



The climate change negotiations: **An overview**

The United Nations Framework Convention on Climate Change (UNFCCC) was negotiated nearly a decade ago to formulate an international response to the challenge of climate change, with the Kyoto Protocol being subsequently adopted.

The Protocol governs the emissions of the six main greenhouse gases (GHGs) and sets out a legally binding system of setting targets for developed country Parties to the Convention.

The US, the largest emitter of GHGs, acceded to the Convention, participated actively in the negotiation of the Kyoto Protocol, but did not ratify the Protocol, mainly due to the impact it would have on its economy.

The Conference of the Parties (COP) is the prime authority of the Convention. The COP meets annually for a two-week period where member countries (or 'Parties') negotiate the provisions set out in the UNFCCC and the Kyoto Protocol.

Negotiators examine the activities of member countries in relation to these provisions. The COP also considers new scientific findings and determines what further actions are required. It is crucial that these negotiations arrive at decisions and action the provisions set out. Negotiators typically meet mid-year for two weeks and again for two weeks at the COP prior to the high-level segment.

The latter typically takes place over the last three days of the COP, during which Ministers and Heads of State accept and sign off the decisions. These sessions are attended by several thousand government delegates, observer organisations and journalists. The COP is hosted by a different continent each year. The last time the COP was hosted in Africa was in 2006 in Nairobi, Kenya.

The negotiation process is a consensual process and every country has veto rights. A single country can oppose an agreement even if every other country has agreed to it. Approximately 38 developed countries, plus the EU, and 131 developing countries participate in the negotiations. Countries normally negotiate as blocks of countries to strengthen their positions. It is challenging, however, to obtain a single view among the developing nations given the vast differences in circumstance, resources and potential impacts of climate change.



The negotiating blocks are:

- Developing countries (G77 and China), which basically comprises all developing countries that are members of the United Nations.
 - Africa
 - Association of Small Island States (AOSIS)
 - Latin American countries
 - The Arab Group
 - Asia-Pacific Group
 - Least Developed countries (50 member countries who cut across the groups above)
- Developed countries
 - EU block (27 member countries)
 - Environmental Integrity Group (Mexico, the Republic of Korea and Switzerland)
 - Umbrella group (Australia, Canada, Iceland, Japan, New Zealand, Norway, the Russian Federation, Ukraine and the US)

Each group meets separately to coordinate its position and reach consensus. Thereafter negotiations take place with opposing parties.

All decisions resulting from the negotiation process, such as the Kyoto Protocol, are consensual decisions. In other words, every single word, sentence and table in the document has been agreed by all Parties. This goes some way to explaining why these decisions take years to negotiate as each country pushes its national interests.

The negotiation process, ideally, tries to find common ground among the differing national positions.



What is the current status of the climate change negotiations?

The period for countries to meet their Kyoto targets was 2008 to 2012. This means that after 2012 there is no legally binding agreement on emissions targets for developed countries. The other provisions in terms of capacity building, finance, adaptation and technology transfer still remain valid but the continuation of Kyoto beyond 2012 hangs in the balance.

The Bali Roadmap: COP 13

The climate change negotiations took a major step forward in 2007 with the adoption of the Bali Road Map agreed at COP 13. Parties finally agreed to a proposal which bound developing countries to mitigation actions and developed countries to targets. For developing countries the agreement was that nationally appropriate mitigation actions (NAMAs) would be in the context of sustainable development and would be supported by technology and enabled by finance and capacity building.

The Bali Road Map set the framework for discussions and agreements are expected regarding a range of issues including mitigation targets and actions as well as the financing of mitigation and adaptation for developing countries

The Bali Plan of Action provided for the US to take on binding emission reduction commitments. The negotiations since Bali have been concerned with negotiating the second commitment period for the Kyoto Protocol as well as elaborating the agreements from Bali.

The Copenhagen Accord: COP 15

The Copenhagen COP meeting failed to reach agreement, placing extreme pressure on COP 16 and COP 17 to deliver and thus avoid the gap at the end of 2012. The Copenhagen Accord was reached, but is a political agreement, not a consensus position. As a gesture of good faith and leadership, South Africa, Brazil, China and India announced their national appropriate mitigation action (NAMAs).

South Africa's pledge was to reduce emissions by a 34% deviation below the 'business as usual' emissions growth trajectory by 2020 and 42% by 2025. This pledge is conditional on support, in the form of financial resources, transfer of technology and capacity building, being provided by developed countries and a legally-binding agreement on climate change.

The Cancun climate change talks: COP 16

Cancun was expected to achieve agreement on processes and mechanisms to take the negotiations a step forward without actual agreement on operationalisation or much substantive agreement. In terms of agreeing on mechanisms and processes, COP 16 was successful.

The outcomes of the COP 16 in Cancun, Mexico, included:

- Extension of the negotiations to ensure there is no gap between the first and second commitment periods
- Setting a goal of limiting average global warming and calling for periodic review
- Nationally Appropriate Mitigation Actions (NAMAs) were

officially recognised. NAMAs would be supported by technology and finance. There was some agreement on how these would be measurable, reportable and verifiable (MRV)

- Cancun called for the establishment of a new process to consider countries' mitigation efforts
- Some progress was made on Carbon Capture and Storage (CCS); Draft Decisions provided two options for the acceptance of funding
- It was agreed to establish a Green Climate Fund with quick start funding
- The Cancun Adaptation Framework was established to enhance adaptation efforts by all countries
- A Technology Mechanism, comprised of a Technology Executive Committee and a Climate Technology Centre and Network, was established

Despite some progress in Cancun, the US insists it is not ready to pass domestic climate legislation which is its precondition for participation in an international agreement. The US also insists that major developing country emitters must be legally bound in terms of their actions to reduce emissions. In addition, key countries like Japan and Russia announced their reluctance to participate in a second commitment period of the Kyoto Protocol, deferring rather to a bottom-up voluntary pledge system for reducing emissions.

This has a direct impact on the future of the Kyoto Protocol and indeed on the system of multilateralism. Like the Copenhagen Accord, the Cancun agreement is not a COP decision as it was not agreed by all countries.

Durban: COP 17

COP 17 will need to find a way to move the process forward from Cancun and achieve real progress and traction on the mechanisms and processes discussed and tentatively agreed under the Cancun Agreements.

Key issues include:

- Agreement of a second commitment, including a legally-binding outcome, and the continuation of the Kyoto Protocol
- Agreement on operationalisation of the Green Climate Fund
- Agreement on an Adaptation work programme
- Monitoring, reporting and verification (MRV) for developed country commitments and developing country NAMAs, and the methodologies to be used

In addition, given South Africa's reputation for nation-building and reaching consensual agreements, there is pressure for COP 17 to re-establish the importance of multilateralism and faith in the UN system to deliver a global agreement on climate change.

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