

A BRIEF HISTORY OF THE UNFCCC AND THE KYOTO PROTOCOL FROM RIO TO PANAMA

by the IIS D, International Institute for Sustainable Development; Monday, 10 October 2011

The international political response to climate change began with the adoption of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, which sets out a framework for action aimed at stabilizing atmospheric concentrations of greenhouse gases to avoid "*dangerous anthropogenic interference*" with the climate system. The UNFCCC entered into force on 21 March 1994 and now has 195 parties.

In December 1997, delegates to the third session of the Conference of the Parties (COP) in Kyoto, Japan, agreed to a Protocol to the UNFCCC that commits industrialized countries and countries in transition to a market economy to achieve emission reduction targets. These countries, known as Annex I parties under the UNFCCC, agreed to reduce their overall emissions of six greenhouse gases by an average of 5.2% below 1990 levels between 2008-2012 (the first commitment period), with specific targets varying from country to country. The Kyoto Protocol entered into force on 16 February 2005 and now has 193 parties.

At the end of 2005, the first steps were taken to consider long-term issues. Convening in Montreal, Canada, the first session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP 1) decided to establish the *Ad Hoc Working Group on Further Commitments for Annex I Parties (AWG-KP)* on the basis of Protocol Article 3.9, which mandates consideration of Annex I parties' further commitments at least seven years before the end of the first commitment period. COP 11 agreed to consider long-term cooperation under the Convention through a series of four workshops known as *the Convention Dialogue*, which continued until COP 13 in Bali.

BALI ROADMAP: COP 13 and COP/MOP 3 took place in December 2007 in Bali, Indonesia. Negotiations resulted in the adoption of the *Bali Action Plan*. Parties established the *Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA)* with a mandate to focus on key elements of long-term cooperation identified during the Convention Dialogue: mitigation, adaptation, finance, technology and a shared vision for long-term cooperative action. The Bali conference also resulted in agreement on the Bali Roadmap, based on two negotiating tracks under the Convention and the Protocol, and set a deadline for concluding the negotiations at COP 15 and COP/MOP 5 in Copenhagen in December 2009.

COPENHAGEN CLIMATE CHANGE CONFERENCE: The UN Climate Change Conference in Copenhagen, Denmark, took place from 7-19 December 2009, and included COP 15 and COP/MOP 5, the 31st sessions of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technology Advice (SBSTA), as well as AWG-KP 10 and AWG-LCA 8. Over 110

world leaders attended the joint COP and COP/ MOP high-level segment from 16-18 December. The Conference was marked by disputes over transparency and process. During the high-level segment, informal negotiations took place in a group consisting of major economies and representatives of regional and other negotiating groups. Late in the evening of 18 December, these talks resulted in a political agreement: the *Copenhagen Accord*, which was then presented to the COP plenary for adoption. Over the next 13 hours, delegates debated the Accord. Many supported adopting it as a step towards securing a better future agreement. However, some developing countries opposed the Accord, which they felt had been reached through an untransparent and undemocratic negotiating process.

Ultimately, the COP agreed to *take note* of the Copenhagen Accord. It established a process for parties to indicate their support for the Accord and, during 2010, over 140 countries did so. More than 80 countries also provided information on their national emission reduction targets and other mitigation actions.

On the last day of the Copenhagen Climate Change Conference, the COP and COP/MOP also agreed to extend the mandates of the AWG-LCA and AWG-KP, requesting them to present their respective outcomes to COP 16 and COP/MOP 6.

CANCUN CLIMATE CHANGE CONFERENCE: Following four preparatory meetings in 2010, the UN Climate Change Conference in Cancun, Mexico, took place from 29 November to 11 December 2010. By the end of the Conference, parties finalized the *Cancun Agreements*, which include decisions under both negotiating tracks. Under the Convention track, Decision 1/CP.16 recognized the need for deep cuts in global emissions to achieve the 2°C target. Parties also agreed to consider strengthening the global long-term goal during a review by 2015, including in relation to the 1.5°C target. They took note of emission reduction targets and nationally appropriate mitigation actions (NAMAs) communicated by developed and developing countries respectively (FCCC/SB/2011/INF.1/ Rev.1 and FCCC/AWGLCA/2011/INF.1, both issued after Cancun), and agreed to discuss them during workshops in 2011. Decision 1/CP.16 also addressed other aspects of mitigation, such as measuring, reporting and verification (MRV); and reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries (REDD+).

Parties also agreed to establish several new institutions and processes. These included the *Cancun Adaptation Framework* and the *Adaptation Committee*, as well as the *Technology Mechanism*, which includes the *Technology Executive Committee (TEC)* and the *Climate Technology Centre and Network (CTCN)*. On finance, Decision 1/CP.16 created the *Green Climate Fund (GCF)*, which was designated as the new operating entity of the Convention's financial mechanism and is to be governed by a board of 24 members. Parties agreed to set up a *Transitional*

Committee tasked with the Fund's detailed design, and established a *Standing Committee* to assist the COP with respect to the financial mechanism. They also recognized the commitment by developed countries to provide US\$30 billion of fast-start finance in 2010-2012, and to jointly mobilize US\$100 billion per year by 2020.

Under the Protocol track, Decision 1/CMP.6 included agreement to complete the work of the AWG-KP and have the results adopted by the COP/MOP as soon as possible, and in time to ensure there will be no gap between the first and second commitment periods. The COP/MOP urged Annex I parties to raise the level of ambition of their emission reduction targets with a view to achieving aggregate emission reductions consistent with the range identified in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC). Parties adopted Decision 2/CMP.6 on land use, land-use change and forestry (LULUCF).

The mandates of the two AWGs were also extended until the next UN Climate Change Conference, in Durban, South Africa, to be held from 28 November to 9 December 2011.

UN CLIMATE CHANGE TALKS IN BANGKOK: After Cancun, the two AWGs resumed their work in Bangkok from 3-8 April 2011. The AWG-LCA spent the Bangkok session engaged in procedural discussions on its agenda. Following a week of negotiations, agreement was reached on the agenda that formed the basis of work for the resumed AWG-LCA 14 in Bonn. Under the AWG-KP, parties focused on key policy issues hindering progress under the Protocol track.

UN CLIMATE CHANGE TALKS IN BONN: The UN Climate Change Conference took place in Bonn, Germany, from 6-17 June 2011 and included the 34th sessions of the SBI and SBSTA, as well as the second parts of AWG-LCA 14 and AWGKP 16.

The SBSTA's closing plenary agreed to consider, at its next session, the proposed new item on impacts of climate change on water and integrated water resources management under the Nairobi Work Programme on impacts, vulnerability and adaptation. No agreement was reached on other proposed new items, such as blue carbon and rights of nature and the integrity of ecosystems, and a work programme on agriculture. Under the SBI, work was launched on national adaptation plans, and loss and damage, the consideration of which was mandated by the Cancun Agreements while the agenda item relating to MRV remained in abeyance. Proposed new items related to the impacts of the implementation of response measures also featured prominently in the agenda discussions. As a result, the SBI and SBSTA Chairs convened a forum on the impact of the implementation of response measures organized as a contact group.

The focus of the AWG-KP was on outstanding political issues and conditionalities set by various Annex I countries for taking on new commitments during a second commitment period. Despite initial opposition from developing countries, parties also undertook technical work on issues, including LULUCF, the flexibility

mechanisms and methodological issues. Progress made was captured in a revised proposal by the AWG-KP Chair (FCCC/KP/AWG/2011/CRP.1).

Under the AWG-LCA, substantive work began, based on Decision 1/CP.16. Parties worked in a single contact group and informal groups on adaptation, finance, technology, capacity building, shared vision, review of the global long-term goal, legal options, and diverse issues related to mitigation. Parties agreed that notes prepared by the facilitators of the AWG-LCA informal groups be carried forward to the third part of AWGLCA 14. While progress was made on some issues, many felt that the outcomes were relatively modest.