

Climate talks and climate dilemmas resume in Bonn

The UNFCCC talks resume this week in Bonn. It will include the inaugural meeting of the Durban Platform, taking the climate change battle of concepts and of who needs to do what actions to a new stage. The working groups on Kyoto Protocol and Long-term cooperative action, and the SBI and SBSTA will meet, setting the scene for an important set of meetings.

Bonn, 14 May (Martin Khor*) – The global climate negotiations resume in Bonn today, for the first time since the turbulent annual meeting in Durban last December, of the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC) in Durban.

The Bonn talks will be closely watched by the world public, since the climate situation seems to be deteriorating.

There have been heavy rainfalls causing serious floods for example in Pakistan and Thailand, frequent damaging storms in the Philippines and Central and South America, and drought in parts of Africa.

Scientists have linked the higher incidence and intensity of extreme weather events to climate change.

Actions to curb global warming have however been lagging behind, despite the much-publicised frequent negotiations under the UNFCCC.

As global emissions of carbon dioxide greenhouse gases keep rising, there is a good chance that the average global temperature will rise more than 2 degrees Celsius above the pre-industrial revolution level, a threshold that scientists warn will cause serious effects such as sea level rise, flooding, storms, droughts and reduced agricultural yields in many parts of the world. The present average is about 0.8 degree above the pre-industrial level.

Unfortunately, the lack of adequate pledges to act (especially by the major industrialised countries) is putting the world on track for the global average

temperature to rise by 3 to 4 or even 5 degrees within a century, a recipe for catastrophe that threatens the survival of civilisation or even the human species itself.

This is the background to the two-week meeting in Bonn (14-25 May). Although the science and the events on the ground have been rapidly developing, the politics of reaching agreement on actions has been stuck in a familiar groove: what should developed and developing countries do to curb and cope with climate change?

Can they cooperate to bring about new economic, technological and social patterns so that actions to control climate change do not affect economic and social development?

Durban Platform – Inaugural meeting

The Bonn meeting will be quite a milestone, as it will include the inaugural plenary of the new working group on the Durban Platform for Enhanced Action. This is tasked with coming up with an outcome (either a protocol, another legal instrument or an agreed outcome with legal force) by 2015, in order to implement agreed climate related actions from 2020.

This new outcome will be under the UNFCCC, and be applicable to all Parties, according to the decision adopted in Durban.

Partly because the Durban Platform decision was taken at literally the last hour (after an extended day of talks), with many delegates not having the opportunity to fully digest its meaning, there are differing interpretations of what its key paragraphs mean.

Equity out, or in the centre, of the Durban Platform?

Climate negotiators from the United States, in post-Durban speeches, have stressed the significance of the absence in the text of the terms ‘equity’ and ‘common but differentiated responsibilities’.

These terms are prominent in the Convention and have been much used in climate talks over the years by developing countries to argue that rich and poor countries have different obligations to curb global warming, and that the rich also have to help the poor to act through transfers of finance and technology.

According to the US, the absence of these terms means that the equity principle and the “firewall” of different types of actions by developed and developing countries are no longer valid in the new protocol or “agreed outcome” that will emerge in 2015.

Not so, claim a large group of developing countries that include China, India, Malaysia, the Philippines, Egypt, Saudi Arabia, Brazil, Argentina, Venezuela and Bolivia.

According to them, the fact that the Durban Platform will be “under the Convention” means that the principles and provisions of the UNFCCC will apply, and equity and ‘common but differentiated responsibilities’ are very prominent in the Convention.

In fact the Indian Environment Minister, in a speech to her Parliament, stressed that equity is at the centre of the Durban Platform.

The equity issue is so hot that a special half-day workshop will be devoted to it at this Bonn session.

“Applicable to All Parties”: What Does It Mean?

Another bone of contention is the term “applicable to all Parties” which appears in the Durban Platform decision. US officials have been arguing that this means there is no longer a difference between what developed and developing countries should do, and that the obligations to reduce greenhouse gases emissions should be the same for all countries.

But many developing countries have a different interpretation. In a recent submission to the UNFCCC Secretariat, India argued that this term merely restates the obvious, that any outcome of the Durban Platform negotiations will be applicable to all Parties, just as the Convention and the Kyoto Protocol apply to all Parties.

The term does not signal a dilution of different responsibilities, stressed India. “Both the Convention and the Kyoto Protocol that are applicable to all Parties authorise and require differentiation between Parties. Universality of application does not translate into uniformity of application.”

In between these two views, the European Union accepts the Convention principle of common but differentiated responsibilities and respective capabilities, but argues that responsibilities and capabilities “evolve over time.” The negotiations should provide for a “spectrum of commitments that ensure the highest mitigation efforts...”

This seems to imply that some developing countries have already evolved to a higher economic stage, and should be required to take on heavier responsibilities, as compared to other developing countries.

But this concept of ‘spectrum’ of commitments linked presumably to a spectrum of types of developing countries will open up another complex issue. Do we categorise countries according to their absolute economic size and total emissions, or on a per capita basis?

Countries like China and India have huge populations and thus large total incomes and emissions. But in terms of per capita income or emissions, China is just an average developing country while India is very low on the list of all countries. Where then in this “spectrum” or range should they or other developing countries be placed?

The heart of the matter ...

At the heart of the debate is the issue of what constitutes fairness or justice in allocating responsibilities for taking climate actions such as reduction of emissions and the provision of finance and technology.

And this is a crucial issue, because people are more willing to act when there is a shared feeling that everyone has agreed to act in a manner that is fair to all.

The solution as to what constitutes fairness, balance and equity in allocating future actions to curb and cope with climate change was earlier agreed to in the existing Convention and the Kyoto Protocol. But some countries want to re-write the rules. Some who joined the Kyoto Protocol have also left or are not willing to make further commitments under it.

Whether the rules should be re-written, and if so how so, will be the Gordian Knot of these negotiations.

The talks will be tough. The world's future will depend on it.

Other Meetings, including the KP, LCA working groups

Besides the Durban Platform, the Bonn meetings will also involve the working groups on Kyoto Protocol (AWGKP) and Long-term cooperative action (AWGLCA), as well as the two UNFCCC subsidiary bodies on implementation (SBI) and scientific and technological advice (SBSTA).

The KP working group meeting is crucial because the extension of KP into a second commitment period (CP2) was part of the package that led to the creation of the Durban Platform. Many countries agreed to the Durban Platform decision only because the Kyoto Protocol "was not killed." But will it have a meaningful second commitment period (CP2)?

The Bonn meeting will be able to assess whether the expectations are being met -- on putting the CP2 on track to be properly established by the COP acting as the Meeting of Parties (CMP) in December in Doha, through a new Annex indicating emission reduction figures; and having high enough environmental ambition in the figures.

The KP decision in Durban only "invited" (instead of required) Annex I Parties (developed countries and countries with economies in transition) to submit information on their QELROs (formal reduction figures) for the CP2 by 1 May 2012, for the AWGKP to consider.

There are already deep disappointments. Canada pulled out of the KP altogether after Durban. Russia and Japan have made clear they are not taking part in CP2. Australia and New Zealand indicated in Durban they may or may not take part in CP2, depending on conditions, and they have maintained this position until now. Thus the KP or its CP2 have lost many key members.

A few other members do not seem to have submitted their QELROs, at least until a few days ago. And the EU and others who have given figures, have maintained their position of having a range of the same reduction figures, and stating that the final figure will depend on whether the same conditions they put forward are met. It is already 14 May, past the 1 May deadline, and the positions have not budged since Durban.

The ambition level of those who submitted the range of figures is not high enough to engender confidence

of a meaningful CP2. According to a submission by the Alliance of Small Island States (AOSIS), the aggregate reduction for participating countries (relative to 1990 levels, and for a five-year commitment period) should be 33%, if the rules proposed by AOSIS are fulfilled. However, AOSIS estimates that the actual aggregate reduction of participating countries for the 5-year period (based on figures supplied by these countries) would only be 23%, thus falling far short.

Another big question is whether this already low-ambition figure of the remaining KP-CP2 members could even be agreed to by other UNFCCC Annex I countries that are not Parties to the KP and to the CP2 for their own reduction, which they should if they were to fulfil the "comparability principle" in AWGLCA in Para 1b(i) of the Bali Action Plan that all Convention Parties agreed to, whether they are KP members or not.

(The comparability principle in the Bali Action Plan requires UNFCCC Annex I Parties that are not KP Parties to take emission reductions that are comparable to the KP Parties – this was predominantly aimed at the US.)

The AWGLCA will also have to tackle big issues, such as whether the present imbalances in the text that was sent up to the Durban COP by the then Chair of the AWGLCA on his own responsibility (i.e. it was not adopted by the AWGLCA) can be revisited.

The AWGLCA is supposed to wrap up its work by the end of this year. But there remain many issues or sub-issues that are far from being settled. It is far from clear whether the AWGLCA can thus complete its mandated work by this year.

Moreover there is a large question to be answered. Since the Durban Platform outcome is supposed to be implemented from 2020 onwards, which body will keep track of the actions from 2012 to 2020? How will they be planned and their implementation be monitored? Will it be done in other subsidiary bodies if the AWGLCA expires? Will the COP take it over? Will it or should it be passed on to the working group on the Durban Platform, and will this affect its post-2020 work programme?

These are some of the many questions for this Bonn session to discuss.

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