



**Ad Hoc Working Group on Further Commitments
for Annex I Parties under the Kyoto Protocol**

**Report of the Ad Hoc Working Group on Further
Commitments for Annex I Parties under the Kyoto Protocol
on the first and second parts of its seventeenth session, held
in Bonn from 15 to 24 May 2012 and Doha from 27
November to 6 December 2012**

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Opening and resumption of the session (Agenda item 1).....	1–6	2
II. Organizational matters (Agenda item 2).....	7–15	2
A. Adoption of the agenda.....	7–8	2
B. Organization of the work of the session	9–13	3
C. Elections of officers.....	14–15	3
III. Consideration of further commitments for Annex I Parties under the Kyoto Protocol (Agenda item 3).....	16–38	4
IV. Other matters (Agenda item 4).....	39–40	7
V. Report on the session (Agenda item 5).....	41–42	7
VI. Suspension and closure of the session.....	43–46	7
 Annex		
Documents prepared for the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session		8

I. Opening and resumption of the session

(Agenda item 1)

1. The first part of the seventeenth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) was held at the Maritim Hotel, Bonn, Germany, from 15 to 24 May 2012.
2. The Chair of the AWG-KP, Ms. Madeleine Rose Diouf Sarr (Senegal), opened the session and welcomed all Parties and observers. The Chair also welcomed Mr. Jukka Uosukainen (Finland) as Vice-Chair of the AWG-KP and conveyed the apologies of the Rapporteur, Ms. Erika Hasznos (Hungary), for not being able to attend the session.
3. At that first meeting, the Chair reminded delegates that the seventh session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) had concluded successfully in Durban, South Africa, with the agreement that the second commitment period of the Kyoto Protocol would begin on 1 January 2013 and with the adoption of key decisions relating to the methodological and accounting rules to be used in the second commitment period. She also recalled that, at the same session, the CMP had forwarded a significant amount of technical work to the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI).
4. The Chair encouraged Parties to build on the outcome achieved in Durban and work towards a decisive final outcome of the AWG-KP to be adopted in Doha, Qatar, at the eighth session of the CMP, in accordance with decision 1/CMP.7. The seventeenth session of the AWG-KP was suspended on 24 May.
5. The seventeenth session was resumed on 27 November 2012 at the Qatar National Convention Centre, Doha. The Chair opened the second part of the session and welcomed all Parties and observers to the 3rd meeting.
6. At the same meeting, she recalled that an informal additional session of the AWG-KP¹ had been held in Bangkok, Thailand, which had facilitated the advancement of work on the issues under consideration. On that basis, she urged Parties to finalize the work of the AWG-KP and fulfil the mandate set out in decision 1/CMP.1 and reiterated in decision 1/CMP.7.

II. Organizational matters

(Agenda item 2)

A. Adoption of the agenda

(Agenda item 2(a))

7. At its 1st meeting, on 15 May, the AWG-KP considered a note by the Executive Secretary containing the provisional agenda and annotations (FCCC/KP/AWG/2012/1).
8. At the same meeting, the agenda was adopted as follows:
 1. Opening of the session.
 2. Organizational matters:
 - (a) Adoption of the agenda;

¹ The informal additional session of the AWG-KP was held at the United Nations Conference Centre of the Economic and Social Commission for Asia and the Pacific in Bangkok from 30 August to 5 September 2012.

- (b) Organization of the work of the session;
 - (c) Election of officers.
3. Consideration of further commitments for Annex I Parties under the Kyoto Protocol.
 4. Other matters.
 5. Report on the session.

B. Organization of the work of the session

(Agenda item 2(b))

9. The AWG-KP considered this sub-item at its 1st and 3rd meetings. At those meetings, held in Bonn and Doha, respectively, the Chair noted that all meetings would be organized in accordance with the recommendations of the SBI.²

10. At the 1st meeting, the Chair outlined her proposed mode and sequence of work, which were agreed to by the AWG-KP. In particular, she proposed that a contact group, chaired by her, on further commitments for Annex I Parties under the Kyoto Protocol be established and that specific technical work be undertaken in a spin-off group co-facilitated by Ms. Sandea de Wet (South Africa) and Mr. Jürgen Lefevere (European Union).³

11. At the 3rd meeting, following her introductory remarks, the Chair referred to her scenario note on the second part of the seventeenth session⁴ and proposed that the work of the AWG-KP be resumed in accordance with the modalities that had been established in Bonn, including informal consultations by the Vice-Chair on the legal and procedural issues relating to ensuring a smooth transition to the second commitment period.

12. In addition, the Chair informed the plenary of the formalities required to adopt and process amendments to the Kyoto Protocol. In particular, she recalled the need for a legal and linguistic review of the text prior to its adoption and suggested that a ‘commas committee’ be constituted for that purpose.

13. Finally, the Chair stressed that it was important that the secretariat receive valid written consent from Parties that had expressed their intention to be included in Annex B to the Kyoto Protocol in relation to the second commitment period, and for valid credentials to be received from at least two thirds of the Parties to the Kyoto Protocol.

C. Elections of officers

(Agenda item 2(c))

14. At the 1st meeting, the Chair informed the AWG-KP that consultations on the nomination of its Rapporteur were continuing and encouraged regional groups to submit their nominations. At the 2nd meeting, the Chair reported that no new nominations had been received. In accordance with rule 22, paragraph 2, of the draft rules of procedure being applied,⁵ Ms. Hasznos would therefore continue to remain in office.

² FCCC/SBI/2010/10, paragraphs 164 and 165, and FCCC/SBI/2011/7, paragraph 167.

³ In addition, informal consultations on legal and procedural issues relating to the start of the second commitment period were launched later during the session, following an agreement among Parties within the contact group.

⁴ FCCC/KP/AWG/2012/4.

⁵ FCCC/CP/1996/2.

15. At the 3rd meeting, the Chair welcomed Ms. Anna Tamás (Hungary)⁶ and thanked her for accepting the responsibilities of the post of AWG-KP Rapporteur.

III. Consideration of further commitments for Annex I Parties under the Kyoto Protocol

(Agenda item 3)

1. Proceedings

16. This item was considered at the 1st, 2nd and 3rd meetings of the AWG-KP and at its 4th meeting, held on 6 December.

17. At its 1st meeting, the AWG-KP had before it documents FCCC/KP/AWG/2012/1, FCCC/KP/AWG/2012/2 and FCCC/KP/AWG/2012/MISC.1 and Add.1.

18. At the same meeting, the Chair referred to her scenario note⁷ and briefly recalled the main issues that needed to be concluded in order to allow the AWG-KP to finish its work, namely the following:

(a) Matters related to the quantified emission limitation or reduction objectives (QELROs), including the information on QELROs submitted by Parties compiled in document FCCC/KP/AWG/2012/MISC.1 and Add.1;

(b) The assessment of the implications of the carry-over of assigned amount units to the second commitment period and the identification of appropriate actions to address those implications;

(c) The consideration and finalization of the proposed amendments to the Kyoto Protocol contained in annex 3 to decision 1/CMP.7, including the length of the commitment period.

19. Statements were made by representatives of 14 Parties, including a statement by a representative of the Conference of the Parties (COP) and the CMP Presidency and statements on behalf of the Group of 77 and China, the Umbrella Group, the Environmental Integrity Group (EIG), the European Union and its 27 member States, the Alliance of Small Island States (AOSIS), the African States, the least developed countries (LDCs), the Arab Group, the Bolivarian Alliance for the Peoples of Our America – Peoples' Trade Treaty (ALBA), the Coalition for Rainforest Nations and the BASIC countries (Brazil, China, India and South Africa). In addition, statements were made by representatives of environmental non-governmental organizations (ENGOs) and youth non-governmental organizations (YOUNGOs).

20. At the 2nd meeting, the Chair reported on the substantive progress made during the session, but cautioned that a large amount of work remained to be done to bridge the divergent positions of Parties.

21. She also stated that the technical work in the spin-off group on agenda item 3 had been supplemented by informal consultations conducted by the Vice-Chair on legal and procedural issues relating to the start of the second commitment period. She reported that those consultations had helped considerably to bring more clarity on Parties' positions and on options to facilitate a successful outcome in Doha. The Chair also noted that a lot of work remained to be done on those legal and procedural issues.

⁶ In accordance with rule 25 of the draft rules of procedure being applied, Ms. Tamás replaced Ms. Hasznos upon the latter's resignation.

⁷ FCCC/KP/AWG/2012/2.

22. Before suspending the seventeenth session of the AWG-KP, the Chair appealed to Parties to work between the first and second parts of the session in order to ensure that agreement could be reached in Doha.
23. At the same meeting, statements were made by representatives of 16 Parties, including statements on behalf of the African States, EIG, AOSIS, the European Union, the LDCs, the Umbrella Group, the Arab Group, a group of five Parties (Bolivia, Cuba, Ecuador, Nicaragua and Venezuela), members of ALBA and the Coalition for Rainforest Nations. In addition, statements were made by representatives of business and industry non-governmental organizations (BINGOs), indigenous peoples organizations (IPOs) and YOUNGOs.
24. At the 3rd meeting, the Chair updated Parties on meetings that had taken place outside of the AWG-KP process but that were relevant to the work of the group. She first reported on the pre-COP meeting that had taken place in Seoul, Republic of Korea, on 22 and 23 October 2012 and emphasized the high level of interest and engagement demonstrated by Parties with regard to AWG-KP matters at that meeting.
25. The Chair then recalled the request made by Parties at the informal additional session held in Bangkok to convene informal consultations on eligibility issues relating to the second commitment period of the Kyoto Protocol, with a view to facilitating the further understanding and clarification of Parties' positions prior to the conference to be held in Doha.
26. The Chair reported that such informal consultations had taken place in November in Bonn with the support of the COP 18/CMP 8 Presidency. She noted that the meeting had provided a valuable opportunity to clarify many of the eligibility issues and she therefore encouraged Parties to turn their attention to the negotiations and to reaching agreement in Doha.
27. At the same meeting, the AWG-KP had before it documents FCCC/KP/AWG/2012/4, FCCC/KP/AWG/2012/CRP.1 and FCCC/KP/AWG/2012/MISC.1 and Add.1 and 2.
28. The Chair referred to her scenario note on the second part of the session⁸ and to the proposal by the Chair to facilitate negotiations,⁹ containing a draft decision on proposed amendments to the Kyoto Protocol pursuant to its Article 3, paragraph 9, proposed amendments to the Kyoto Protocol and its Annexes A and B, which were annexed to the draft decision, as well as a placeholder for the outcome of the relevant work of the subsidiary bodies mandated by decisions 1/CMP.7 and 3/CMP.7. The Chair highlighted that the proposal by the Chair to facilitate negotiations may be revised in the course of the session to capture the progress made in the negotiations.
29. Before opening the floor to Parties, the Chair recalled the issues to be considered by the AWG-KP in order to finalize its work, namely the following:
- (a) The length of the second commitment period, the issue of QELROs and the level of mitigation ambition;
 - (b) Legal continuity from 1 January 2013;
 - (c) Operational continuity from 1 January 2013;
 - (d) The carry-over and surplus of Kyoto units.

⁸ FCCC/KP/AWG/2012/4.

⁹ FCCC/KP/AWG/2012/CRP.1.

30. Statements were made by representatives of 11 Parties, including statements on behalf of the Group of 77 and China, the European Union, the Umbrella Group, EIG, AOSIS, the African States, the Arab Group, the LDCs, the Coalition for Rainforest Nations, a group of 25 Parties and the BASIC countries. In addition, statements were made by representatives of BINGOs, IPOs, trade union non-governmental organizations and YOUNGOs and by two representatives of ENGOs.

31. At the 4th and final meeting of the seventeenth session, the Chair recalled her intervention at the informal plenary convened by the President of COP 18/CMP 8 on 3 December, at which she had suggested that the resolution of some issues would require the intervention of ministers.

32. She informed Parties that, in response to that intervention, the President had subsequently requested Mr. Luis Figueiredo Machado (Brazil) and Mr. Bård Solhjell (Norway) to begin an informal ministerial outreach process on the AWG-KP issues identified as requiring ministerial intervention.

33. The Chair reported on the progress achieved by the various groups as captured in her proposal to facilitate negotiations, successively updated in documents FCCC/KP/AWG/2012/CRP.2, to reflect updates resulting from the work of the AWG-KP in the first week, and FCCC/KP/AWG/2012/CRP.3, to reflect additional proposals from Parties and to consolidate the text of proposed amendments to the Kyoto Protocol into a single annex.

34. The Chair indicated that she had taken into consideration the comments received from Parties following her presentation of the latest iteration of the text¹⁰ to the contact group. That resulted in document FCCC/KP/AWG/2012/L.3, which was presented to the AWG-KP plenary on 6 December.

35. The Chair expressed the importance of narrowing down the options for further consideration by ministers and proposed that the AWG-KP agree to forward the outcome of the work of the AWG-KP, as contained in document FCCC/KP/AWG/2012/L.3, to the CMP for adoption and completion of the mandate set out in decision 1/CMP.1.

36. Statements were made by representatives of nine Parties, including statements on behalf of the Group of 77 and China, the LDCs, the African States, the European Union, the Umbrella Group, EIG and AOSIS.

37. Finally, at the same meeting, the Chair noted that the contact group had agreed to her convening a 'commas committee' to undertake a legal and linguistic review of the amendment text. The Chair assured Parties that such a committee, which would consist of two lawyers from each of the five regional groups of the United Nations and one lawyer from the small island developing States, would not reopen any substantive discussion but only review the text from a legal and linguistic perspective once the text became available in all six official languages of the United Nations.¹¹

2. Conclusions

38. A group of Parties requested changes to the text contained in document FCCC/KP/AWG/2012/L.3. On a proposal by the Chair, the AWG-KP agreed to forward the outcome of the work of the AWG-KP as amended from the floor to the CMP for its consideration and adoption and the completion of the mandate set out in decision 1/CMP.1. The requested changes were captured in document FCCC/KP/AWG/2012/L.3/Rev.1.

¹⁰ FCCC/KP/AWG/2012/CRP.3.

¹¹ The 'commas committee' met on 7 December 2012. Its recommendations were taken into account in the informal consultations undertaken by the ministers referred to in paragraph 30 above.

IV. Other matters

(Agenda item 4)

39. This item was considered at the 1st and 3rd meetings of the AWG-KP.
40. No other matters were raised.

V. Report on the session

(Agenda item 5)

41. At its 4th meeting, the AWG-KP considered the draft report on the first and second parts of the seventeenth session, contained in document FCCC/KP/AWG/2012/L.2.
42. On a proposal by the Chair, the AWG-KP authorized the Rapporteur to complete the report on the session, under the guidance of the Chair and with the assistance of the secretariat.

VI. Suspension and closure of the session

43. At the 2nd meeting, in the light of the work still to be accomplished, the Chair proposed to suspend the seventeenth session of the AWG-KP, in order to maximize meeting time in Doha, where seven bodies would be meeting concurrently, and to restrict issues of a procedural nature.
44. The AWG-KP decided to proceed with the suspension of the session and the Chair declared the seventeenth session of the AWG-KP suspended.
45. At the 4th meeting, the Chair thanked the Vice-Chair for his thorough work throughout the year, as well as the team of co-facilitators who worked on the various issues. She also thanked the interpreters for their dedicated service throughout the session. The Chair finally thanked the COP 18/CMP 8 President and his team for their excellent collaboration during the session, as well as for the outstanding facilities put at the disposal of the Parties.
46. The Chair then declared the seventeenth session of the AWG-KP closed.

Annex

Documents prepared for the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session

Documents prepared for the session

FCCC/KP/AWG/2012/1	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/KP/AWG/2012/2	Scenario note on the seventeenth session. Note by the Chair
FCCC/KP/AWG/2012/4	Scenario note on the second part of the seventeenth session. Note by the Chair
FCCC/KP/AWG/2012/MISC.1 and Add. 1 and 2	Information by Parties included in Annex I listed in annex 1 to decision 1/CMP.7 on their quantified emission limitation or reduction objectives for the second commitment period under the Kyoto Protocol. Submissions from Parties
FCCC/KP/AWG/2012/L.1	Draft report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on its seventeenth session held in Bonn from 15 to 24 May 2012
FCCC/KP/AWG/2012/L.2	Draft report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on the first and second parts of its seventeenth session, held in Bonn from 15 to 24 May 2012 and Doha from 27 November to x December 2012
FCCC/KP/AWG/2012/CRP.1	Proposal by the Chair to facilitate negotiations
FCCC/KP/AWG/2012/CRP.2	Proposal by the Chair to facilitate negotiations
FCCC/KP/AWG/2012/CRP.3	Proposal by the Chair to facilitate negotiations
FCCC/KP/AWG/2012/L.3/Rev.1	Outcome of the work of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol. Revised draft conclusions proposed by the Chair

Other documents before the session

FCCC/KP/AWG/2011/7

Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on the third and fourth parts of its sixteenth session, held in Panama City from 1 to 7 October 2011, and Durban from 29 November to 10 December 2011

FCCC/KP/CMP/2011/10/Add.1

Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its seventh session, held in Durban from 28 November to 11 December 2011. Addendum. Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its seventh session
