

**Oral report of the Chair of the AWG-KP to the
President's informal stock-taking plenary
Durban, South Africa
6 December 2011**

Thank you very much Madam President,

I note, Madam President, that on 3 December I made an oral report to the President's informal stock-taking plenary. Most of that remains valid, so I would not propose to duplicate it. It is available on the website, under the AWG-KP section, but I will, given the presence of Ministers, pick out some of the important points that I think would be helpful to emphasize as we enter the final stage of the meeting.

We have had intensive work in the AWG-KP especially on issues relating to:

- Quantified commitments by Annex I Parties, including what those commitments should be, the form and the length of the second commitment period, and
- The mechanisms under the Kyoto Protocol, especially the CDM.

Elsewhere, work has advanced well on the rules around land use, land-use change and forestry. Parties are close to having clean options here and there have been advances on other parts of our text.

I want to concentrate on the core issues around the second commitment period which are of high interest. We have been discussing essentially between non-Annex I Parties and those Annex I Parties who are open to a second commitment period, what that would look like.

We do have common ground:

- Common ground that **we are working towards a second commitment period;**
- Common ground that the **end point is QELROs** or quantified commitments by Annex I Parties;
- Common ground on the need to **ensure continuity, and that means no gap** in either **mitigation** action by Annex I Parties or in the **rules between the first and the second commitment periods;**
- The need to have **certainty about the mitigation action and the rules,** and
- The need for ensuring **adequate ambition.**

So that's the starting point of quite a lot of common ground.

Now, on to the core difficult issues and the first one is on the form of the second commitment period, essentially the difficulty here is around the challenge of ratification.

- Ratification to ensure entry into force by January 2013 is not achievable. For most or possibly all Annex I Parties, **provisional application** does not seem

a practical solution either. Although some non-Annex I Parties disagree with this point. But are there other alternatives to these first two?

- One idea we have discussed was a **two-stage process** which would ensure the immediate continuity, that I mentioned, and no gap between commitment periods after 1 January 2013 through a decision, and then the package of amendments could be ratified as a second stage, perhaps in the context of progress under the Convention.
- Another possible alternative discussed was to have a **decision-only outcome**, without an amendment to the Protocol.
- And finally, the idea of a **declaration or declarations** – for example unilateral declarations by Parties.

All of these alternatives are to ensure avoiding the gap between the first and second commitment periods, and ensuring continuity. I would note that the last two alternatives - a decision only outcome or declarations - would not involve an amendment to the Protocol and ratification. Some Parties felt these could be workable. Some indeed would prefer an outcome that did not require an amendment that would have to be ratified. Many Parties, however, saw ratification as essential and therefore felt that these two options would not be workable.

I stress that this discussion was not aimed at determining a preferred option; rather to clarify possible choices, and this has been partly achieved.

The second core issue I will mention for ministers, is the issue of quantified economy-wide commitments (QELROs) and here the twin challenges are finalization and ambition.

- On finalization of QELROs it appeared that Annex I Parties consider they will need time - time beyond Durban.
 - This was for various reasons, including the need to go through internal processes, the need to assess the implications of rules that will be agreed or comparability with the commitments of other Parties. So they said they would need some time after Durban, assuming the Kyoto Protocol rules were agreed here, to finalize QELROs.
 - That might imply then, that **at Durban they would have targets together with a clear process and timeline to convert them to QELROs.**
 - However, many Parties feel that it is essential that QELROs are finalized here in Durban.
 - So that's a point on which divergence is significant. I think there is some potential here for finding middle ground - but the key underlying issue is certainty.

And on the question of ambition, this is partly related to QELROs and partly related to the discussion on the length of the second commitment period, the key concern is to avoid locking in low ambition.

I said in my report, and I continue to believe, that a deal is achievable under the AWG-KP but not in isolation.

We are exploring, as far as we are able to, the possibilities under the KP. But, of course, our KP outcome will need to be set in the wider context of the overall Durban outcome since Parties have made it clear that they will not take decisions on the KP without seeing the whole package.

So what at this stage would I see as a potential role for ministers? Three points:

- Firstly, finalizing a solution to the second commitment period once potential consensus options have been identified and further clarified;
- Secondly, addressing the linkages between the AWG-KP outcome and the broader Durban package, and
- Thirdly, giving their negotiators more flexibility in order to reach consensus decisions on the subjects, and there are many, which are within negotiators' grasp.

Thank you, Madame President.