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NSCE-00 NSF-01 OIC-00 OMB-00 EPAU-00 PM-00 PRS-00
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REVIEW AUTHORITY: Alan Flanigan, Senior Reviewer

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TAGS: ECON, ENRG, KGCC, SENV

SUBJECT: CLIMATE CHANGE NEGOTIATIONS RESUME IN BONN TO
CHART COURSE FOR 2010

SUMMARY

1. (SBU) The ninth session of the Ad Hoc Working Group for Long-term Cooperative Action (AWG-LCA) and the Ad Hoc Working Group on the Kyoto Protocol (AWG-KP) met in Bonn for the first formal session since the Conference of the Parties met in Copenhagen and "took note of" the Copenhagen. The session was a short one, focused on determining the organization of work and the number and duration of meetings for 2010. It was largely expected to be an opportunity for venting by those who felt the UNFCCC process had broken down or that were not happy with the resulting Copenhagen Accord. There were several vituperative statements about the Accord, though it

appears that has more to do with the perceived lack of transparency and inclusiveness in the process in Copenhagen rather than the content of the Accord itself. While there was some venting, there was general agreement on the need to build trust, create inclusive and transparent working procedures, and to move forward this year toward concrete outcomes. There remain deep differences on substantive issues -- including on the expectations for developing country commitments, the adequacy of financing and particularly whether the Copenhagen Accord provides a political guide to answering questions not resolved in the LCA. We will likely repeat many of the same battles at the next session in June, though likely more pitched as we get into the substance of our agreement where views are even more divergent and positions more fixed.

OUTCOMES

2. (SBU) The AWG-LCA agreed in Bonn to provide the Chair (Margaret Mukahanana of Zimbabwe) a mandate to produce a text to facilitate negotiations, drawing on both the final report of the LCA to the COP midway through the final week in Copenhagen as well as & further work undertaken by the COP on the basis of that report.⁸ Much of the debate centered on whether or not the second clause included not only further work done by negotiators on the LCA text in the final days of Copenhagen, but also the Accord. A handful of G77 members wanted to preclude the Chair from drawing from the Accord or from any acknowledgement of work undertaken by ministers and heads of state. In the late hours of the final night the chair [redacted] making explicit that her understanding, and thus the understanding of the room, was that the reference to work undertaken by the COP did indeed include the Copenhagen Accord. This was accepted by all Parties, although we should anticipate some to push back on this at the next session. Parties also agreed that submissions would be accepted until April 26, and that these may also be considered by the Chair in drafting the text in advance of the June meeting.

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3. (U) Parties also agreed to hold AWG-LCA meetings in conjunction with the subsidiary body meetings in Bonn in June and at COP16 to take place in December in Cancun. To allow for sufficient negotiating time and adequate time to consult between meetings, Parties also agreed to schedule two additional meetings of at least one week in length between June and December, the first of which is to be in Bonn in late July/early August and the second in late September/early October (location to be determined). Meetings of the AWG-KP will be held in parallel.

KYOTO PROTOCOL

4. (SBU) The AWG-KP also met to determine a program of work for this year. All countries, with the exception of Russia and Japan, expressed a strong desire to continue progress on the KP and LCA tracks. A number of countries (EU, Japan, and Russia) supported exploring joint work between the two tracks, and although the G77 was initially opposed, Parties agreed to authorize the KP chair to "initiate discussion" on joint work with the LCA chair. This is something we will have

to follow closely - we have indicated informally that this is something we may not be comfortable with. Finally, a decision on election of the AWG-KP chair was postponed until the June session. Developing countries want to keep John Ashe, their appointed designee, in the chair again this year, despite the current practice of annual rotation from developed to developing country chairs. New Zealand has nominated Adrian Macey, who has broad support from Annex I KP Parties. While not an active voice in the debate, the US has cautioned that a breach of current practice may set a precedent that could create problems next year when Daniel Reifsnyder, of the US, will rotate into the AWG-LCA chair.

US STATEMENT

5. (U) Deputy Envoy for Climate Change, Jonathan Pershing, made a statement at the opening plenary that defended the legitimacy and integrity of the Copenhagen Accord, noted that over 120 Parties have since associated with it, and called for a process this year that captures the entire package of what was agreed by Leaders to move us forward toward concrete outcomes in Cancun. Throughout the 3-day meeting, the US stressed that the understandings reached in the Accord were part of a deal, and like any agreement, represent a balance. To maintain that balance, all of the Accord,s elements must be carried forward as a package this year. To that end, the US supported the Chair,s proposal to draft text for the June session, drawing upon the various negotiating texts as well as "work undertaken by the COP" in the final days of Copenhagen. As agreed by the COP, this work also includes the Copenhagen Accord, which the US stressed should materially influence negotiations this year.

GROUP DYNAMICS

6. (SBU) G77 internal division, external solidarity: The problems that plagued the G77 last year are increasingly evident in the first meeting of 2010. While there was every effort to present a united front, the group struggled to reach agreement on several of the key issues under discussion, in particular the textual basis for negotiation this year. Yemen spoke for the group, but was nearly always accompanied by a Saudi, Sudanese, or Egyptian colleague.

while acknowledging the situation was improved since the switch in G77 leadership from Sudan (in Copenhagen) to Yemen, continued to be frustrated at the lack of communication and consultation, as well as the ability of a handful of G77 members (in particular Bolivia, Venezuela and Sudan) to block progress within their group, at times even accusing them of negotiating on bad faith. However, the group,s overriding priority of maintaining at least the appearance of cohesion meant that disputes remained below the surface and in the final plenary a casual observer would have had no idea about the near failure of the group to reach a unified position.

7. (SBU) BASICS: Despite concerted coordination on post-Copenhagen positioning and messages, the BASIC countries (Brazil, South Africa, India and China) also did not present a unified front in Bonn. Their position on the Copenhagen

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Accord ranged from total silence to near disavowal of its bearing on further negotiation. While China was more vocal [redacted] than normal, Brazil and South Africa remained largely silent. China and India both made clear that the status of the Accord was not equal to that of the LCA texts, as it was not formally adopted. India noted the Accord had potential to build consensus but leaves out many elements and will only "get wheels" if it is integrated into the formal process. China was much less helpful, calling the LCA text the result of a "proper and legal" process that should be the basis for negotiation this year, while acknowledging that Parties have the right to submit proposals over the course of negotiations (indicating this would be the way to bring the Accord into the "formal" process). Surprisingly, neither South Africa nor Brazil made interventions on this matter, [redacted]

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8. (SBU) ALBA: The group of Bolivarian states (including Bolivia, Venezuela, Nicaragua, Cuba, and Ecuador), who have all rejected the Copenhagen Accord, continued to play a vocal role in plenary and exerted an extraordinary amount of pressure within the G77 to take a more radical stance. Cuba, Nicaragua and Ecuador only made general condemnatory statements on the lack of transparency and inclusiveness in Copenhagen. Venezuela took a more moderate tone as well, in the end agreeing to allow for the understanding that the Chair may take into the Accord in drafting new text. Bolivia played the most active role, making statements from the floor and nearly singlehandedly (with the help of Sudan,

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[redacted] blocking consensus within the G77 several times.

9. (SBU) AOSIS and Progressives: It seems the Cartagena meeting organized by the UK, Australia and Colombia to give voice to the smaller, progressive countries [redacted] paid off. Not only did several AOSIS and Latin countries speak up in support of the Accord in plenary, but they worked tirelessly behind the scenes to shift the position of the group toward allowance for a role for the Accord this year. [redacted]

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10. (SBU) Africa Group: It is clear the group feels emboldened by the reaction to their performance in Barcelona (walking out of the Kyoto discussions and suspending the session). While there is greater desire for a strong African voice, it is unclear who will be the true voice of the group; the Democratic Republic of Congo and South Africa at times spoke on their behalf, with many member states taking active roles (in particular Egypt, Nigeria and Uganda). The group's opening statement was more negative than expected about the process in Copenhagen and its outcome (though not mentioning the Accord by name). They asserted that the

"sidelining of the two track process" and the "emergence of text put together by a select few" fundamentally broke the trust needed to achieve agreement. However, with the exception of Egypt, most of the African countries did not take a strong position on whether the Accord should guide future work. The US organized a meeting with many members of the group and had a very productive and frank discussion; the



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11. (SBU) Umbrella Group and EU: Developed countries were united in their focus on giving the chair a mandate to produce text that draws from not only the LCA texts, but also the Accord. As a whole, developed countries projected a very constructive tone, indicating complete support in the Chair and the need to provide her with sufficient confidence and flexibility to facilitate progress this year.

ASSESSMENT

12. (SBU) It is clear that climate change negotiations will be extremely difficult. The divisions apparent in the run-up to and at the Copenhagen session itself have not been resolved, although they appear to have softened slightly. An additional complicating factor -- how to manage the negotiations of the second period of the Kyoto Protocol (to which the US is not a Party, and under which developing countries do not have emission reductions commitments) - remains volatile. Relationships with Europe, with whom we are largely allied on issues of the need to make progress on the Copenhagen Accord, are more mixed when it comes to the adequacy of the level of effort currently being undertaken (though even internally, the EU is divided on this). Countries -- both developed and developing -- continue to regard the US as having a well-intentioned Administration but an unsympathetic and to date unresponsive Congress. There is considerable concern that the US will not have climate legislation this year, imperiling the possibilities of making any progress in Cancun at the COP in December. Finally, the atmospherics, while operating a substantially lower temperature than in the final hours of Copenhagen remain rather dysfunctional. While agreement was reached on how to carry the work forward, the final session ran until midnight, with extensive squabbling and a clear sense that countries were continuing to re-fight battles many thought had been resolved in Copenhagen - and we are likely to see a continuation of this style of work over the coming year.

CLINTON

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