulfilling their obligations to the post-2020 era when all countries are expected to make contributions to climate action. During the closing plenary, South Africa, speaking for the BASIC countries, stressed the need to “give equal preference to pre-2020 issues” at the next UNFCCC session, expressing concern that these issues were not adequately dealt with in Marrakech.

A new discussion that emerged in Marrakech was that of the so-called “orphan issues,” namely issues that were mandated in the Paris outcome but lacked a “home” on the subsidiary bodies’ agendas. These included, as per an APA Co-Chairs’ informal note, common timeframes for NDCs, adjustment of existing NDCs, the response measures forum, recognizing developing countries’ adaptation efforts, guidance related to finance, setting a new collective goal on finance, developed countries’ biennial finance communications, and education, training and awareness, among others.

Discussed during the first week under an APA sub-item on preparing for the convening of CMA 1, parties could not agree on which “orphan” issues should be addressed (including whether only issues mandated for CMA 1 should be included), which bodies should carry out related work, and, finally, how to mandate further work. The “orphans” became one of the final issues to be agreed before parties could adopt the COP and CMA decisions on the Paris Agreement in Marrakech, and was finally resolved by mandating the APA to continue its consideration of “possible additional matters relating to the implementation of the Paris Agreement and convening of CMA 1.” This ambiguous wording, some suggested, may come back to haunt countries at the next APA session.

MOVING FURTHER, FASTER, TOGETHER

A lesson from the past on the minds of many at COP 22 is that the technical is often political. This year, expectations regarding progress in Marrakech were, perhaps unfairly, heightened by the Paris Agreement’s rapid entry into force and raised further by the perceived need to send strong signals of unity and determination, given the uncertainty caused by the US election results. Rising to this call, delegates gave themselves only two years to complete work on the rulebook, a task that for the Kyoto Protocol required three years to realize and necessitated a resumed COP 6 *bis* in 2001, given failure to reach consensus on a number of key political issues by the original deadline of 2000.

Another lesson learned is that at times of uncertainty the world looks for leadership. At COP 7, amid the vacuum left by the US departure from the Kyoto Protocol, parties bent over backwards to facilitate ratifications by Canada, Japan and the Russian Federation, and lauded EU leadership. With another possible leadership vacuum emerging, many looked for signs of new leaders stepping forward. Some looked to the big players,

namely China and the EU, to carry the torch of climate action. Yet, as the COP concluded, others nominated themselves, including the Climate Vulnerable Forum’s 48 members who pledged to be 100% renewable by 2050. One observer suggested this was a sign of “leadership shifting to countries small in size and big in ambition.” Moving ahead, delegates will have to go, as expressed by Global Climate Champion Hakima El Haité, “further, faster, together” in order to complete their dual tasks of finalizing the rulebook while delivering on pre-2020 climate action.

Source: [Earth Negotiations Bulletin analysis of COP 22 and CMP 12](#). Written and edited by Anna Schulz, Ph.D., Jennifer Allan, Beate Antonich, Sandra Gagnon, Ph.D., Mari Luomi, Ph.D., Cleo Verkuijl, and Virginia Wiseman.

TIMELINE OF GLOBAL CLIMATE GOVERNANCE IN 2015

April	A High-Level Signing Ceremony for the Paris Agreement on Climate Change takes place at UN Headquarters in New York, where 175 countries sign the Paris Agreement, the largest number of countries to ever sign a multilateral agreement on the day on which it opens for signature. Also, the Major Economies Forum on Energy and Climate meets in New York discussing, <i>inter alia</i> , low greenhouse-gas-emission development strategies and domestic climate action.
May	APA 1 and SB 44 convene in Bonn, Germany. Also, at the Group of Seven Summit in Ise-Shima, Japan, leaders welcome the Paris Agreement, committing to taking the lead in NDCs implementation, and noting steady progress made on the US\$100 billion by 2020 climate finance goal.
June	The seventh Clean Energy Ministerial takes place in San Francisco, US, with members agreeing to create an international secretariat.
July	The Petersberg Climate Dialogue convenes under the title of “Making the Paris Agreement a Reality,” co-chaired by Germany and Morocco, with 35 countries in attendance. Germany announces global partnership to support the implementation of NDCs.
September	Leaders at the Group of Twenty Summit in Hangzhou, China, reiterate commitment to strong and effective support and actions to address climate change and reaffirm the importance of the support provided by the Green Climate Fund.
September-October	The 39th Assembly of the International Civil Aviation Organization agrees to a global market-based measure, the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), aimed at supporting the global aspirational goal of CO ₂ emissions-neutral growth from international aviation from 2020 onwards. The CORSIA will kick off with a pilot phase in 2021 and apply to all states, with certain exemptions, from 2027.
October	At the twenty-eighth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer , parties adopt the Kigali Amendment to the Montreal Protocol, thereby including HFCs, a group of potent GHGs, as part of its ambit. The amendment contains HFC phase-down schedules for developed and developing countries, aimed at reducing HFC production and use by over 80% within 30 years.
November	The Paris Agreement enters into force on 4 November 2016, 30 days after the completion of the dual entry into force requirement of ratification by at least 55 countries representing at least 55% of global GHG emissions. COP 22 and CMP 12 meet in Marrakech, Morocco.

EPILOGUE

The agreement of the parties to the UNFCCC to reduce carbon emission under the Paris Agreement in 2015 was a major accomplishment and reflected the outcome of a ten-year negotiating process. Yet, the Paris Agreement is not the end of the story, but yet another beginning. The challenge now before governments, the private sector, civil society and all humans on the planet is to take the Paris Agreement and the fight against climate change forward.

Addressing climate change is one of the most important and urgent challenges today. The world has already experienced 1.2°C of warming above pre-industrial levels, according to the WMO. While the Paris Agreement aims to limit global warming to well below 2°C (and pursue efforts to keep it below 1.5°C), current efforts are insufficient. Climate leadership is needed from both developed and developing countries to increase their nationally determined contributions and achieve the goals of the Paris Agreement.

Despite the historical responsibility of the industrialized countries to lead in emissions reductions and provide means of implementation to developing countries, the bulk of future emissions growth will come from major emerging economies. In this regard, efforts by India and China are encouraging, as both countries' governments have considerably strengthened their political commitment to action and to supporting the global climate regime in recent years.

Efforts by cities, provinces and business and industry to reduce emissions also provide some hope. Renewable energy and other clean technologies and market innovations are becoming more competitive and increasing in market share. However, the US announcement of its intent to withdraw from the Paris Agreement is a setback that cannot be ignored. It still remains to be seen if this will encourage other parties to reduce their efforts in meeting their commitments, or if this will open new opportunities to strengthen the Agreement.

Given the urgency of the situation, it is important for the UNFCCC to shift its focus to both implementation and strengthening of the Paris Agreement. To ensure its success, parties must finalize the rule book for operationalizing the agreement, set a transparency and accountability framework, create an effective capacity-building mechanism, and mobilize sufficient climate finance, the latter which is challenged by the US cancellation of its contribution to the Green Climate Fund. At the national level, governments must establish rules and domestic policies to implement their NDCs and, in some cases, eliminate fossil fuel subsidies and other market distortions.

While the Paris Agreement is not perfect, the lengthy and often difficult negotiations that led to its adoption show what the international community is capable of doing. The Paris Agreement is a bottom-up, pledge-and-review agreement that offers governments a tremendous amount of flexibility in determining their contributions to reducing greenhouse gas emissions. The initial level of NDCs may not be sufficient to meet the 2°C target, but if countries recognize the urgency of addressing climate change and progressively increase their commitments, the Paris Agreement could prove to be turning point that sets the world on a track to a more renewable, sustainable future.

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Delegates shine solar lights as a symbol of the transition to clean technology which is essential to achieve the Paris Agreement goals. Photo: IISD/Kiara Worth.

