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The Durban Climate Platform

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Abstract

The 17th international climate conference was held in Durban, South Africa in November-December 2011 and was saved from collapse at the last minute. There were two contentious issues. One, whether the treaty being negotiated to replace the one adopted in 1997 at Kyoto, Japan would apply to the developing world as well. The Kyoto Protocol had exempted the developing world from the caps it envisaged on the emission of carbon dioxide. Two, how binding should the treaty be. The main objections to making the new treaty binding came from China and India who were now the first and third largest emitters of carbon dioxide. But this time around smaller developing countries parted company with these two Asian giants and sided with the developed world to ask for an enforceable climate control treaty. The Durban conference concluded with the promise to negotiate a new document by 2015.

Introduction

There is now near consensus in the international climate community that of all the continents, Asia will be the most severely affected because of the changes associated with global warming. And in Asia, Bangladesh, the Maldives, parts of India and almost all of Pakistan are likely to suffer the most. Bangladesh and the Maldives will be hurt because of the expected rise in the level of the sea; India and Pakistan have begun to feel the impact. Two devastating floods two years running – in 2010 and 2011 – portend what may lie in the future. However, these floods were not caused by the rapid melting of the glaciers. That will happen in the future; in the next half century.

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The Pakistani floods were the result of unusually heavy rains in the monsoon season. Experts believe that severe changes in weather pattern are one of the many consequences of global warming. Unprecedented rains and droughts will occur with greater frequency in the future and these will severely affect Asia.

The Quest for Treaties: The Kyoto Protocol

Since global warming is the result of human action, the process can be halted and possibly reversed also by human action. But actions need to be taken not by one or two countries but by the international community working together. As in any contemplated change there will be losers and gainers. Some way will have to be found for the latter to compensate the former. That is why global action has acquired such significance over the last decade and a half. That said, consensus on needed action has been hard to reach. The effort began in 1992 when the first conference on climate change and global warming was held in Rio de Janeiro, Brazil. It took five years before an international protocol was negotiated. This was at the sixth conference held in the Japanese city of Kyoto. Then a climate-minded administration in the United States (US) headed by President Bill Clinton and Vice-President Al Gore held the reins of power. Gore worked hard to produce a document for global action only to see it set aside by his own country when a new administration came to power in 2000. The Republican administration, headed by President George W. Bush, was sceptical of the science concerning global warming. Dick Cheney, the number two person in that administration, was totally set against accepting internationally mandated constraints on energy policymaking in the US. With strong links to energy businesses, Cheney was able to stall any policymaking that reduced carbon emissions by the energy producers and energy consumers in America. Politics combined with economic interests produced a potent brew that came in the way of a meaningful global effort.

The Current American Stance

Even with the arrival of a new administration in 2009 and the induction into office of a more liberal Barack Obama as president, there was little change in Washington's stance on climate change and controls on carbon emissions. The Republicans, now in opposition but with a strong voice in Congress, were able to prevent any move in the area of climate control. The Obama administration's effort to introduce a 'cap and trade' carbon emission regime in the country went nowhere in Congress. The proposed legislation would have introduced 'caps' on carbon emission by the industry which could only be exceeded by the purchase of permits in the markets from those who were able to function at levels below the mandated amounts of emissions. The programme proposed to Congress by the Obama administration would have introduced a market in carbon emissions and would have also provided strong incentives to curb the release into the atmosphere of carbon dioxide.

However, even without the compulsion of an international obligation, the US, under President Obama, was able to make some progress. The administration proposed huge increases in automobile efficiency, as well as tough clean air regulations that will mothball a lot of coal-fired power plants. Additional progress may occur in states like California with ambitious programmes to encourage energy efficiency and alternative fuels.² That said, judging by what is being said in the debates among the Republican candidates for the presidency in the elections of 2012, a change in administration, were it to occur, will set back some progress the US has made in reducing carbon emissions since the inauguration of Obama as president in January 2009.

Leading Up to Durban

With the Kyoto protocol set to expire in 2013, there was a growing sense of urgency on the part of the countries that wished to see that international effort at controlling global warming did not suffer a serious setback. Several countries favoured a legally binding international agreement that combined incentives with fines to make certain that agreed targets were met. The European nations took the lead and convinced other large players to come together at Copenhagen and devise a way of saving Kyoto from collapsing. Several European countries had put ‘cap and trade’ systems in place. In spite of the last minute effort by President Obama, the summit produced only marginal results. One of them was to agree to keep pushing towards an international agreement in the annual United Nations (UN) sponsored climate meetings in the years following Copenhagen.³ Meetings were held in Cancun, Mexico the following year at which some progress was made in moving towards another international agreement to replace the Kyoto Protocol. But this approach of kicking the can down the road continued and it was hoped that the meeting scheduled to be held in 2011 in Durban, South Africa would make tangible advance towards concluding an agreement that would take the place of the Kyoto Protocol.

In the meantime, significant changes had occurred in the rankings of the world’s largest emitters of carbon. In 2006, China crossed the US and became the worst atmospheric polluter. While emissions by America declined somewhat largely because of the downturn in the country’s economy, those by China continued to increase. The International Energy Agency estimated China’s emissions in 2010 at 6.9 gigatons of carbon dioxide while that by the US was 5.2 gigatons. In 2009, India crossed Russia to become the third largest emitter with 1.6 gigatons compared to Russia’s 1.5 gigatons. South Africa emits 0.4 gigatons while Brazil’s emissions are estimated at 0.3 gigatons. The European Union’s 27 countries together let 3.6 gigatons of carbon dioxide into the atmosphere⁴.

² The New York Times, ‘Beyond Durban: Big nations will have to cut emissions, even without binding agreements’, 17 December, 2011, p. A24.

³ See Shahid Javed Burki, ‘Climate Change Challenge: Leading up to Copenhagen’, ISAS Brief No. 144, 10 December, 2009 for a discussion among major countries on renewing the Kyoto Protocol on climate change.

⁴ International Energy Agency, World Energy Outlook, 2011, Paris, France, 2011, passim.

On the eve of the Durban meeting, the Global Carbon Project, an international collaboration of scientists, wrote in a report ‘that emissions from carbon dioxide, the main greenhouse gas, had jumped 5.9 per cent in 2010, the sharpest one-year rise on record...carbon emissions cumulatively had risen by an astonishing 49 per cent, higher than a previous estimate.’

The change in the relative positions of the largest emitters and new estimates about the atmospheric pollution produced by carbon emissions created new dynamics in the international community when it convened in Durban for yet another international meeting on climate change. This was the 17th meeting of the United Nations Framework Convention on Climate Change. It was dubbed the COP17. As the UN statement issued at the start of the meeting at Durban stated, the COP 17 ‘sought to advance, in a balanced fashion, the Bali Action Plan agreed at COP 13 in 2007, and the Cancun Agreements, reached at COP 16 last year’.⁵

The Durban summit concluded on 10 December after its life was extended by a day. The extension resulted in an agreement that has been accepted by the global climate community as a success. For the first time in the history of climate talks, there was a split in the developing world between those who, like China and India had become large contributors to the accumulation of carbon in the atmosphere, against those who, while throwing up insignificant amounts, were likely to be hurt a great deal. The latter group was made up of small, relatively less developed countries. They joined hands with the Europeans and the Americans to put pressure on the global community to come up with an agreement with some teeth.

This happened in the concluding moments of the summit. But the larger countries, India in particular, were not prepared to accept a legally binding international agreement. India’s refusal to budge brought the conference to the brink of collapse. According to one account, ‘during one break in the proceedings, representatives from several countries huddled to reconcile concerns of India and those pushing for a stronger provision’ that would ensure compliance. The American delegate suggested the phrase ‘outcome with legal force’ to be incorporated in the treaty. This was acceptable to the Indians and the countries looking for more robust language.⁶

The new treaty to be negotiated by 2015 and ratified by 2020 would be, in the words of the Durban Declaration, ‘applicable to all parties’. This was a major advance. One reason why the conservatives in the American political system had prevented Kyoto Protocol from being ratified was that it would have exempted China and India from its application. Those who opposed the American ratification of Kyoto argued successfully that it would put the country’s economy in an uncompetitive situation once the cost of compliance was included in the price of the products produced by domestic industry.

⁵ Global Carbon Project, GCO-10 years, Canberra, Australia, 2010, pp. 34-45.

⁶ Juliet Eilperin, ‘Outcome of climate talks falls to Asia’ The Washington Post, 12 December, 2011, pp. A1 and A5.

The Green Fund

The final outcome also included the provision of a fund, called the Green Fund, into which richer countries would make contributions to help those most likely to be affected by climate change. The main aim of the fund is to increase the forest cover in the countries most affected by climate change and also in those where increasing the area under forests would help to absorb carbon dioxide from the atmosphere. Both India and Pakistan are set to receive funding from this source provided they are able to come up with policies and programmes aimed at addressing the problems both face. Compared to some other countries, Pakistan has paid little attention to environmental matters. They are low on the policymakers' list of priorities. Only time will tell whether the incentives incorporated in the declaration will push Islamabad towards more meaningful action.

Conclusion

While the global climate community was pleased that the Durban conference did not collapse and produced a declaration that provided the framework for future action, there was apprehension that action would come too late. As The New York Times editorialised, 'the question now is what to do about rising emissions in the next decade. Though Durban has kept the collective process alive, the work of actually cutting emissions will fall to individual nations, especially the big emitters, to take the initiative'.⁷

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⁷ The New York Times, 'Beyond Durham: Big nations will have to cut emissions, even without binding agreements', 17 December, 2011, p. A24.