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**EEL News Service Special Edition  
United Nations Climate Change Conference in Bali  
18 December 2007**

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## **Background**

From 3 to 15 December 2007 the thirteenth conference of the parties to the United Nations Framework Convention on Climate Change (COP13) and the third Conference of the Parties serving as the Meeting of Parties to the Kyoto Protocol (COP/MOP3) were convened in Bali, Indonesia, to discuss, among others, the future of the international climate regime after 2012. In addition, the twenty-seventh sessions of the Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice (SBSTA) as well as the resumed fourth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG) took place. The major meetings were accompanied by numerous side events. This issue of the EEL newsletter is dedicated to the major decisions adopted by COP13 and COP/MOP3.

## **Post-2012 road map**

COP13 and COP/MOP3 succeeded in establishing a framework for negotiations to create an agreement that would replace the Kyoto protocol as of 2012. The final agreement reached by the international community in Bali, labelled by COP president Witoelar in its closing statement as a "breakthrough", at the end of the day it may not represent what the EU has been asking for, namely a precise and concrete commitment to reduce anthropogenic greenhouse gas emissions of 25-40% by 2020, but still can be considered significant as it signs the return of the US in the negotiating process for the first time after the withdrawal from the Kyoto Protocol track of March 2001. Still open and controversial is the question of how the requests of a more than ever fragmented international community will be combined in the near future. The [Bali Action Plan](#), adopted as a COP13 Decision was accompanied by a series of Decisions adopted by both COP13 and COP/MOP3 and established a two-track process (Convention and Kyoto Protocol) aiming at the identification of a post-2012 global climate regime to be adopted by COP15 and COP/MOP5 in Copenhagen in 2009. The Convention track included the establishment of an Ad Hoc Working Group on Long-Term Cooperative Action which will provide its conclusions on the "full, effective and sustained implementation of the Convention" by COP15 in 2009. The Kyoto Protocol track signed the continuation of the work of the AWG which is required to provide recommendations to COP/MOP5 for adoption of new commitments for Annex I Parties. The Bali Action Plan did not introduce binding commitments to reduce greenhouse gas emissions but included the request for developed countries to contribute to the mitigation of global warming in the context of sustainable development. In addition, the Bali Action Plan envisaged enhanced actions on adaptation, technology development and on the provision financial resources, as well as measures against deforestation.

\* COP13 decision on the [Bali Action Plan](#)

\* Press coverage:

[Summary of the thirteenth conference of parties to the UN framework Convention on Climate Change and Third Meeting of Parties to the Kyoto Protocol](#)

[Deal agreed in Bali climate talks](#)

[FACTBOX-Achievements at Bali climate talks](#)

[In U-turn, U.S. agrees to global warming deal](#)

[Agreeing upon a timetable](#)

[After Praise for Bali Climate Deal: The Hard Part](#)

## [Bali paves way for two years of tough negotiations](#)

Furthermore, COP13 and COP/MOP3 discussed, inter alia, the following issues:

### **Fourth Assessment Report of Intergovernmental Panel on Climate Change**

COP13 welcomed the submission of the [IPCC Fourth Assessment Report](#) (AR4) and urged parties to the UNFCCC to make use of the scientific, technical and socioeconomic information contained in this document, both during negotiations and in the shaping of adequate policies and measures at the national level. COP13 recognized the AR4 as the most exhaustive and authoritative assessment of climate change currently available.

- \* COP13 decision on the [Fourth Assessment Report of the Intergovernmental Panel on Climate Change](#)

### **Adaptation fund**

COP/MOP3 adopted a decision on the operational aspects of the Adaptation Fund (AF). The AF was designed to support projects on adaptation in developing countries and it will be composed of sixteen members: five from the UN regional groups, one from small island developing states, one from the least developed countries, and two-two from both non-Annex-I nations and Annex I participants. The AF will be under the supervision of the COP/MOP and it will be reviewed in a three years' period and first by COP/MOP 6. The AF will be initially managed by the Global Environment Facility (GEF) so that it can be operative by the beginning of the Kyoto protocol first commitment period World Bank was requested to take on trustee functions.

- \* COP/MOP3 decision on the [Adaptation Fund](#)
- \* [Decision 10/CP.7](#) establishing the Adaptation Fund
- \* Press coverage:
  - [Bali climate talks find focus in fund for poor nations](#)
  - [UN Approves Climate Change Adaptation Fund](#)

### **Technology transfer**

COP13 adopted two decisions (SBSTA and SBI) on the issue of technology transfer to developing countries in order to pursue mitigation and adaptation to climate change. The COP-SBSTA decision reconstituted the Expert Group on Technology Transfer (EGTT) and identified a set of actions aimed at the improvement of financing environmental technology development in developing countries. The COP-SBI decision requested the GEF to prepare a strategic programme to foster financial investments in technology transfer and identified a set of performance indicators to monitor progress and developments in this field.

- \* COP13 decision (SBSTA) on the [Development and transfer of technologies under the Subsidiary Body for Scientific and Technological Advice](#)
- \* COP13 decision (SBI) on the [Development and transfer of technologies under the Subsidiary Body for Implementation](#)
- \* Press coverage:
  - [Poor Countries need billions to cut emissions](#)
  - [Rich and poor clash over boosting technology transfer at Bali](#)

### **Reducing emissions from deforestation in developing countries (REDD)**

An agreement on the fight against deforestation in developing countries was on the Bali agenda, since the Kyoto protocol did not address this issue. COP13 agreed on the need to take action in order to combat REDD, invited Parties to adopt an adequate set of actions in this respect and urged SBSTA to

develop a work plan on methodological issues related to the estimation of emissions from deforestation and forest degradation in developing countries, as well as conservation and sustainable management of forests.

- \* COP13 decision on the [Reducing emissions from deforestation in developing countries: approaches to stimulate action](#)

### **Review pursuant to Article 9 of the Kyoto Protocol**

Under Article 9 of the Kyoto Protocol COP/MOP is requested to “periodically review the Protocol in the light of the best available scientific information”. The first Kyoto Protocol review was carried out in Nairobi (COP12) and COP/MOP3 decided for the second review to take place at COP/MOP4 in 2008 pursuant to the conditions and the timetable laid down in Bali.

- \* COP/MOP3 decision on [Scope and content of the second review of the Kyoto Protocol pursuant to its Article 9](#)

### **Clean Development Mechanism (CDM)**

COP/MOP3 took note of the annual report of the Executive Board on the implementation of CDM projects and provided further specifications in terms of governance, methodologies, regional participation and resources under the CDM. On small-scale CDM projects in the field of forestry, COP/MOP3 decided to increase the project-limit to 16KtonCO<sub>2</sub>/y.

- \* COP/MOP3 decision on [Further guidance relating to the clean development mechanism](#)
- \* [Annual report for 2006–2007 of the Executive Board of the clean development mechanism](#)

### **Compliance**

COP/MOP3 considered the annual report of the Compliance Committee and expressed its concern about the delay of certain Annex I Parties in the submission of the fourth national communication to the Secretariat. On Article 18 of the Kyoto Protocol and the amendment to the Protocol for the adoption of a compliance regime “entailing binding consequences” no agreement was reached at COP/MOP3 which decided to postpone discussion on this item at SBI28 in 2008.

- \* COP/MOP decision on [Compliance under the Kyoto Protocol](#)
- \* [Annual Report for 2006-2007 of the Compliance Committee](#)

### **Joint Implementation (JI)**

On JI COP/MOP3 considered the annual report of the Joint Implementation Supervisory Committee and discussed on a few measures designed to improve the attractiveness of JI projects.

- \* COP/MOP3 decision on [Guidance on the implementation of Article 6 of the Kyoto Protocol](#)
- \* [Annual report for 2006-2007 of the Joint Implementation Supervisory Committee](#)

### **Comments**

#### **\* The Bali results, the USA and the road ahead**

The USA are a party to the UN Framework Convention on Climate Change (UNFCCC) that entered into force on 21 March 1994. The objective of this Convention is to achieve stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Developed countries promised to take the lead. Parties agreed to take precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects. Where there are threats of serious or irreversible damage, lack of full

scientific certainty was not be used as a reason for postponing cost-effective measures. All of these obligations rest on the US since 1994, irrespective of its decision not to become a party to the Kyoto Protocol that lays down detailed targets for the period 2008-2012. [...]

[For the whole article, please visit the EEL website.](#)

#### EU related news:

\* [Climate change: EU welcomes agreement to launch formal negotiations on a global climate regime for post-2012](#)

The president of the European Commission, the Portuguese Environment Minister and current EU Council president and the European Commissioner for Environment have expressed their satisfaction that the Bali Climate talks gave birth to an agreement launching formal negotiations on a global climate regime for post-2012. According to environment Commissioner Stavros Dimas this is the beginning of the real hard work, namely to secure that the vague wording of the Bali road map will be translated into an agreement that is ambitious enough to prevent global warming

\* [EP greets Bali road map](#)

Representatives of the European Parliament have expressed their appreciation on the agreement achieved in Bali, as the "best politically viable outcome". MEPs participating in the conference have called on the EU to confirm its leading role in combating climate change and voiced their hopes that the US will join the EU in adopting ambitious emission targets.

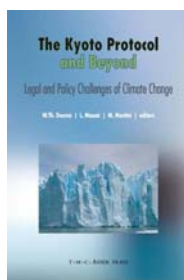
\* [Speech of environment Commissioner Stavros Dimas](#)

At the beginning of the joint COP and COP/MOP high-level segment, the Commissioner reiterated the most important implications of the [EU's position for Bali](#), which was agreed on 30 October 2007 by the Environment Council.

**This EEL News service Special Edition ([www.eel.nl](http://www.eel.nl)) has been edited by Leonardo Massai ([l.massai@asser.nl](mailto:l.massai@asser.nl)) and Marianna Kondas ([m.kondas@asser.nl](mailto:m.kondas@asser.nl))**

**Main source of information: [Earth Negotiations Bulletin prepared by the IISD Reporting Services](#)**

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**[The Kyoto Protocol and Beyond - Legal and Policy Challenges of Climate Change](#), W.Th. Douma, L. Massai and M. Montini (Eds.) Distributed for T.M.C. Asser Press by Cambridge University Press, 2007**

This book, authored by experts in European and international law, addresses the climate change regime and lays down conclusions from past experiences and propositions for future policy design. It is a highly recommended reading for policy makers, academics and practitioners and in general everyone concerned with the present alarming situation.

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