

NACAA Report #1 on COP-17
December 5, 2011

NACAA is sending a delegation (consisting of Larry Greene, co-chair of the Global Warming Committee, and Misti Duvall, Staff Associate) to the international climate meetings in Durban, South Africa. The delegation will arrive on Friday, December 2 and Saturday, December 3, and will provide daily reports beginning Monday, December 5, 2011, on the negotiations. In the meantime, we have provided the following background information leading up to meetings, including major issues and expectations.

Background

The climate meeting in Durban, known as COP-17, is the 17th meeting of the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC). It is also the 7th Conference/Meeting of the Parties to the Kyoto Protocol (COP/MOP-7), which was negotiated in 1997 in Kyoto, Japan, and which the U.S. has never ratified. The UNFCCC does not have binding GHG emission targets; the Kyoto Protocol obligates developed countries to reduce emissions to 5 percent below 1990 levels in 2008-2012. It was anticipated that, by the end of the first commitment period of the Kyoto Protocol in 2012, a new international framework would be negotiated and ratified, so that a new commitment period would begin in 2013.

Bali Action Plan

Four years ago, countries agreed to a roadmap (the Bali Action Plan) that would have culminated in a new agreement to be signed in Copenhagen, Denmark in 2009. These negotiations have proceeded on two official tracks:

- The first track is under the Kyoto Protocol. The United States does not participate in these negotiations because it is not a Party to the Kyoto Protocol, and has consistently opposed becoming a Party to the Kyoto Protocol.

- The second track proceeds directly under the UNFCCC and focuses on five primary elements:

1. a “shared vision” for reducing global GHG emissions by around 2050;
2. mitigation of GHG emissions by developed and developing countries;
3. adaptation to impacts of climate change;
4. financial assistance to low income countries; and
5. technology development and diffusion.

Requirements for reporting, monitoring, and verification of GHG emissions, mitigation actions, and other national policies to achieve commitments are a theme through several of these five elements of negotiation.

The topics of negotiation overlap between the two tracks, and there is disagreement among Parties as to whether agreement must be reached under one track before agreement can be reached under the other.

Copenhagen Accord

While the goal was to conclude a new treaty in Copenhagen in 2009, the Copenhagen negotiations did not produce such an agreement. Instead, President Barack Obama and several world leaders hammered out a political statement, known as the “Copenhagen Accord.”

In the Copenhagen Accord, countries agreed that the increase in global temperature should be limited to no more than 2 degrees Celsius (°C). Most countries, developed and developing, believe that the temperature increase from global warming must be limited to no more than 2°C above pre-industrial levels, to prevent dangerous anthropogenic interference with the climate system (the goal of the UNFCCC). In order to hold warming below 2°C, scientists estimate that global GHG emissions must be halved, compared with 1990 levels, by 2050. Separate types of commitments were spelled out for developed and developing countries. Developed countries were to set emissions targets for 2020 subject to rigorous, robust and transparent measurement, reporting and verification (known as MRV). Developing countries were to list mitigation actions and report on actions and emissions inventories every two years. For unilateral actions by developing countries, domestic MRV would apply, but the MRV would be subject to international consultation and analysis, in respect of national sovereignty (ICA). The UNFCCC did not adopt the Copenhagen Accord as an official UNFCCC agreement, but rather took note of it. Thus, the Accord has a tenuous standing in the UN world. On the other hand, it was signed by several heads of state and thus may carry more political weight. To date over 140 countries have associated themselves with the Accord. (See <http://unfccc.int/home/items/5262.php>)

Cancun Agreements

COP-16, the 16th Conference of the Parties held in Cancun in 2010, concluded with agreement on a package of decisions – called the “Cancun Agreements” – that includes recognition of country emissions reduction targets and actions, agreements on financing and reducing emissions from deforestation and forest degradation and provisions to provide transparency. The agreements set a goal of limiting the global rise in temperature to 2°C compared to pre-industrial levels. However, the agreements do not spell out how this goal will be met – GHG emissions reduction targets announced so far are insufficient to curb GHG emissions to the levels needed to limit the temperature increase to 2°C.

One of the U.S.’ primary goals for the meeting was to ensure that mitigation actions by large developing countries such as China were subject to monitoring, reporting and verification (the MRV mentioned above). The agreements provide that “internationally supported mitigation actions will be measured, reported and verified

domestically and will be subject to international measurement, reporting and verification,” while mitigation actions that do not receive any international financial or technical assistance “will be measured, reported and verified domestically.” Developing countries are to submit reports every two years on their mitigation actions, and the agreements set up a process for international consultation and analysis on these reports. Other outcomes of note include 1) an agreement to accelerate action to curb emissions from deforestation and forest degradation in developing countries with technological and financial support; 2) a process to design a Green Climate Fund to administer climate financing; 3) establishment of a Cancun Adaptation Framework to allow better planning and implementation of adaptation projects in developing countries through increased financial and technical support; and 4) establishment of a technology mechanism to increase technology cooperation. (See http://unfccc.int/meetings/cancun_nov_2010/meeting/6266.php)

Major Issues and Expectations in Durban

Given the continued division between developed and developing countries, expectations for Durban are fairly low. It remains highly unlikely that countries will agree upon a successor to the Kyoto Protocol or any other legally binding instrument that contains quantifiable emission reduction commitments in the near term. A more informal, non-binding agreement may be more likely, though without some sort of consensus on extending a second compliance period under the Kyoto Protocol, its future is in jeopardy. While developed countries continue to push for the extension of mandates to developing countries, a second major issue continues to be the mobilization of promised funding for developing country adaptation, particularly as severe weather events are expected to increase.

Major issues that will be discussed in Durban include:

- **Future of the Kyoto Protocol.** The first compliance period under the Kyoto Protocol is set to expire in 2012, escalating the urgency of coming to an agreement regarding a second compliance period. A number of developed countries, including Canada, Japan, and Russia, are reluctant to agree to a second compliance period without changes to the Protocol to include mandates on developing, instead of only developed, countries. One proposal, reportedly supported by the US, EU, and Japan, would delay the start of the second compliance period under Kyoto until 2020. The EU has agreed to be bound under a second compliance period, but only if the Durban meeting results in a concrete path forward for negotiating another legally binding emissions reduction agreement involving countries that are major emitters (e.g., the U.S.)
- **Adaptation Funding.** One issue at play is developing the structure and sources of funding for the “Green Climate Fund,” which was established under the Cancun Agreements to facilitate aid to developing countries for addressing and adapting to climate change. Securing financing for the fund is critical, as is following through on developed country funding pledges that thus far have not materialized at promised levels. In Copenhagen, developed countries committed

to provide \$30 billion in “fast-start” financing from 2010-2012 to aid developing countries in reducing emissions from deforestation, adapting to the impacts of climate change and deploying clean energy, with funding levels to ramp up to \$100 billion by 2020. Developing countries will be looking for tangible evidence as to whether developed countries will live up to those commitments.

- **Cancun Agreements.** In Durban, parties are expected to discuss progress and guidelines for implementation of the Cancun Agreements. These include stepping-up oversight and reporting regarding monitoring, reporting, and verification (MRV) of mitigation activities undertaken by developing countries. Progress on MRV will likely come into play as a condition for moving forward on the launch of the Green Climate Fund (discussed above). Other issues from Cancun include accelerating action under the Reducing Emission from Deforestation and Forest Degradation (REDD-plus) program, coordination of adaptation projects, and increasing the availability and transfer of clean technology.
- **A Path to a Future Binding Emissions Reduction Agreement.** If the Kyoto Protocol falls apart – or even if it continues since many major emitters are not covered by the Protocol – many believe another agreement that binds countries to emissions reduction commitments in the future is needed. No one expects such an agreement in Durban, but there are hopes that Durban will lay out a concrete path for concluding such an agreement in the near future. The U.S. position is that, for the U.S. to be a party, any such agreement must include all major emitters, including developing countries such as China and India,