



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from: General Secretariat

to: Delegations

Subject: Follow-up to the 17th session of the Conference of the Parties (COP 17) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th session of the Meeting of the Parties to the Kyoto Protocol (CMP 7) (Durban, South Africa, 28 November - 9 December 2011)
- Council conclusions

Delegations will find annexed the conclusions adopted by the Council (Environment) on 9 March 2012.

Follow-up to the 17th session of the Conference of the Parties (COP 17) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th session of the Meeting of the Parties to the Kyoto Protocol (CMP 7)
(Durban, South Africa, 28 November - 9 December 2011)
- Council conclusions -

General

1. Strongly WELCOMES the positive outcomes of the Durban Conference which further implement the Cancún Agreements, pave the way for immediate and concrete actions on the ground and lay a solid foundation through the Durban Platform for Enhanced Action for adopting a single global and comprehensive legally-binding agreement applicable to all Parties by 2015 at the latest for it to come into effect and be implemented no later than the beginning of 2020, thereby ensuring continuity after full implementation of the Cancún pledges and the second commitment period of the Kyoto Protocol.
2. WELCOMES that the future agreement will ensure the participation of all Parties under the United Nations Framework Convention on Climate Change ("the Convention") and will include mitigation commitments for all Parties and in particular all major economies; RECOGNISES the principle of common but differentiated responsibilities and respective capabilities; however, STRESSES that responsibilities and capabilities are differentiated but evolve over time and that the agreement should reflect those evolving realities by including a spectrum of commitments in a dynamic way; STRESSES the need for the future agreement to enable all Parties to achieve sustainable development, poverty eradication and climate-resilient growth, taking into account vulnerability to climate change.

3. RECALLS the urgent need for operationalising the objective of staying below 2°C through a decision on a time frame for peaking of global emissions and a global emission reduction goal; In this context, REITERATES that global greenhouse gas emissions need to peak by 2020 at the latest and be reduced by at least 50 % by 2050 compared to 1990 and continue to decline thereafter; REAFFIRMS the EU objective, in the context of necessary reductions according to the Intergovernmental Panel on Climate Change (IPCC) by developed countries as a group, to reduce emissions by 80-95% by 2050 compared to 1990 levels; also REAFFIRMS that, in accordance with the findings of the IPCC in its Fourth Assessment Report and more recent studies, developed countries as a group should reduce their greenhouse gas emissions by 25 to 40% below 1990 levels by 2020 while developing countries as a group should achieve a substantial deviation below the currently predicted emissions growth rate, in the order of 15 to 30% by 2020.

4. UNDERLINES the importance of getting the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) to start its work without delay; NOTES that the Ad hoc Working Group on Long-term Cooperative Action and the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol are in the process of finalising their work in order to deliver the results to the Doha Climate Conference and are to be terminated at the end of this year; STRESSES the need - in line with Decision 1/CP.17 - to agree the work plan of the ADP in the first half of 2012; HIGHLIGHTS the importance of working towards a strong and effective multilateral rules-based system drawing upon the Kyoto Protocol, including a common and effective accounting system and a compliance system, as well as taking forward and further improving the framework for the operationalisation of the Cancún and Durban Agreements.

Recognition of the mitigation gap and process on ambition

5. STRESSES that a significant gap remains to be bridged between the mitigation commitments and actions put forward by Parties for 2020 and the emission trajectories in line with the objective of staying below 2° C, as also substantiated by the 2011 *Bridging the Emissions Gap report* from UNEP; UNDERLINES that, in order to stay below 2°C, all Parties need to take swift and effective action to bridge the global ambition gap in the period up to 2020 and beyond; WELCOMES the decision to launch a workplan on enhancing global mitigation ambition before 2020 to identify and explore options for a range of actions that can close the ambition gap with a view to ensuring the highest possible mitigation efforts by all Parties; URGES all Parties to actively contribute to these discussions.

6. CALLS on all Parties to implement fully and without delay the mitigation commitments and actions put forward so far; CALLS for identifying and harnessing opportunities to bridge the mitigation gap through domestic and bilateral actions and intensified cooperation in the framework of international bodies, *inter alia* by: Encouraging countries that have not come forward with pledges to do so; encouraging countries which have submitted ranges to consider their possibilities for moving to the top of their range; encouraging countries to take more ambitious mitigation commitments and actions and where possible over-perform on these; continuing to work through ICAO and IMO to develop without delay a global policy framework to address global emissions from international aviation and maritime transport in a manner that ensures a level playing field and that does not lead to competitive distortions or carbon leakage, in accordance with the principles and customary practices of ICAO and IMO; addressing emissions from HFCs, including measures under the Montreal Protocol; phasing out subsidies for fossil fuels; scaling up efforts to promote renewable energy and energy efficiency; reducing short-lived climate forcers; widening the coverage of greenhouse gases and enhancing action on REDD+.

7. EMPHASISES that a significant potential exists for cost-effective mitigation action resulting in important co-benefits, including on air pollution control and health, and contributing to green growth; also UNDERLINES the importance of supporting meaningful mitigation actions and REITERATES the EU commitment to contribute its fair share to these efforts.

Kyoto Protocol

8. WELCOMES the progress made at the Durban Conference towards the adoption of an amendment to the Kyoto Protocol at the Doha Climate Conference which ensures the continuity of an effective multilateral rules-based system including its flexible mechanisms and enables a second commitment period to start on 1 January 2013 as part of a transition to a wider single global and comprehensive legally-binding agreement; URGES all Annex B Parties that have not included an emission reduction target in the Durban decisions to reconsider their stance in light of the progress made towards reaching such a wider agreement; LOOKS FORWARD to information on Annex B Parties intended implementation of their mitigation pledges for 2020.

9. WELCOMES the decision on Land Use, Land-Use Change and Forestry adopted in Durban establishing robust accounting rules for this sector in the second commitment period; RECOGNISES the particularities of richly-forested countries, especially as regards the limited possibilities to cover emissions from afforestation, reforestation and deforestation with growing forest management sinks; INVITES the Commission to explore options in view of finding a satisfactory solution while ensuring environmental integrity.

10. IS OF THE VIEW that the second commitment period should start in 2013 and end in 2020, emphasising that the new single global and comprehensive legally-binding agreement should enter into effect no later than the beginning of 2020; in this context, UNDERLINES the need for sufficiently ambitious targets in the second commitment period and CALLS upon all Annex B Parties to ensure a high level of ambition of their quantified emission limitation or reduction objective (QELRO) during the second commitment period; UNDERLINES the need to simplify the process for a Party wishing to increase the level of ambition of its QELRO in the course of the second commitment period; CALLS for a review of the ambition level under the Kyoto Protocol coinciding with the 2013-2015 review under the Convention.

11. CONFIRMS that the Presidency and the Commission will submit information by 1 May 2012 on behalf of the EU and its Member States on QELROs of the EU and its Member States for the second commitment period under the Kyoto Protocol; NOTES, however, that this information will necessarily be provisional until all applicable rules are agreed; ALSO NOTES that the submission is made without prejudice to the subsequent notification by the EU and its Member States of an agreement to fulfil their commitment jointly in accordance with the provisions of the Kyoto Protocol and RECOGNISES the need for the EU and its Member States to agree how the obligations and respective base years of the EU and its Member States are reflected in the context of this notification; ACKNOWLEDGES that any amendment to Annex B of the Kyoto Protocol shall be adopted only with the written consent of the Party concerned.

12. AGREES that the submission will include information on a QELRO determined on the basis of the EU's total greenhouse gas emissions allowed during the period 2013-2020 under its Climate and energy legislative package, thus reflecting the EU's unilateral commitment to a 20% reduction by 2020; in this context CONFIRMS that with this approach, the emission reduction obligations of individual Member States shall not exceed their obligations agreed in EU legislation; furthermore, the submission will reflect the EU's conditional offer to take on a 30% commitment; NOTES that the QELRO will be based on the sum of the base year emissions of Member States in accordance with the Kyoto Protocol; URGES all other Annex B Parties to similarly provide such detailed information on their proposed QELRO by the same date.

13. REITERATES that the surplus of AAUs from the first commitment period could affect the environmental integrity of the Protocol if it is not addressed appropriately; EMPHASISES the urgency of resolving this issue in view of the adoption of amendments to Annex B and the start of the second commitment period on 1 January 2013, and REITERATES that this must be done in a non discriminatory manner, treating equally EU and non-EU countries which take on a QELRO under the second commitment period, noting that carry-over and use for a second commitment period applies only to parties which take on a QELRO under the second commitment period; in this context, PROPOSES to agree a solution on the carry-over and use of AAUs in the second commitment period under the Kyoto Protocol that maintains an ambitious level of environmental integrity and preserves incentives for overachievement while encouraging the setting of ambitious targets.

Convention

14. WELCOMES the overall progress made in Durban in the areas of adaptation, mitigation, technology, financing and capacity-building, thereby enabling further implementation of the Cancún Agreements.
15. SUPPORTS the process to further clarify mitigation pledges and intensify exchanges on the development and implementation of low-emission development strategies; LOOKS FORWARD to sharing EU experiences in these exchanges; URGES Parties to provide further information on their mitigation pledges to support this work.
16. EMPHASISES the need to adopt the provisions on the scope of the review as well as its modalities at the Doha Climate Conference for the review to start in a timely manner in 2013; CONFIRMS its view that the review should assess the adequacy of the long-term global goal, in light of the ultimate objective of the Convention, and the overall progress made towards achieving it.

17. EMPHASISES the importance of a transparent implementation of commitments and actions through Measurement, Reporting and Verification (MRV) as decided in the Cancún Agreements and further elaborated in Durban; WELCOMES the adoption of guidelines for biennial reports from Annex I Parties, biennial update reports from non Annex I Parties, International Assessment and Review and International Consultation and Analysis (ICA); RECOGNISES the importance of supporting developing countries in the implementation of the guidelines for biennial update reports; HIGHLIGHTS the need to further enhance the MRV framework for all Parties and agree at the Doha Climate Conference further details of the MRV system such as reporting formats and a process for the further development of review and reporting guidelines for biennial reports and national communications as appropriate.
18. LOOKS FORWARD to the continued implementation of the Cancún Adaptation Framework; WELCOMES the establishment of the Adaptation Committee as well as the decision to support the process to enable Least Developed Countries (LDCs) to prepare and implement country-led National Adaptation Plans; CONFIRMS its continued support to LDCs and Small Island Developing States in addressing the effects of climate change through existing channels and mechanisms.
19. WELCOMES the progress achieved in Durban concerning the implementation of the Technology Mechanism; STRESSES the need for completing the tendering procedure for host of the Climate Technology Centre so as to adopt a final decision at the Doha Climate Conference.
20. LOOKS FORWARD to the establishment of a work programme on agriculture at the Doha Climate Conference to further improve understanding of and to address scientific and technical matters on adaptation and mitigation in the agricultural sector, including in relation to food security.

21. WELCOMES the Durban decisions on REDD+; CONSIDERS it essential to make further progress in developing technical guidance, including on the process for enabling technical assessment of forest reference levels and forest reference emission levels as well as on the operationalisation of the safeguards with a view to the Doha Climate Conference.

22. WELCOMES the establishment of a new market-based mechanism, which aims to enhance the cost-effectiveness of, and to promote, mitigation actions, ensuring a net decrease and/or avoidance of global greenhouse gas emissions while contributing to sustainable development; EMPHASISES the importance of ensuring that units from the new market-based mechanism represent real, permanent, additional and verified emission reductions and are fully accounted for as part of a rigorous, robust and transparent common accounting framework in order to avoid double-counting; LOOKS FORWARD to the elaboration and adoption at the Doha Climate Conference of the modalities and procedures of the new market-based mechanism so as to make it operational as soon as possible.

23. RECALLS the conclusions of the Council (Ecofin) of 21 February 2012 and LOOKS FORWARD to engaging constructively in achieving further progress on climate finance in 2012 and beyond.

Outreach

24. WELCOMES the constructive dialogue which was established prior to and during the Durban Climate Conference between the EU and a number of other partners including the LDCs, the Alliance of Small Island States (AOSIS), the African Group and other progressive countries; EMPHASISES its willingness to further pursue such dialogues and work closely with all Parties for a strong and effective international regime as well as robust climate action on the ground; RECOGNISES also the importance of dialogues with other partners including civil society, business, trade unions and local government.

25. EXPRESSES its full support for the incumbent and incoming Presidents of COP 17/CMP 7 and COP 18/CMP 8 to take all the necessary initiatives in the run-up to the Doha Climate Conference.

26. AGREES to seek a strong global political commitment at the Rio+20 Summit to step up efforts on ensuring mutual reinforcement of actions to advancing on sustainable development and making progress in the fight against climate change.

27. RECALLS the conclusions of the Council (Foreign Affairs) on 18 July 2011 on the need to strengthen climate diplomacy activities of the EU and its Member States; REAFFIRMS the need to use all diplomatic and cooperation channels and tools to foster the transition to low-carbon development worldwide and thereby foster support for an ambitious international agreement to fight climate change.

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