

## **Decisions at Climate Meeting COP 17 in Durban, South Africa**

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Summary: On Sunday, 11 January, COP 17 (Conference of the Parties (COP) to the UN Framework Convention on Climate Change at its 17th meeting) and CMP 7 (Conference of the Parties serving as the Meeting of the Parties of the Kyoto Protocol at its 7th session) reached a set of decisions after two all night negotiating sessions beyond the scheduled end of the Conference. The 3 key components are: 1) a roadmap to develop a legal framework to limit emissions that would bring in all major emitters, to be negotiated by 2015 and in force by 2020; 2) extension of the Kyoto Protocol into a second commitment period beginning in 2013; and 3) an operational framework for immediate implementation of the Green Climate Fund, designed to provide finance to developing countries for mitigation and adaptation and to rise to \$100 billion/year by 2020.

The agreements represent forward progress in the convoluted climate negotiations. Some analysts were suggesting before and during the COP that it might fail to achieve an agreement and that this would basically signal that the process had collapsed into irrelevance. Hence just the fact of an agreement can be seen as positive, and the agreement in principle that, beginning in 2020, all major emitters will accept some legal commitment to limit emissions is an important prerequisite for any effective climate response. The other two elements of the deal, extension of the Kyoto Protocol and progress on the Green Climate Fund, were demanded by developing countries in return for their agreement to take on future binding commitments.

The most positive aspect of the negotiations in this round is that large numbers of developing countries – notably the small island states (AOSIS) and the least developed countries (LDCs) – broke ranks with the solid G77/China approach much more aggressively than in the past. They put enormous pressure on the largest (and fastest growing) emitters in the group, especially China and India, to shift their historic position, and agree to take on binding commitments in the future. This was necessary to break the logjam and allow progress on both mitigation of and adaptation to climate change that is already beginning to seriously damage many of the poorer and island countries. Optimistic observers suggested that elements of the Durban package have restored sufficient momentum for a new negotiation process, that will lead to a series of differentiated but increasingly stringent commitments by developed and developing countries.

All that said, many observers have pointed out that the agreement is only to a process and has elements of deliberate vagueness, leaving open the questions of whether an agreement will actually be negotiated by 2015 and ratified by 2020, and what shape an “outcome with legal force” might take. Even more disconcertingly, there have been a number of studies and a torrent of commentary noting that the expected trajectory of emissions from now to 2020, even with the Kyoto Protocol, will rise dramatically, and that an emissions limiting framework beginning in 2020 will almost certainly be too little and too late to achieve the often stated aim of limiting the eventual rise in global temperature to 20 C. Virtually all observers recognize the urgent need to significantly scale up the level of ambition to bring mitigation pledges in line with the needed emission reductions recommended by science.

My own sense is that the options for this meeting were 1) something like what came out, or 2) complete deadlock and/or collapse of the negotiations. Obviously, we got the less bad outcome. It is true that the global community is still addressing this problem at a pace that almost insignificant relative to the nature and timing of the problem. We know that very substantial negative impacts are unavoidable and that these will have to be addressed through adaptation or disaster relief. The arbitrary, but still desirable goal of limiting temperature rise to 20 C is no longer attainable. It is general consensus that the ultimate level of temperature rise and the rate At some point governments will have to wake up and take commitments, implement policies and direct resources at a level commensurate with the danger. At that point, it will be valuable to have a comprehensive international legal framework in place that can be expanded and accelerated to provide coordinated international response.

## Background

Provided below is slightly more detail on the 3 key decisions and several other more “nuts and bolts” decisions that will help define the details of response strategies, financial and technical cooperation mechanisms and GHG markets under the UNFCCC and Kyoto Protocol. These are mostly cut and pasted with limited editing from other reports on the COP.

## Roadmap for Negotiating a Long Term Legal Commitments.

COP 17 approved a roadmap to negotiate an accord that for the first time will bring all major emitters of greenhouse gases under a single legal framework. It establishes the “Ad Hoc Working Group on the Durban Platform for Enhanced Action” as the forum “to develop a protocol, another legal instrument or an agreed outcome with legal force under the United Nations Framework Convention on Climate Change applicable to all Parties”.

The roadmap calls for an agreement by 2015, that would be operational from 2020 (allowing 5 years for ratification by individual countries) and become the prime element of the effort to reduce GHG and climate change. The difficult clause is the specific language defining the goal of negotiations, the instrument that would succeed the Kyoto Protocol. An “agreed outcome with legal force” is softer and less clear than the language desired by the EU, AOSIS and LDCs, and stronger than some large emitters, notably India were initially prepared to accept. The final language was negotiated in an informal “huddle” of the EU and Indian representatives.

## Operationalizing the Green Climate Fund

A management framework was adopted for the Green Climate Fund, which is to eventually gather and disburse finance amounting to \$100bn per year to help poor countries develop cleanly and adapt to climate impacts. This is the culmination of an initiative born under the 2009 Copenhagen Summit. The COP approved the governing instrument for the Fund, including procedures for selection of a Board consisting of 24 members representing various regional groupings. The decision placed the Fund directly under the Conference of Parties with ultimate authority for oversight resting with the full body. This was opposed by many donor countries, such as the US, but insisted upon by the G77/China bloc. The decision also provided guidance to the Board, and authorized an interim secretariat at the UNFCCC Secretariat with assistance from the Global Environment Facility. The expectation is that this decision will allow the Fund to become operational in 2012 with the first meeting of the Board mandated for April 2012. The decision directs the Board to oversee a 2-year process to establish a permanent secretariat, location and institutional arrangements to be determined.

## Extending the Kyoto Protocol

The Conference of the Parties acting as the Meeting of the Parties to the Kyoto Protocol (COP17/CMP7) approved the extension of the Protocol for a second commitment period beginning in 2013. The EU will sign up for fresh commitments taking effect from 2013, although this will be little more than symbolic, translating into the UN framework its existing plan for reducing European greenhouse-gas emissions by 20 percent by 2020 over 1990 levels. It could also be joined by New Zealand, Norway and Switzerland in a show of unity, say European diplomats. Japan, Canada and Russia have declared previously that they will not take on new emissions targets under the protocol beyond 2012. On Monday, 12 December, the Canadian Environment Minister announced that “We are invoking Canada’s legal right to formally withdraw from Kyoto”. Key non-participants – the US and Australia have also not signaled intent to sign on, though Australia has adopted a GHG cap and trade program and much more proactive climate policy recently. The duration of the post-2013 commitments will be either five or eight years; negotiations on this will take place next year.

The extension of the Protocol was a key requirement of the developing countries in exchange for signing on to a roadmap, the “Durban Platform”, toward a new all-encompassing agreement to follow the Protocol by 2020. Although this extension will likely not provide much in the way of emission reductions that

would not otherwise have occurred, the extension does keep the flexible mechanisms – CDM, Joint Implementation, and emissions trading alive at some level.

Other implementation and methodology decisions include:

#### Green Climate Fund

- Countries have already started to pledge to contribute to start-up costs of the fund, meaning it can be made ready in 2012, and at the same time can help developing countries get ready to access the fund, boosting their efforts to establish their own clean energy futures and adapt to existing climate change.
- A focused work program on long-term finance was agreed, which will contribute to the scaling up of climate change finance going forward and will analyze options for the mobilization of resources from a variety of sources.

#### Adaptation

- The Adaptation Committee, composed of 16 members, will report to the COP on its efforts to improve the coordination of adaptation actions at a global scale.
- The adaptive capacities above all of the poorest and most vulnerable countries are to be strengthened. National Adaptation Plans will allow developing countries to assess and reduce their vulnerability to climate change.
- The most vulnerable are to receive better protection against loss and damage caused by extreme weather events related to climate change.

#### Technology

- The Technology Mechanism will become fully operational in 2012. The full terms of reference for the operational arm of the Mechanism - the Climate Technology Centre and Network - are agreed, along with a clear procedure to select the host. The UNFCCC secretariat will issue a call for proposals for hosts on 16 January 2012.

#### Support of developing country action

- Governments agreed a registry to record developing country mitigation actions that seek financial support and to match these with support. The registry will be a flexible, dynamic, web-based platform.

#### Other key decisions

- A forum and work program on unintended consequences of climate change actions and policies were established.
- Under the Kyoto Protocol's Clean Development Mechanism, governments adopted procedures to allow carbon-capture and storage projects. These guidelines will be reviewed every five years to ensure environmental integrity.
- Governments agreed to develop a new market-based mechanism to assist developed countries in meeting part of their targets or commitments under the Convention. Details of this will be taken forward in 2012.
- There was significant progress reported in informal meetings on Reducing Emissions from Deforestation and forest Degradation (REDD). Key issues are sources and modalities for financing, and application of market mechanisms or offsetting.