

UNFCCC Meetings, Doha, 26 November – 7 December 2012
COP 18, CMP 8, Subsidiary Bodies: SBSTA, SBI, and Ad Hoc Negotiating Groups:
AWG-KP, AWG-LCA, ADP (see glossary)

Brian P. Flannery, January 10, 2013 (supported by Resources for the Future and The Joint Global Change Research Institute of the University of Maryland and Battelle National Laboratories)

Approximately 4,400 delegates from national governments, 4,000 from intergovernmental and non-governmental organizations, and 700 from media attended the Doha meetings. Sessions were held in the large, well-equipped Qatar National Convention Center; for once there were enough rooms.

Scene set & summary

Five years of difficult, complex negotiations clearly delineated differences and deadlocks that have prevented completion of the Bali Action Plan (2007). Nonetheless, last year in Durban Parties certified their objective in Doha to complete and terminate AWG-KP and AWG-LCA, and to negotiate a post-2020 agreement under the just-formed ADP:

- AWG-KP would conclude its work on an amendment enabling the agreed 2nd Commitment Period of the Kyoto Protocol (KP2), to be adopted by CMP 8 and enter into force in the near future. Major political challenges concerned ambition of commitments, duration, fate of carry-over AAUs and participation in Kyoto Mechanisms. Comparability of commitments (also compliance and reporting) by all Annex 1 Parties (including, through LCA, non-participants in KP2: Canada, Japan, New Zealand, Russia and USA) remained an issue.
- AWG-LCA would finish its work with any remaining activities moved to the Subsidiary Bodies or ADP. Major obstacles concerned whether and how unresolved items in the Bali Mandate would be addressed, e.g. quantitative aspects of shared vision, and, especially, ambition in mitigation and finance, as well as recently proposed items notably IPR and equitable access to sustainable development. A number of near-term issues, e.g. New Market Mechanisms (NMM), seemed unlikely to be resolved; for LCA to conclude they would need to be assigned somewhere else.
- Given success with KP and LCA, ADP would become the sole focus for negotiation of a new, comprehensive legal agreement by 2015 to take effect in 2020. Discussions in Doha centered on development of ways forward on the post-2020 negotiation, and on enhancing ambition in mitigation and finance through 2020.

Countries held strong, divergent views on conditions to conclude, especially in AWG-LCA. Progress in any area (KP, LCA, ADP) became linked to balanced progress in all areas. Developing Countries called for AWG-LCA to complete the entire Bali Action Plan, including its *contentious undecided items*. Developed Countries insisted that LCA should focus on “operationalization” of *agreed Durban decisions* and that undecided Bali items were now off the table. In Doha all contentious items were referred to Ministers in week two. While they were able to adopt KP2 and terminate both AWG LCA and KP, many items from LCA remain unresolved. They were referred to the Subsidiary Bodies, with time lines for completion. Consequently, SBSTA and SBI as well as ADP face demanding work in coming years.

Summary of outcomes

AWG-KP: Though politically contentious, decisions required to conclude KP2 were at least well posed. AWG-KP resolved them as follows:

- **Duration:** KP2 covers the period 2013-2020 to merge with the putative start of the new ADP agreement.
- **Ambition of mitigation:** Developing Countries voiced deep concern that commitments were not on track to limit global warming to less than 2 °C. KP2 Parties agreed to *revisit* obligations in 2014 with a view to taking stronger commitments. Developing nations did not insist that USA and other non-KP2 nations assume comparable commitments, reporting and compliance procedures (linked under LCA).
- **Carry-over AAUs:** KP2 participants may carry-over unused AAUs (and other qualifying units), to be used only to the extent that a Party fails to meet its future commitment. Australia, EU member States, Japan, Norway, Switzerland (and others) agreed not to purchase carryover AAUs from other Parties to meet their commitments.
- **New Market Mechanisms** (note under LCA not KP): If resolved by the Subsidiary Bodies and authorized under the Convention, units from NMMs (and other potential new mechanisms) may be used to meet KP2 obligations.

Details: As a technical matter there will be a continuity gap starting January 1, 2013, because time is too short for nations to ratify an amendment immediately. Decision text refers to nations provisionally applying the amendment (though for many that is not a legal option), or to implementing action consistent with domestic legislation pending entry-into-force. Voluntary proposals to increase KP ambition will be adopted unless more than ¾ of Parties object. Numerous details were resolved that allow CDM to continue. However, its limited scope and the reality that KP2 covers only a 15% (and decreasing) share of global emissions make CDM increasingly irrelevant to any long-term solution to mitigate global emissions.

AWG-LCA: Unlike AWG-KP, serious issues confronting AWG-LCA were not only politically contentious, but also without well-posed choices. Negotiators argued at length over the textual basis for their work and the nature and necessity of remaining work, e.g. on finance, technology, adaptation, capacity building and response measures, in particular, as part of the still incomplete Bali Action Plan. The Chair's overview text included many elements favored by developing nations that were beyond the red line for developed nations. Demands by developing nations to reference IPR as a barrier to technology diffusion totally stalemated progress in technology. Other contentious items include: shared vision, finance, trade, and impacts of developed nation's response measures and loss and damages. Developed nations rejected the Chair's text and called for LCA to terminate and celebrate its successful outcomes, e.g. creating new institutions including the Technology Mechanism and Green Climate Fund; they sought only to operationalize decisions taken in Durban. Developing Nations accepted the Chair's text as a basis for discussions and called for action on all elements of the Bali Action Plan.

In the end a number of unresolved issues were assigned to the Subsidiary Bodies, many with timelines for decisions. Contention over these issues will not go away. Indeed, the Subsidiary Bodies must now grapple with difficult challenges on a tight timeline.

ADP: Progress on ADP stalled until KP and LCA were settled. Effort will proceed in two workstreams that address: 1) negotiating a new comprehensive, global agreement by 2015

to take effect in 2020; and 2) enhancing ambition of mitigation (and finance) in the period before 2020. Decisions call for Stream 1 to develop elements of the agreement by December 2014 and draft negotiating text by May 2015. Stream 2 will consider what supplemental actions might be taken beyond Cancun pledges.

As usual nations have no common view on what was decided as part of the Durban Gateway package, or on the meaning of agreed text. A number of them expressed reservations or their own interpretations of final decisions. This foretells unsettled times ahead.

Other outcomes and steps

Progress occurred to “operationalize” new institutions agreed to in Cancun and Durban.

Technology Mechanism: Technology Executive Committee (TEC) and Climate Technology Center and Networks (CTC&N): Parties agreed to start the new Technology Center under a consortium led by UNEP and to establish a 25 member advisory board, with 16 voting members from Parties and TEC, and participation by three representatives (from Business, Environmental and Research constituencies). Aside: how one individual could represent myriad, divergent business views from all sectors, sizes (multi-national to SME) and regions seems not to trouble negotiators. Many stated that business should be pleased to have a voice at all.

In the coming year Parties will try to decide on relations between and among TEC, CTC&N and the Financial and Adaptation Mechanisms. COP asked TEC to provide its views on their role. Fundamentally, developing nations would like TEC to play a decisive role in setting priorities and spending money. However, developed nations see TEC more as a TAC, i.e. a Technology Advisory (not Executive) Committee.

Green Climate Fund (GCF): Parties endorsed the proposal for Korea to host the Secretariat and asked GCF to continue to develop its plans. While the USA and other developed nations regard GCF as an independent financial institution, developing nations seek to maintain strong oversight on its work through COP.

There is no common understanding on roles and relations ... in part because the fund has no money and the CTC&N no technology. However, developing nations continue to focus on the promised 100B\$/year by 2020, and new funding in the interim.

Noteworthy, problematic decision text:

- Temperature goals: *Noting with grave concern the significant gap between ... mitigation pledges... and pathways consistent with ... holding the increase ... below 2 °C or 1.5 °C.* (While many analysts regard 2 °C as an impossible goal, the text now places 1.5 °C on a nearly similar footing; previously, 1.5 °C was agreed only as an option for consideration during the upcoming review)
- Shared Vision: *... and take into account the imperatives of equitable access to sustainable development, the survival of countries and protecting the integrity of Mother Earth;* (on what basis does anyone claims to know Mother Earth’s views?).

Glimpses at the next phase

Despite efforts by some to spin decisions from Bali, Cancun and Durban in other ways, developing nations seemed prepared to maintain a strong form of *equity and common but*

differentiated responsibilities in discussions under ADP *in accordance with the provisions and principles of the Convention*. Being part of a legal agreement does not imply taking comparable commitments: witness the *legally binding* Kyoto Protocol.

The new negotiation will be difficult and money, much more money, will be an issue. Developing nations heard the promise of 100 B\$/year; they did not accept the caveats implicit in the vague phrase “*to mobilize*.” Academic estimates for financial aid required to stabilize GHG concentrations at levels approaching 450 ppm CO_{2-eq} were far higher: MIT estimated over 400 B\$/year in 2020 and over 3,000 B\$/year by 2050 *for mitigation alone*.

Besides funding for mitigation and adaptation, Parties have opened the door wide to further open-ended arguments for aid and compensation to address *adverse impacts of response measures in developed nations on developing nations* and *loss and damages from impacts of climate change*. No doubt these are serious issues, but domestic electorates in deficit-ridden developed nations are unaware of and unprepared to support them. Nonetheless, the debate over funding and technology now encompasses: 1) mitigation, 2) adaptation, 3) impacts of policies and 4) impacts of climate change: each with price tags arguably in the range 100s B\$/year soon, and each with its own contentious political and technical issues.

Finally, especially since Copenhagen, major differences divide blocs within G-77 and China. In particular, the BASIC nations understand that demands by least developed nations and AOSIS, for mitigation to achieve 2 °C global targets, would require massive efforts by them soon that would threaten development in their rapidly growing economies. Splits also exist on contentious matters such as IPR, Carbon Capture and Storage, REDD+ and others.

Next Steps:

In 2013 the Subsidiary Bodies meet in Bonn, June 3-14. The SBs, COP and CMP convene in Warsaw November 11-22. ADP also meets in Bonn and Warsaw and, if funding is available, April 29-May 3 and again in early September. France offered to host COP 21/CMP 11 in 2015. Latin America/Caribbean is in sequence to host COP 20/CMP 10 in 2014.

Secretary General Ban Ki-moon announced that he will host a meeting of world leaders to build support for the post 2020 agreement in 2014.

Everyone can hope that bringing the post 2020 negotiation into a single body, ADP, may simplify the process, or at least make it more transparent. However, few of the divisive issues have gone away; many now have new mandates in different bodies. The Subsidiary Bodies in particular have an enormously increased workload.

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