

# < STUDENT CONFERENCE REPORT >

## Bangkok Climate Change Conference Observation Report

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### I. To Bangkok

Delegations from 160 countries, NGO representatives, numerous press and climate change experts flew from all four corners of the globe to gather in Bangkok, Thailand. We, Sookyung Jung and Jeongsu Sinn, flew from Korea to attend the informal additional working sessions of the three Ad hoc working groups within the UNFCCC – the *Ad Hoc* Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), the *Ad Hoc* Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), and the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP). The three working groups met from 30 August until 5 September at the United Nations Conference Centre (UNCC) of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), and this was to be the last stop before the much-awaited COP 18 that will be held in Doha, Qatar in a mere few months.

Although the sessions were supposed to be informal, the pressure on the working groups to make progress was immense. All three working groups had to face the reality that they are at a critical point where progress must be made - first commitment period of the Kyoto Protocol was coming to an end while the Durban Platform was yet to be

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completed. The COP 18 was expected to determine crucial issues such as the second commitment period of the Protocol, the termination of the Long-term Cooperative Action under the Convention, and the construction of the post-2020 climate change regime that would be guided by the Durban Platform. Doha would be the venue where disappointment in past COPs could be turned into hope, where the UNFCCC could prove that it is capable of taking more effective measures to tackle the threats posed by climate change and that it is actually moving forward, not backwards. The future of climate change regime was to be determined in Doha, and Bangkok was the last stop to determine much of the fate of the regime before making the final decisions in Qatar.

For this reason, there was immense pressure and dire necessity for each of the groups to move forward on the important agendas during the one-week conference in Bangkok. In this respect, there was much to be learnt graduate school students like us, Sookyung Jung and Jeongsu Sinn, who were registered as Non-Governmental Organization observer to the conference. Both of us had taken the “Law and Politics of Climate Change” course taught by Professor Suh-Yong Chung at Korea University Graduate School of International Studies, and both were eager to predict the future and fate of climate change regime. We gratefully took this rare opportunity provided by Professor Suh-Yong Chung to observe tense negotiation processes, to learn from the heated debates that took place during conference sessions, and to obtain the information and clues that would help us predict the future of the UNFCCC. Much was learnt at the conference, and this conference report is a summary of the specific agendas, decisions, and unfinished debates that took place in Bangkok.

## **II. Bangkok Climate Change Conference-The last stop before Doha**

We arrived in Bangkok late at night on the 29th of August and attended the meetings that were held on the 30th and 31st of August. On the first day of the conference, we both attended the Informal plenary meetings of the AWG-KP, the AWG-

LCA and the ADP which were held in the morning. In the afternoon, many meetings and workshops had overlapping schedules so Sookyung Jung decided to attend those of AWG-KP and ADP while Jeongsu Sinn attended those of AWG-LCA. On the second day, Sookyung Jung observed the meetings of the AWG-KP, ADP Workstream 1 and ADP Workstream 2. Jeongsu Sinn attended the AWG-LCA Workshop on a framework for various approaches and the AWG-LCA Workshop on the new market-based mechanism. Below is a summary of the outcomes of each working group.

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

The United Nations Framework Convention Climate Change (UNFCCC) was established in 1992 in response to growing international concern on climate change. The purpose of the Convention is to devise a framework for actions aimed at reducing greenhouse gas emissions. The Convention entered into force in 1994 and has been holding Conference of Parties (COP) on a yearly basis since 1995. At the third COP which was held in Kyoto, Japan in 1997 is of great significance because it gave birth to the Kyoto Protocol. Under the Kyoto Protocol, the Annex I Parties—mostly developed countries—were obliged to reduce their overall emissions of six greenhouse gases by an average of 5% below 1990 levels by 2012.

As the first commitment period (2008-2012) was almost coming to an end, the AWG-KP sessions in Bangkok this year mainly focused on resolving important issues to ensure the successful continuation of the Kyoto Protocol. The main tasks of the working group at the Bangkok conference were to reach an agreement on the quantified emission limitation and reduction objectives (QELROs) for the second commitment period; to agree on the proposed amendments to the Kyoto Protocol including the length and duration of the second commitment period; and to assess the impact of the carry-over of surplus Assigned Amount Units (AAUs) and other proposed options.

Although the three objectives seem very different from one another, they were all linked to the greater and more fundamental goal of enabling a smooth and seamless transition –in both legal and technical terms- from the first commitment period to the second commitment period.

Overall the AWG-KP sessions have made much progress. The working group left Bangkok being more prepared for the pre-COP which is to be held in Seoul and also for the actual COP which will be held in Doha. Many Parties welcomed the progress made in Bangkok, particularly the increased clarity on the options to address transition to the second commitment period. However, the works of AWG-KP only produced informal outlining of the discussion that will be made in Doha. Thus, the Parties still have a heavy agenda waiting for them in Doha. Hopefully, the unresolved issues, one of which is agreeing on the duration of the second commitment period, will be sufficiently tackled at this year's COP.

## ***The Ad Hoc Working Group on Longterm Cooperative Action under the Convention***

### **a. From Bali to Bangkok**

The Ad hoc Working Group on Long-term Cooperative Action under the Convention was established at the COP 13 meeting that took place in 2007 in Bali, Indonesia. The Bali Action Plan<sup>1)</sup> which was adopted at the meeting including processes that will “enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012”. To enable the actual implementation of the Plan, the AWG-LCA sessions addressed issues such as mitigation, adaptation, finance, technology and also constructed a shared vision for the long-term cooperative action.

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1) Bali Action Plan, Decision 1/CP. 13 (Dec. 14-15, 2007), in COP Report No. 13, Addendum, at 3, UN Doc. FCCC/CP/2007/6/Add.1 (reissued Mar. 14, 2008). [http://unfccc.int/files/meetings/cop\\_13/application/pdf/cp\\_bali\\_action.pdf](http://unfccc.int/files/meetings/cop_13/application/pdf/cp_bali_action.pdf)

The sessions for the AWG-LCA were originally planned to terminate at the 15th COP meeting, but the “firewall” between developed and developing countries made them almost impossible to reach an agreement. The Parties agreed to postpone the process to the COP 16 (2010) which was to be held in Cancun, Mexico. At the COP 17 meetings, however, the Parties still found it extremely difficult to bridge the wide gap and instead decided to continue negotiations at the COP 17 (2011) which was going to take place in Durban. Unfortunately, the results of the Durban conference were still modest, and the Parties repeated what they did at the COP 15 and the COP 16 - they concluded that a conclusion would not be reached that year, and agreed to finalize the negotiations at the next COP meeting.

## **b. From Bangkok to Doha**

The Chair, Mr. Aysar Tayeb, began the Plenary session with the following words: “Bangkok is the last stop before Doha”. With these words, the Chair conveyed to delegates that the pressure to make progress in Bangkok was immense. The main focuses of the AWG-LCA in Bangkok were to decide on the following issues: the substantive outcomes that were needed to conclude each element at the COP 18; how the elements will be reflected in final outcome; and whether more work is needed to be done beyond the COP 18.

The last issue was the most controversial amongst contact groups. The Umbrella Group and the EU group emphasized that the AWG-LCA should close at Doha as planned and focus more on necessary processes in doing so. Other groups such as the G-77 or China, African Group, and LDCs stressed that there are important areas such as mid-term and long-term financing that still need to be discussed further. They also emphasized that the final textual outcome of the AWG-LCA should not be made at Doha unless these issues have been fully addressed.

Despite disagreements on the termination of the LCA in Doha, the AWG-LCA

managed to make progress in other areas. Plans for market-based mechanisms and various approaches were specified during the informal sessions, roundtables, and workshops. Further progress was made during the discussions on the financing of REDD-plus, mitigation, adaptation and technology cooperation. The elements mentioned above along with the other major elements on the AWG-LCA agenda were included in draft outcome text. Based on the draft, the final outcome text of the LCA will be made at the COP 18 in Doha if the AWG-LCA successfully completes negotiations and discussions on the areas that need further discussion. These include facilitating finance to support developing countries' efforts to tackle climate change.

### ***The Ad Hoc Working Group on the Durban Platform for Enhanced Action***

The UN Climate Change Conference in Durban, South Africa, took place from 28 November to 11 December 2011. At the conference, the Parties agreed to establish a new working group named the Ad Hoc Working Group on Durban Platform for Enhanced Action (ADP). The working group was launched with a mandate to “develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties.” The Durban Conference concluded that the negotiating process for the ADP should begin in May 2012 and be completed by 2015 at the latest, and that the outcome should enter into force from 2020.

The first session of the ADP took place at the following UN Climate Change Conference, held in May 2012 in Bonn, Germany. At its first session, the ADP adopted its agenda and initiated two workstreams: one on addressing matters related to paragraphs 2 to 6 of decision 1/CP. 17 (post-2020 regime) and the other addressing matters related to paragraphs 7 and 8 of the same decision (enhancing mitigation ambition during the pre-2020 timeframe).

The second meeting of the ADP was held in Bangkok, Thailand from 30 August

to 5 September 2012. A key objective of the Bangkok session was to launch the substantive work under the Durban Platform and to discuss how to continue that work in Doha and beyond. The Parties initiated their respective visions and aspirations for the ADP, the expected results of its work, and how these results are to be achieved during the roundtable session under the workstream 1. Discussions on ways to enhance the ambition, means of implementation, and possible ways of strengthening international cooperative initiatives also took place. In addition, the Parties discussed what the necessary elements were to frame the ADP's work during the roundtable session under the workstream 2. Although there are two workstreams under the ADP, the Parties agreed that the works of the two workstreams should be distinct but mutually reinforcing.

During the round table session under the workstream 1, the Parties stressed that the process and results of the ADP should be guided by the core principles and rules of the Convention. In regard to the phrase of "applicable to all", the Parties agreed that the universality of application does not mean the uniformity of application and that a 'one size fits all' approach would not be appropriate in the implementation of the ADP. They instead placed emphasis on the principles of equity and "common but differentiated responsibilities and respective capabilities". However discussions on the principle of common but differentiated responsibilities were not without disagreement. Developing countries stressed that historical responsibility should be a key determinant of future emission reduction commitments while developed countries argued that developing countries who were major greenhouse gas emitters like China and India should also be given legally-binding commitments.

The roundtable meeting under the workstream 2 was initially prepared to focus on mitigation ambition. The Parties proposed three general approaches to increase the level of ambition: increasing the number of countries making pledges; increasing the ambition of existing pledges; and recognizing additional supplementary actions and initiative taken at sub-national, national and international levels. However, some Parties -mostly developing countries- expressed the view that a balanced and holistic

approach should be taken in order to address the issue of ambition. Many developing countries argued that adaptation, finance, and technology should also be included in the discussions about ambition, but developed countries disagreed with this view and stressed that mitigation ambition should be the main focus. Towards the end of the meeting, the Parties recognized that acquiring a variety of the means of implementation could play an important role in enhancing the ambition and enabling further actions.

In sum, the informal session format allowed considerably interactive dialogues and discussions. However, the Parties did not reach any agreement on new measures to combat climate change. The Parties also had different expectations for the upcoming COP 18 in Doha. Many Parties called for a clear roadmap with timelines and milestones to be adopted in Doha. Other Parties were skeptical about drafting a detailed document and stated that there should be flexibility in arrangement, especially in the early days.

### **III. Leaving Bangkok with both optimism and pessimism**

The outcomes of the Bangkok Climate Change Conference and the negotiation progresses that we observed made us leave Bangkok with both optimism and pessimism. It seemed that the UNFCCC was capable of solving some of the problems related to climate change, but not all of them in the short run. In the areas where national interests did not conflict, the Parties were able to make progress. The options regarding the transition to the second commitment period were clarified in the negotiations of the AWG-KP, and the market based mechanisms and various approaches were specified in the meetings of the AWG-LCA. However, in areas of much disagreement, there seemed little hope for progress and compromise. The Parties did not reach an agreement on the duration of the second commitment period of the Kyoto Protocol, and there was much disagreement on the termination of the LCA. The Parties also had conflicting views on the common but differentiated responsibilities and

ambition levels.

What we observed during the conference sessions and the heated negotiations helped us predict the future of the climate change regime. There was hope for progress in some areas, but very little hope for progress in the areas where the Parties had conflicting views. This left us wondering what the strengths and weaknesses of the UNFCCC were, and what other options were necessary to address issues that it was not good at doing. Hopefully, these questions will be answered in Seoul after doing much research.

