

ECO

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The Exploring
Issue

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First Week Wrap Up

ECO is pleased that parties finally managed to agree on agendas last week. (Imagine how much quicker it could have been if agenda discussions were held transparently in plenary, as opposed to shenanigans occurring behind closed doors). This week Parties must make up for lost time – and convince everyone that another intersessional would be productive. After all, there is much work to be done between now and December so that Durban can successfully lay the basis for a fair, ambitious, and binding global climate change regime.

Essential to Durban's success is securing a second commitment period of the Kyoto Protocol. Intrinsicly linked is the binding outcome under the LCA, where Parties now need to discuss the substantive issues. Our ultimate objective must be a legally binding architecture, which is fair and ambitious.

Last week, the list of issues under shared vision began to resemble a bag of assorted cookies. ECO suggests focusing on the agreed global goal with peak year, and only including issues essential for these discussions – such as effort sharing, Agreement of a mid-term goal of -80% by 2050 and a 2015 peak year for emissions must be the aim.

On mitigation, some issues may look technical but are in reality political. This week ECO suggests focusing on the following three areas required to address the gigatonne gap: (i) clarifying assumptions; (ii) closing loopholes; and (iii) preparing to move beyond the high end of the current pledges by Durban. ECO assumes parties remain serious in their commitment to 1.5/2°C – *you are aren't you?*

This week also offers opportunities for LULUCF. The re-analysis of this issue as a significant loophole in the mitigation workshops could allow Annex I land and forests to contribute to genuine emissions reductions. And technical discussions on *force majeure* provisions for forests could genuinely reflect extraordinary circumstances. Or, if Annex I parties are up to their usual tricks, could this be yet another way to avoid accounting for emissions?

Parties should also take the opportunity to draft a CDM appeals procedure to grant affected communities and peoples access to justice. And this week parties should move closer to a decision

to address climate forcing HFC in cooperation with the Montreal Protocol and exclude all new HCHC-22 facilities from the CDM.

The two groups on REDD+ (in the LCA and in SBSTA) got off to a good start last week. In this second week, ECO anticipates significant progress on both reference levels and information on safeguards, hopefully followed by expert meetings prior to Durban.

Adaptation negotiators should press ahead on substance to make the Cancún Adaptation Framework operational in Durban. Parties should strengthen the role of the Adaptation Committee to promote coherence in adaptation, and to ensure meaningful stakeholder participation in its operations. Furthermore, this week must see parties launch the activities of the work programme on loss and damage.

With the end of the fast start finance period only one year after Durban and no indication of how rapidly public finance will be scaled up from the \$10 billion per year currently committed, parties need to start discussions here in Bonn on effort sharing, scaling up finance, and on new innovative public sources such as raising finance from international transport. For this to happen, the US and its Umbrella Group allies need to stop blocking the discussion of sources and scale of long-term finance.

ECO has two requests for technology negotiators over the next week. First, fill up the nominations of the Technology Executive Committee. Secondly, decide on the terms of reference and likely locations of the Climate Technology Centre and Networks to maintain balance of adaptation and mitigation technology.

Among other issues that should be addressed, Parties need to deal with technical issues. ECO is waiting eagerly for some technical workshops and expert meetings. In the coming months, technical experts should make progress on technical issues such as biennial reports, reporting on support, IAR/ICA, REDD safeguards, etc. These discussions must feed into the negotiating process.

Given the uncertainty over whether another intersessional will take place, the next five days will determine whether Parties will be able to secure an effective and balanced outcome of COP 17 in Durban. Parties should make the best use of this time and ensure both political and technical issues get addressed.

Increasing Ambitions

ECO is sure that negotiators noticed the irony when Australia noted that 104 developing countries have yet to submit NAMAs. If that was a plea for increasing ambition, then ECO couldn't agree more. But, did it have to come from a country that is committed to a pathetic unconditional target that is nowhere near a pathway consistent with 1.5/2°C? ECO believes there is hope. Australia has also suggested for the gap to be recognized and ambition to be increased.

It remains to be seen if Australia applies this to its own pledge when it comes to finding out who will do what to close the 5-12 gigatonne gap. While that discussion will come soon enough, there are more areas where Australia and other developed countries can focus on for now. In Saturday's informal group, the co-facilitator smartly suggested that discussions should focus on ideas for a work programme. Alas, the aim of such a work programme is quite easy to define, as the gigatonne gap that results from the lack of ambition to at least avoid the worst impacts of climate change is clearly visible.

ECO had previously suggested that the first logical step would be to get clarity on developed countries' net domestic emissions in 2020 resulting from current pledges – this would clarify what Annex I commitments really mean. ECO has noted that, on a related matter, the United States does not want to even discuss common accounting rules, and ECO speculates how that ties up with its continued attempts to dress-up its low pledge as comparable to the EU's.

The next area to be covered in the work programme would be to once-and-for-all close off the loopholes, such as bogus LULUCF projections, or rules to keep hot air into the system. Thirdly, ECO would like to encourage (as often as needed) developed countries with conditional (upper end) pledges to clarify (i) what part of the conditions has been met so far; and (ii) what is needed to fulfill the remaining conditions. ECO believes everyone would find these talks much easier if such clarification would be made in a way that allows an objective assessment of these conditions, so that countries can indeed move to the upper end of their pledges. Finally climate-friendly readers will agree that a work programme that's worth the work would result in (i) recognizing the size of the gap; and (ii) agreeing a process to close it.

NGO Participation in the COP17 Process

ECO was particularly pleased to hear that NGOs were invited to actively participate in the informal consultations on expectations for Durban by the upcoming South African Presidency – especially since they have been mostly excluded from negotiating sessions here in Bonn. However, this pleasure soon turned into dismay when it became clear that NGOs would not be getting a chance to share their views despite the fact the South African Ambassador started the session by expressing South Africa's commitment to civil society participation. Apparently, the UNFCCC rules and procedures do not allow for observer interventions until all parties have spoken. Well, here is the dilemma – at the last count ECO found that there are 195 Parties under this Convention!

ECO has been informed by the Secretariat that NGOs can participate in the follow-up session to this consultation, to be held today. And here is the rub – they have allocated 9 minutes in total for observer constituencies which gives ENGO's one minute to speak. Eco is wondering how they will fit in all the expectations they have for Durban in that time.

ECO was also interested to hear that the Ambassador and a number of Parties made reference to South Africa's unique history – its struggle against Apartheid. ECO would like to remind everyone that this struggle was fought and won by peoples' movements, both in South Africa and by those in solidarity across the globe. ECO hopes that South Africa, as incoming Presidency of COP 17, will introduce a new culture around NGO participation in the UNFCCC processes. The lessons from the struggle against Apartheid are rich and would only help strengthen this process. Critical to this would be to ensure the real and meaningful participation of civil society, both in the processes leading up to Durban and at COP 17 itself, especially after the Cancún Agreement has mandated South Africa to “undertake inclusive and transparent consultations in order to facilitate the work towards the success of that session.” *Amandla.Ngawethu!* (Power to the People)

No Nuclear for Mitigation

Nuclear power has long been promoted as one of the tools to mitigate climate change. Japan has always been one of the biggest promoters of this theory and has not only tried to get nuclear power accepted in the CDM, but has also developed its own “bilateral crediting mechanism,” to include nuclear. ECO assumed that Japan would change this position after the Fukushima disaster, so we were taken aback by Japan's intervention in the flexible mechanisms discussion, stating that the CDM should be open to all technologies, including nuclear.

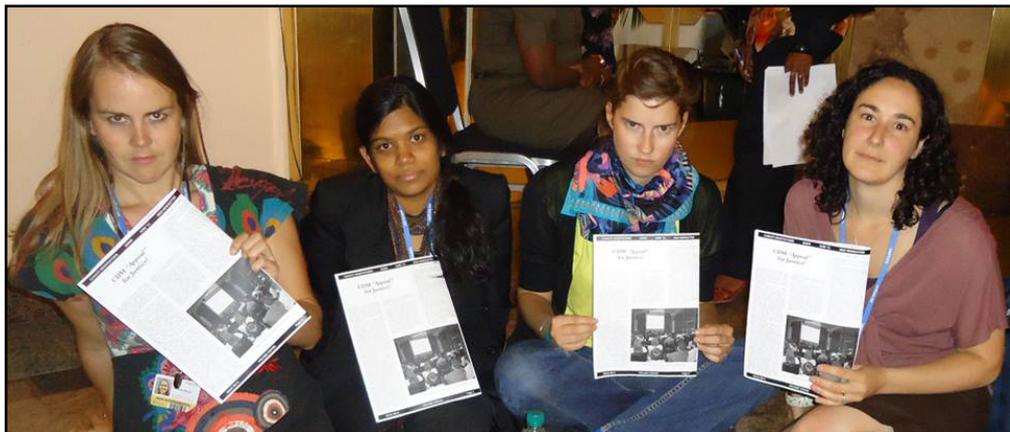
New nuclear power plants require massive public subsidies to go forward – monies that would be much better invested in the development and deployment of renewable energy and energy efficiency. The nuclear energy industry has been pushing COP after COP

Oh Aarhus Wherefore Art Thou?

Apparently, Parties didn't get the message from ECO's “CDM ‘Appeal’ for Justice” on Saturday. In an SBI informal, where Parties discussed the CDM appeals procedure, ECO is reliably informed that China pressed to shut stakeholders out of the discussions. ECO is now calling on Parties to stand strong and support our call for justice: project-affected peoples, communities and their civil society representatives must have the right to appeal CDM Executive Board decisions. Will someone please throw us a lifeline?

The European Union has indicated that it will consider saving this drowning child by “exploring”

the expansion of the right of appeal to “those who have a right to be consulted during the local stakeholder consultation process.” This statement alarms ECO. This discussion is not about harmonizing rules for the bendiness of bananas but about public participation in decision-making and access to justice in environmental matters. This implicates its obligations under the Aarhus Convention, which is legally binding on 44 Parties to the UNFCCC, including the European Union. The Convention links environmental with human rights and gives Parties obligations regarding access to information, public participation and access to justice. If the European Union is serious about its pledge for government accountability and environmental protection, it will need to reconsider whether “exploring” is enough to save this drowning child called justice.



NGO representatives 'exploring' ECO recommendations outside closed informal



Credit: Tom Toles

to promote their technology as a tool for carbon reduction, but even a massive four-fold expansion of nuclear power by 2050 would provide at best a 4% reduction in greenhouse gas emissions.

Against the background of the Fukushima tragedy and all the risks inherent in nuclear energy, ECO finds it amazing that countries still keep promoting nuclear energy as a mitigation option. There's no point in trying to jump out of the climate frying pan by jumping into the nuclear fire. That would be like trying to cure one's addiction to smoking by taking up crack cocaine. After the massive demonstrations in Japan, and the German and Swiss decisions to phase out nuclear energy, ECO calls upon Japan to become a leader in ensuring the exclusion of nuclear power from the CDM.

Series Part 4: Here Comes the Russian Swan Song!

In Bangkok, Russia presented its different baselines and scenarios of Russian greenhouse gas emissions. These scenarios vary from an unrealistically fast economic growth based on old carbon technologies leading to a 14% emission reduction by 2020, to a more reasonable scenario with greenhouse gas emissions at -28% at 2020. While challenging, this ambitious scenario could be achieved through energy savings and energy efficiency measures, but the real Russian puzzle was not revealed in Bangkok.

What Russia did not say was that these scenarios exclude any contributions from LULUCF and AAU carry over. That is, Russia already assumes that it will not carry forward its existing hot air (ECO and the atmosphere say thank you Russia!), and accepts that the reduction potential is noticeably bigger through reductions in the LULUCF sector.

In 2009, Russian greenhouse gas emissions without LULUCF were at -35%, but with LULUCF Russia was at -59% from 1990 levels! ECO believes that Russia should raise its emission reduction commitment to a minimum of -25% by 2020 -- without LULUCF and AAU carry-over. Including LULUCF, emission reductions targets for Russia could increase to at least -40% by 2020.

If this does not happen, we will see Russia, together with Ukraine and Belarus, undermining the environmental integrity of global action on climate change.