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INFORMATION NOTE

from: General Secretariat

to: delegations

Subject: – Preparations for 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 10 October 2011.

**Preparations for 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 -

The Council of the European Union

1. RECALLS its conclusions of 14 October 2010, 14 March 2011 and 4 October 2011.
2. STRESSES the urgency of establishing an ambitious international regime to combat climate change engaging all major economies and, in this context, CALLS for agreeing a global and comprehensive legally-binding framework as soon as possible in order to keep the increase of global temperature below 2°C compared to the pre-industrial level, guaranteeing legal certainty, predictability, reciprocity and comparability, and sending a strong political signal of willingness to act from all countries; RECALLS the concern of the United Nations Security Council that climate change may aggravate existing threats to international peace and security.
3. WELCOMES the progress made this year in the implementation of the Cancún Agreements, which provide a solid basis for the further development of the abovementioned international regime to combat climate change; REITERATES its call on all Parties to fully implement all the elements of the Cancún Agreements, in a balanced manner, including the quantified economy-wide emission reduction targets and nationally appropriate mitigation actions they have put forward so far, by taking domestic action on adaptation and mitigation, including the development of low-emission development strategies or plans as soon as possible; STANDS READY to support developing countries in this process, commensurate with the capabilities of each developing country; RECOGNISES that the commitments and actions put forward so far represent an important step forward towards reaching the 2°C objective but that further efforts are needed.

4. UNDERLINES the continued need for a multilateral process as a means of finding global solutions to global challenges; to this end, WELCOMES that the Cancún Agreements reaffirmed the strength of the United Nations Framework Convention on Climate Change (UNFCCC) and LOOKS FORWARD to the Durban Conference for further advancing towards the continuation and strengthening of the rules-based multilateral climate regime; ACKNOWLEDGES the contribution of inclusive and transparent informal dialogues and partnerships in facilitating discussions on a balanced package for Durban; URGES all Parties to build on and accelerate the work undertaken at the inter-sessional UNFCCC meetings of June 2011 in Bonn and October 2011 in Panama in order for the Durban Conference to agree an ambitious and balanced outcome, thereby making significant incremental progress and taking the world closer to a global and comprehensive legally-binding framework; in this context, STRESSES that the Durban Conference should deliver the operationalization of the Cancún Agreements, address the remaining key issues and advance the question of the legal form of a future post-2012 framework, including a timeline for reaching it.
5. EMPHASISES its determination to continue work with other countries to reinvigorate and build consensus within the UNFCCC process; in this context, EXPRESSES its full support for the incumbent and incoming Presidents of COP 16/CMP 6 and COP 17/CMP 7 in taking all the necessary initiatives in the run-up to the Durban Conference.
6. In the context of a stepwise approach, STRESSES the need to see balanced progress and robust outcomes within and across both the Kyoto Protocol and Convention tracks at the Durban Conference; While reiterating its preference for a single global and comprehensive legally-binding instrument, CONFIRMS its openness to a second commitment period under the Kyoto Protocol as part of a transition to a wider legally-binding framework, provided that:
 - the essential elements of the Kyoto Protocol are preserved, its environmental integrity is guaranteed and its architecture is further enhanced, including on Land Use, Land-Use Change and Forestry (LULUCF), surplus of Assigned Amount Units (AAUs) and market-based mechanisms as set out below;

- the Convention addresses the key outstanding issues and determines a roadmap, including a timeline with a final date and process taking into account the 2013-2015 review, for encompassing all the outcomes of this track in a multilateral, rules-based legal framework engaging all Parties, with convergence with the Kyoto Protocol track after a second commitment period; EMPHASISES that such a framework should include mitigation commitments from in particular all major economies, in line with the principle of common but differentiated responsibilities and respective capabilities.

7. RECALLS the importance of an immediate and sustained implementation of all the outcomes under both the Kyoto Protocol and Convention tracks; UNDERLINES that only global action can provide the necessary emission reductions towards meeting the 2°C objective; STRESSES that the duration of a possible second commitment period of the Kyoto Protocol should last no longer than 2020 and be compatible with the timeline for the development and entry into force of a future global and comprehensive legally-binding framework engaging all Parties.

(Kyoto Protocol track)

8. STRESSES that in light of the announcements by several Annex I Parties, a second commitment period under the Kyoto Protocol is unlikely to cover more than 16% of global emissions; UNDERLINES that this is insufficient to keep the increase of global temperature below 2°C compared to the pre-industrial level; STRESSES the need for all Parties to take more ambitious mitigation commitments and actions in the UNFCCC context.
9. REITERATES that the surplus of AAUs could affect the environmental integrity of the Protocol if it is not addressed appropriately; EMPHASISES that this issue must be addressed in a non discriminatory manner, treating EU and non-EU countries equally; in this context, PROPOSES to introduce for consideration of the CMP options analysed and agreed in the EU in order to deliver a solution on the use and carry-over of AAUs in a second commitment period under the Kyoto Protocol that maintains an ambitious level of environmental integrity and preserves incentives for overachievement.

10. STRESSES the need for a robust LULUCF accounting framework to be adopted at the Durban Conference; REITERATES its position on a LULUCF accounting framework as contained in its March 2011 conclusions and the information contained in the EU submission on forest management reference levels of 17 May 2011 to the UNFCCC; WELCOMES the results of the UNFCCC review of the forest management reference levels submitted by Parties.
11. UNDERLINES the importance of ensuring the continuation of the flexible mechanisms of the Kyoto Protocol, while improving them, and of the establishment of new sectoral or other scaled-up market-based mechanisms at the Durban Conference, in order to achieve ambitious global mitigation objectives cost-effectively and to drive low-carbon investments, while ensuring environmental integrity and contributing to sustainable development.

(Convention track)

12. UNDERLINES the importance of complementing the shared vision for long-term cooperative action as agreed in the Cancún Agreements, including the objective of keeping the increase of global temperature below 2°C compared to the pre-industrial level, by considering at the Durban Conference a global 2050 emission reduction goal and a timeframe for global peaking; REITERATES that, to keep the 2°C objective within reach, 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 as agreed in October 2009 and reaffirmed by the European Council in February 2011.

13. RECOGNISES the importance of transitioning to a low-carbon economy and society; REAFFIRMS the EU and its Member States' commitment to develop low-emission development strategies; WILL CONTINUE its work taking the Commission's Communication on a Roadmap for moving to a competitive low-carbon economy in 2050 as a starting point and, in this context, LOOKS FORWARD to discussing these issues as well as to further work by the Commission, including the forthcoming Member State level analyses and the 2050 Energy Roadmap.
14. UNDERLINES 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; REAFFIRMS its conditional offer to move to a 30% reduction by 2020 compared to 1990, as a part of a global and comprehensive agreement for the period beyond 2012 and provided that other developed countries commit themselves to comparable emission reductions and that more advanced developing countries contribute adequately according to their responsibilities and respective capabilities.
15. WELCOMES Decision 1/CP.16 on the 2013-2015 review of the long-term global goal and overall progress towards achieving it; EMPHASISES the need to adopt the provisions on the scope of the review as well as its modalities at the Durban Conference; STRESSES the need for appropriate input into this review; in this context, LOOKS FORWARD to the Fifth Assessment Report of the IPCC as well as to adequate reporting from all Parties; STRESSES the importance for Annex I Parties and non Annex I Parties to respectively provide their sixth national communications and first biennial reports by 1 January 2014, with additional flexibility given to the least developed countries and small island developing states.

16. WELCOMES the anchoring of the mitigation commitments and actions under the Kyoto Protocol and the Convention; STRESSES that a significant gap remains to be bridged between the mitigation commitments and actions put forward by Parties for 2020 and the 2° C objective and CALLS for quantifying this gap and building a common understanding on this issue; NOTES that useful progress has been made so far in understanding the pledges put forward by Parties and STRESSES the importance of having a more structured and systematic information-sharing to better understand the pledges put forward by both developed and developing countries; UNDERLINES the need to increase the overall level of ambition in order to close the emissions gap and, in this context, CALLS for identifying opportunities to bridge this gap, for instance by encouraging countries that have not come forward with pledges to do so, by taking more ambitious mitigation commitments and actions by addressing emissions from international aviation and maritime transport and HFCs and by defining a process to consider the options in 2012.
17. HIGHLIGHTS the importance of ensuring that the internationally-agreed rules-based system set up in the context of the Kyoto Protocol remains the standard for international action; NOTES that a common framework should also encourage countries to take more ambitious action; STRESSES that a rigorous, robust and transparent accounting system is an important requisite for ensuring the environmental integrity and comparability of commitments under a multilateral framework; UNDERLINES that a common set of rules is needed, in particular to account for the progress of developed country Parties in achieving their targets, including for emission reductions achieved through LULUCF activities and the use of international market-based mechanisms; Provided that consensus could be reached on common accounting rules, IS OPEN to explore whether clearly defined comparable, rigorous and robust approaches on specific issues could be introduced, subject to international oversight and ensuring environmental and market integrity.

18. EMPHASISES the importance of transparency of commitments and actions as well as support; WELCOMES the framework provisions on transparency, including Measurement, Reporting and Verification (MRV), International Assessment and Review (IAR) as well as International Consultations and Analysis (ICA) in the Cancún Agreements; STRESSES the need to adopt guidelines for the biennial reports from Annex I and non Annex I Parties at the Durban Conference and STRESSES the importance of supporting developing countries in this regard; HIGHLIGHTS the need to agree modalities for IAR and ICA at the Durban Conference.

19. WELCOMES the establishment of the Cancún Adaptation Framework aimed at enhancing action on adaptation in a coherent manner; UNDERLINES the need to make the Adaptation Committee operational at the Durban Conference focusing on the functions outlined in the Cancún Agreements, thereby ensuring coherence and consistency with existing institutional arrangements; STRESSES the need for strengthening adaptation and capacity building on the ground, and the importance of fast-start and adequate long-term financing, with a specific focus on the most vulnerable and least developed countries as laid down in its conclusions of 14 October 2010.

20. WELCOMES the agreement on policy approaches and positive incentives to reduce emissions from deforestation and forest degradation, conserve and enhance forest carbon stocks and sustainably manage forests (REDD+); ENCOURAGES developing countries to develop and implement national strategies and action plans, taking into account the safeguards as agreed in Cancún and in synergy with biodiversity strategies and action plans as well as with national forest programmes while respecting the rights of indigenous peoples and ensuring the effective participation of all relevant stakeholders, in order to move as soon as possible into results-based actions that preserve environmental and market integrity; in this context, EMPHASISES the importance of methodological issues, institutional arrangements as well as financing options as outlined in its March 2011 conclusions; WELCOMES the submissions on methodological guidance for activities related to REDD+ to the UNFCCC and CALLS for a decision on modalities for national reference levels, national monitoring systems and MRV and guidance for information systems on safeguards to be adopted at the Durban Conference as outlined in the Cancún Agreements.

21. WELCOMES the establishment of the Technology Mechanism as a means to promote more dynamic cooperation between developed and developing countries, the private sector, academia, NGOs and other relevant stakeholders with a view to accelerating the development, transfer, diffusion and deployment of climate-friendly technologies; UNDERLINES the importance of completing the design of the Technology Mechanism by the Durban Conference; in this regard, STRESSES the need for a decision at the Durban Conference on the operationalisation of the Climate Technology Centre and Network.

22. REITERATES the importance of establishing new sectoral or other scaled-up market-based mechanisms at the Durban Conference in order to enhance the cost-effectiveness of, and to promote, mitigation actions while contributing to sustainable development; PROPOSES to establish a new market-based mechanism for developing countries consisting of a common core set of rules and procedures at the international level allowing differentiated forms of implementation, namely crediting and trading; STRESSES that the use of this mechanism should be fully accounted for, as part of a rigorous, robust and transparent common accounting framework in order to track progress against targets, avoid double-counting and provide a credible framework for global carbon trading; REITERATES its view that, in light of the creation of sector-specific mechanisms, an orderly transition to such mechanisms is needed in order to provide clarity to investors and ensure the continuing stability of the market.

23. RECALLS the need to address and resolve aspects that were not adequately covered by the Cancún Agreements, in particular international aviation and maritime transport, agriculture and non-market-based approaches (including for addressing the production and consumption of HFCs under the Montreal Protocol); STRESSES the need for international action on production and consumption of HFCs which should be implemented under the Montreal Protocol, using its existing structures and mechanisms while HFCs remain in the scope of the UNFCCC and its related instruments and, in this context, REITERATES its call for the UNFCCC to urge Parties to the Montreal Protocol to develop a phase-down schedule for the production and consumption of HFCs based on the model followed for ozone-depleting substances.

24. HIGHLIGHTS that the issue of agriculture cuts across mitigation, adaptation and food security, and CALLS for the establishment of a work programme on agriculture at the Durban Conference.
25. REAFFIRMS its October 2009 conclusions with regard to the need to agree on global emission reduction targets for international aviation and maritime transport, consistent with the 2°C objective; URGES Parties to continue to work through the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO) to develop without delay a global policy framework 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; STRESSES the need of taking into account national budgetary rules and the principles and provisions of the UNFCCC in the use of potential revenues; in this context, WELCOMES the IMO decision on an Energy Efficiency Design Index and TAKES NOTE of the decision on a Ship Energy Efficiency Management Plan as a first step to limit emissions from international shipping, which needs to be complemented with further action; ENCOURAGES other Parties to take actions to reduce aviation emissions and to include those actions in their action plans to be submitted to ICAO, preferably by June 2012; STRESSES that the aforementioned aspects need to be taken forward in parallel in order to reach a balanced global and comprehensive legally-binding agreement.

