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UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

**AD HOC WORKING GROUP ON FURTHER COMMITMENTS
FOR ANNEX I PARTIES UNDER THE KYOTO PROTOCOL**

Tenth session

Copenhagen, 7–15 December 2009

**Item 2 of the provisional agenda
Organizational matters**

Organizational matters

Submissions from Parties

The secretariat has received a submission on this matter from the Group of 77 and China on 9 November 2009. In accordance with the procedure for miscellaneous documents, this submission is attached and reproduced* in the language in which it was received and without formal editing.

* These submission has been electronically imported in order to make them available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

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SUBMISSION FROM THE GROUP OF 77 AND CHINA

The Group of 77 and China at the United Nations

6 November 2009

Mr. Yvo de Boer
Executive Secretary
United Nations Climate Change Secretariat
Martin-Luther-King-Strasse 8
53175 Bonn

Dear Mr. de Boer,

On behalf of the Group of 77 and China, I would like to request that all the G-77 and China statements made in the opening and closing Plenaries for the **Bonn Climate Change Talks, March 2009; Bonn Climate Change Talks, June 2009; Bangkok Climate Change Talks 2009 and the Barcelona Climate Change Talks 2009** could be made into a miscellaneous document.

I look forward to receiving a response from you at your earliest convenience.

Yours sincerely,

Ambassador Dr. Ibrahim Mirghani Ibrahim
Chairman of the Group of 77 and China for 2009

UNFCCC No.: 2970

Date: 09, NOV. 2009
AWG

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Subject: Statements

STATEMENTS ON BEHALF OF THE GROUP OF 77 AND CHINA BY H. E. AMBASSADOR DR. IBRAHIM MIRGHANI IBRAHIM, HEAD OF DELEGATION OF THE REPUBLIC OF THE SUDAN, AT THE OPENING AND CLOSING PLENARIES OF THE AD HOC WORKING GROUP UNDER THE KYOTO PROTOCOL

Opening plenary, 29 March 2009, Bonn:

The Group reiterates the fundamental principle that developed country parties shall take the lead in combating climate change, and the establishment of ambitious quantified emission reduction commitments for the 2nd and subsequent commitment periods under the Kyoto Protocol is one of the most important actions to demonstrate this leadership.

The Group reiterates its serious concerns that the progress of the AWG-KP in achieving its clear and simple mandate to date is extremely slow. The Group reaffirms its strong position against linking the work of the AWG to extraneous issues and other processes under the convention, while recognizing that the work of the AWG-KP must take place in the context of the convention's ultimate objectives, principles and obligations.

You will recall that since Montreal in 2005, the Group has maintained and reiterated its position that Article 3.9 of the Kyoto Protocol provides a very clear mandate for the AWG-KP, to set further commitments for Annex I Parties for the 2nd and subsequent commitment periods, through amendments of Annex B of the Kyoto Protocol.

At the time the Group was flexible in acknowledging the argument made by Annex I Parties that setting these commitments may be better informed by analyses of mitigation potentials, the means available and methodological issues, and the Group agreed to 3 years of this analytical work, which was to be concluded in Poznan.

After 3 full years of work, the Group is extremely disappointed by the failure of the AWG-KP to reach final conclusions on the mitigation potentials, means, methodological issues and ranges of mitigation reduction potentials to be achieved by Annex I Parties in aggregate.

Against this background, the Group recalls our agreement at the resumed 6th session in Poznan that the focus and objectives of this 7th session of the AWG-KP is to adopt conclusions on the scale of emission reductions for Annex I parties in aggregate and reach conclusions on a draft amendment text to ensure that required amendments for the protocol will be forwarded for adoption by the CMP5 in due time.

The Group notes that your scenario note proposes to establish a contact group on emissions trading and project based mechanisms, a contact group on LULUCF and an "omnibus" contact group on the other issues of gases, sectors, sources, common metrics, sectoral approaches and legal issues.

However given that the primary objectives of this session are to; firstly, adopt conclusions on the scale of emission reductions for Annex I parties in aggregate and, secondly, to reach conclusions on a draft "legal" amendment text, the Group would like to express its concern that

the organization of work proposed in your scenario note is not built around and focused on delivering on these primary objectives of this 7th session of the AWG.

To be very specific, the Group is concerned that the scenario note only provides for the handling of the first primary objective to adopt conclusions on the scale of emission reductions for Annex I parties in aggregate (Agenda Item 3) in the second plenary session with no provision for any process to advance and adopt conclusions on the matter.

Further the Group is concerned that the scenario note only provides for the handling of the second primary objective to reach conclusions on a draft amendment text is only one issue within the omnibus contact group and that there is only a provision for consultations on "ways to address legal matters during the course of the year" without any other more formal process to advance and adopt conclusions on the matter at this session.

We trust that given this primary focus on these 2 objectives you will be able to establish the contact groups in line with the objectives and to enable the AWG-KP to fulfill its work by the end of 2009 in accordance with its mandate.

In addition the Group welcomes the establishment of a contact group to continue deliberation on the issue of potential consequences of spill-over effects, the workshop on this issue on Tuesday will be very helpful in providing further clarity for the discussion.

The group recognizes that a number of recent scientific studies have indicated that climate change impacts are increasing at a rate that exceeds the IPCC's Fourth Assessment Report projections. The Group hopes and fully expects that in view of this new information spirit of far greater urgency and ambition will guide the deliberations of the group on mitigation targets for Annex I parties.

The Group pledges its commitment to engage constructively in these wide-ranging discussions aimed at our primary objective of adopting conclusions on the scale of emission reductions for Annex I parties in aggregate and reach conclusions on a draft amendment text as required by the very clear legal mandate of Article 3.9 of the Kyoto Protocol.

Closing plenary, 08 April 2009, Bonn:

The Group reiterates its serious concerns regarding the slow progress of the AWG-KP in achieving its clear and simple mandate. As outlined in our opening statement the group was looking forward to constructive discussions on 2 of the central tasks of the very clear and defined AWG-KP mandate, namely to draw conclusions on the scale of emission reduction commitments for Annex I Parties in aggregate and reach conclusions on an amendment text pursuant to Article 3.9.

We note with extreme disappointment that although we initiated some discussions on future Annex I Party commitments with some Parties tabling concrete proposals for the scale of Annex I Party commitments in aggregate, the AWG-KP did not manage to have any substantive discussion on the actual options for the number describing the scale of Annex I Party commitments in aggregate. We strongly believe that the scale of emissions reduction to be achieved by Annex I parties in aggregate should be compatible to their historical responsibility, capability, sustainable development and equity. These basic criteria and hence the first objective of conclusions on the scale of emission reductions by Annex I parties were not reflected in your conclusions.

In a similar vein despite very concrete proposals for the legal text placed before the AWG-KP, we did not have any substantive discussion on the actual options for an amendment text pursuant to Article 3.9. Considering the fact that this amendment text must be communicated to Parties by June 2009 in order to respect the 6 month rule, the AWG-KP is now behind the schedule laid out in the work programme we agreed to in Poznan.

Instead we spent an inordinate amount of time discussing other issues which, while important in respect of improving the efficiency of the Kyoto Protocol, could be taken up in decisions of the CMP and could be negotiated in detail even beyond the 2009 deadline and have distracted the focus of our work at this session.

In this regard, the Group would like to emphasize that there must be a clear distinction between the legal amendment text pursuant to Article 3.9 of the Kyoto Protocol and the proposed text related to the work on the other issues in the report of AWG-KP from Poznan. Both these texts should be in full conformity of the proposals and principles of the Convention.

Despite the fact that there was very little progress, the group appreciates the discussion and exchange of views on potential consequences and issues arising from the implementation of the work program of the AWG-KP which has contributed to improving the understanding of parties on these issues

The Group of 77 would like to reaffirm its commitment to engage constructively in the future sessions of the AWG-KP to achieve its clear mandate as stated in Article 3.9.

Finally we appeal to our partners to demonstrate a constructive and cooperative spirit in the June session dedicated towards achieving our objective to reach an agreement in Copenhagen that allows non Annex I Parties the space to achieve the goal of sustainable development and poverty eradication. This is a sacred charge of responsibility for us to reach an agreement in Copenhagen in order to save our planet for the coming generations.

Opening plenary, 1 June, Bonn:

As I stated in my opening statement of the previous session, the Group reiterates its serious concern on the extremely slow progress of the AWG-KP in completing the milestones of its work programme. As we all know, the primary objective of the last session was to adopt conclusions on the scale of emissions reduction for Annex I Parties in aggregate and reach conclusions on a draft amendment text. These objectives were not achieved during that session and are now deferred to this session and, as agreed at AWG-KP 7, with a key focus on the scale of emission reductions by Annex I Parties in aggregate. Further, the Group notes that our work programme agreed to in Poznan stipulates that the AWG-KP will adopt conclusions on the contribution of Annex I Parties, individually or jointly, to the scale of emission reductions to be achieved by Annex I Parties in aggregate.

In this context, the Group has a serious concern that both the agenda and the organisation of work proposed in your scenario note does not include items on 2 of the central tasks to be achieved in this session, specifically those items agreed to in paragraph 49(a) and 49(b) of our work programme we agreed to in Poznan.

We therefore note with great concern that many Annex I parties have not made any concrete proposals on the scale of emissions reduction to be achieved by Annex I Parties in aggregate or on the contribution of Annex I Parties, individually or jointly, to this in aggregate scale of Annex I Party emissions reduction. In addition we note with concern that most of the emissions reduction targets submitted thus far by Annex I Parties are clearly far below the level of ambition indicated by the science that will be required to effectively mitigate climate change.

We reiterate that a key focus of this session is to complete the task of last session. We do hope to that our partners will show real leadership and allow the AWG-KP to adopt conclusions on the aggregate scale of emissions reduction by Annex I Parties and also adopt conclusions on the contribution of Annex I Parties, individually or jointly, to the scale of emissions reduction to be achieved by Annex I Parties in aggregate. Furthermore, we would like emphasise that this session will be the last opportunity to reach conclusion on amendment text in accordance with Art. 3.9 of KP because it has to be communicated to Parties at the latest by 17 of June 2009 in order to respect the 6-month rule. Therefore, this is a crucial session to achieve concrete results towards the successful completion of our mandate in Copenhagen.

The Group welcomes the opportunity to continue its deliberations on the potential environmental, economic and social consequences, including spillover effects, and we look forward for constructive discussion in this session with a view to forwarding the results of our work for the CMP at its fifth session.

Finally the Group would like to pledge its continuous support and commitments to engage in a constructive and open manner in the negotiations in this session with the view to reach conclusions on a draft amendment text in accordance with our very clear mandate of Article 3.9 of the Kyoto Protocol.

Closing Plenary, 12 June, Bonn:

The Group also wishes to express its appreciation to the Chair for enabling us to have our first real discussions on the AWG-KP's core task, namely the task of determining further commitments of Annex I Parties for the subsequent commitment periods.

Specifically the key focus of our discussions during this session was on the scale of emission reductions of Annex I in aggregate as well as an initial consideration of contributions of Annex I Parties, individually or jointly, to that in aggregate level of ambition by Annex I Parties. We would, however, point out that, in the opinion of the Group of 77 and China, this discussion should have been held 2 years ago, and it is this delay that has been the source of the slow progress of the work of the AWG-KP thus far.

The Group notes that, substantively, our discussions on scale of emission reductions in aggregate as well as individual or joint contributions of Annex I Parties have only highlighted the wide gap between the pledges put forward by Annex I Parties and what is required by science, historical responsibility and the principle of equity. In this context, the key challenge for our next informal session in August will be how to translate our general discussions which have been useful in clarifying and broadening understanding of proposals into a negotiation on the actual quantified emission reduction targets for Annex I Parties in the subsequent commitment periods.

G77 and China is very concerned at the slow pace of negotiations and the obvious lack of real commitment from Annex I Parties to a positive final outcome in Copenhagen with credible Annex I Party targets.

We note that during this session, the AWG-KP has also been able to make incremental progress on clarifying other issues, in particular the technical issues of Land Use, Land Use Change and Forestry as well as on the issue of potential environmental, economic and social consequences, including spillover effects. We look forward to continuing our discussions on these issues at our August session.

I would like to assure you of the Group's continuous support and readiness to engage constructively and in an open manner in the negotiations in future sessions with the understanding that our work is focussed on fulfilling the very clear mandate of AWG-KP as stipulated in Article 3.9 of the Kyoto Protocol.

Opening Plenary, 28 September, Bangkok:

The Group reiterates its serious concerns about the slow progress in fulfilling the negotiating mandate of the AWG- KP. In particular, our concerns relate primarily to the delay in concluding the definition of aggregate and individual quantified green house gases emission reduction targets for Annex I for the 2nd and subsequent commitment periods of the Kyoto Protocol. As we all know, in terms of our work programme adopted in Poznan the 7th and 8th sessions of the AWG-KP were to have concluded on the contributions of Annex I Parties, individually or jointly, to the scale of emission reductions to be achieved by Annex I Parties in aggregate. However, this work has not been completed. Since then the AWG- KP kept deferring this task to its subsequent sessions. In this context, the Group of 77 & China look forward to continue discussions on the issues of improving the effectiveness of existing mechanisms and rules as well as the future treatment of the potential and actual consequences of Annex I Party mitigation policies on developing countries.

The G77 & China takes note of the new leadership of Japan for taking a revised and ambitious pledge to reduce their green house gases emissions to 25% below 1990 levels by 2020. This represents a significant increase over their previously announced level of ambition. In this context we call upon all developed countries, including Japan, EU and USA, not to condition their pledges and commitments with terms which are inconsistent with the provision of the convention and the protocol.

Nevertheless, the Group of 77 & China remains concerned with the fact that, in aggregate, the sum total of Annex I Parties quantified emission reduction target that have been pledged is far below the level of ambition that is demanded by their historical responsibility and the science. In this context, we call upon all Annex I Parties to follow Japan and "take the lead" by urgently revising their announced commitments upwards and where, relevant, to formally make commitments consistent with the level of ambition demanded by the science.

The Group of 77 & China would like to point out that the AWG- KP ninth session is our last chance to draw conclusions on credible Annex I Party target for the second and subsequent commitment periods. We would stress that reaching agreed outcomes in Copenhagen will be difficult without genuine commitment and political leadership from Annex I Parties.

Given the fact that only three weeks of negotiation remain before we meet in Copenhagen to finalise agreement under Kyoto Protocol, it is appropriate that at this meeting we must prioritise work on concluding Annex I Parties quantified emission reduction commitments for the second and subsequent commitment periods. In this context, the Group of 77 & China emphasize that we need to further understand how the supplementary offset mechanism and LULUCF issues should be treated.

Since this discussion we refers to future mitigation policies and massures of Annex I Parties we also need to further advance and finish our work on potential social and economic consequences of Annex I Party mitigation policies.

Closing Plenary, 9 October, Bangkok

The Group of 77 & China is seriously concerned about the emergency of a significant shift in the position of Annex I Parties to the Kyoto Protocol in relation to their insistence on a single legal outcome in Copenhagen. This completely refrains the agreement reached in Bali to have a two track outcome in Copenhagen, with the continuation of the Kyoto Protocol for legally binding mitigation efforts of developed countries (that have joined Kyoto) on the one hand, and on the other hand an outcome under the convention aimed at the sustained and full implantation of its provisions.

The approach seems to be aimed at the significantly retarding the negotiations by otherwelming each topic with masses of technical detail and ensuring that there is no outcome in the negotiation of deep and ambitious Annex I Party quantified emission reduction targets for a second commitment period under the Kyoto Protocol.

We have seen pledges from developed countries with extremely low ambition GHG emission reduction targets. In total these pledges add up to a range of approximately 17% to 23% for Kyoto Protocol Annex I Parties (excluding the USA). These pledges are completely inadequate and do not match the levels of ambition required by the science. We have seen the rejection of an approach to use what is indicated by science as a starting point and determining ambitious Annex I Party quantified emission reduction targets for a 2nd Commitment Period using objective criteria.

We have seen proposals to transfer the so called good parts of the Kyoto Protocol to the AWG- LCA, which raises the question as to what might be the fate of so called bad parts. In this way the only outcome in Copenhagen proposed by some parties would be the results of the negotiation under the AWG-LCA. Effectively, such proposals from some parties would be the result of the negotiations under the AWG-LCA. Effectively, such proposals from some parties would render the Kyoto Protocol inoperable and redundant, which raises the larger question of the future of the Kyoto Protocol in the eyes of some of our negotiating partners.

Such an approach and outcome is completely unacceptable to the Group of 77 & China.

The Group of 77 & China, maintains that the convention provides strong foundation for an inclusive, fair and effective international climate change regime which addresses effectively the imperative to stabilize the climate system while recognizing the imperative and right of developing countries to develop, address poverty and food security. In this context the convention is based on the principal of equity, where developed countries, who are most responsible for the problem need to “take the lead”, as well as the principal of common but differentiated responsibilities where all countries act in accordance with their responsibilities.

As a reflection of these principals we have all agreed that Annex I Parties must “take the lead” in meeting their obligations to mitigate green house gas emissions, as outland in Art. 4.2. of the convention, through quantified emission reduction commitments. To achieve this, the parties agreed to the Kyoto Protocol, where Annex I Party emission

reduction target are concretely enumerated and become progressively more ambitious step by step wise fashion from one commitment period to the next.

The Kyoto Protocol is the only legal instrument, that is delivering real emission reductions, from Annex I Parties.

Our task in the AWG- KP must built on this success by setting up the next steps for Annex I Parties, more ambitious quantified reduction commitments for the second and subsequent commitment periods, which are informed by science. In this process we also need to improve the efficiency and effectiveness of the mechanisms and rules under the Kyoto Protocol, drawing on our experience of implantation thus far.

In this regard, given that we only have one week of negotiations left before Copenhagen, the group is extremely concerned that we have made so little progress on all agenda items during this first part of the ninth session of the AWG-KP.

Finally, the Group of 77& China, calls upon all parties to built an inclusive, fair and effective international climate change regime with a strong Kyoto Protocol and a strong outcome in the negotiation to enhance the full, effective and sustained implantation of the convention.

Opening plenary, 2 November, Barcelona

The Group 77 and China would like to reiterate its grave concerns about the implication of the call by Annex 1 Parties to end the life of the Kyoto Protocol infavour of single legal outcome in Copenhagen under the AWG-LCA. The killing of the Kyoto Protocol would have the effect of undermining the foundational principles of equity, common but differentiated responsibilities and respective capabilities and ultimately puts at risk any ambitious outcome to aggressively address climate change in Copenhagen, as indicated by the IPCC.

Clearly, this attempt to make the Kyoto Protocol redundant and inoperable for a 2nd commitment period goes back on the agreement reached in Bali to have a 2 track outcome in Copenhagen, with the continuation of the Kyoto Protocol for legally binding mitigation commitments of developed countries (that have joined Kyoto) on the one hand, and on the other hand an agreed outcome that enhance the full effective and sustained implementation of the Convention.

The Group would like to restate its strong position and to make it clearly known to the world that Kyoto Protocol must continue to form the legal basis for Annex I emission reduction commitments beyond 2012 and the Group is ready to stand against all attempts by developed countries to dismantle Kyoto protocol, the only instrument we have for developed countries to take the lead in cutting their increasing emissions.

As we all agreed, the core mandate of the AWG-KP is to define the second and subsequent commitment periods with an ambitious reduction in the emissions of developed countries that help us to minimize future impacts of climate change on our vulnerable communities.

The group would also like to reiterate its serious concern that Annex I Countries have not yet made any progress in defining their quantified emission reduction targets, individually and in aggregate which is the core element of the mandate of this important body. In this regard we have only five days of negotiations here in Barcelona before Copenhagen, we would like to appeal to annex I countries to take on ambitious quantified emission reductions for the 2nd

commitment period in line with the principle of equity and their historical responsibility in causing climate change and its devastating impacts on the developing countries and limiting the prospects for sustainable development in our countries. We need to see the leadership that the entire world has expected to see since the establishment of this process in 2005, and we need it in order to make real progress and complete our clear mandate in Copenhagen and for the benefit to all humankind.

Finally, the Group of 77 and China, would like to appeal to all Parties, particularly annex I Parties to engage faithfully in the negotiations to complete the mandate of the AWGKP and to build a strong Kyoto Protocol as the basis for a fair, just and equitable outcome in Copenhagen.

I would also like to assure you that the group will continue to engage openly and constructively in the work of the AWGKP to define the second and subsequent commitment periods for the Kyoto Protocol.

Closing Plenary, 6 November, Barcelona:

At this last plenary before Copenhagen, the Group 77 and China would like to reaffirm its position that a second commitment period under the Kyoto Protocol must be established for a period beyond 2012 as the legal basis for comparable Annex I emission reduction commitments. The Group will strongly stand against all attempts by developed countries to reach an agreement which could in any way result in the Kyoto Protocol being superseded or made redundant. As we stated in the opening plenary, killing the Kyoto Protocol would have the effect of undermining the foundational principles of equity, common but differentiated responsibilities and respective capabilities and ultimately puts at risk any ambitious outcome to aggressively address climate change and its devastating impacts on our countries.

The group 77 and China would also like to reaffirm that the core mandate of the AWG-KP is to define the second and subsequent commitment periods with ambitious quantified emission reductions for developed countries that will significantly contribute to the minimization of future impacts of climate change on developing countries.

The group would also like to express its serious concern and dismay that this session in Barcelona has made little progress in concluding on Annex 1 Party quantified emission reduction targets, individually and in aggregate. In this regard, we would like to note that a continuation of this trend to delay the conclusion of negotiations of Annex 1 party quantified emission reduction targets, in Copenhagen, makes the prospect of reaching any agreement in Copenhagen impossible for the G77 and China. It is our view that this would be a violation of the agreements reached in Bali and amounts to negotiation in bad faith, in which the G77 and China will not participate.

The group 77 and China supports the agreed organization of work in Copenhagen, where our focus will be on increasing the level of ambition of Annex 1 party quantified emission reduction targets for the second commitment period, while at the same time reaching agreement on improved modalities, mechanisms and methodologies of the Kyoto protocol, as well as how to minimize the consequences, including spill-over effects of Annex 1 Party mitigation policies and measures on non-Annex 1 countries.

Finally, the Group of 77 and China looks forward to achieving a momentous and historical international climate change outcome in Copenhagen, and I would also like to assure you that the group will continue to engage openly and constructively in the work of the AWG-KP to define the second and subsequent commitment periods for the Kyoto Protocol. The Group of 77

and China, would also like to appeal to all Parties, particularly Annex I Parties to engage faithfully in the negotiations to complete the mandate of the AWG-KP and to build a strong Kyoto Protocol which is the foundation and basis for a fair, just, effective and equitable outcome in Copenhagen.
