



environmental affairs

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Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Cancun outcome and implications for the Durban Climate Change Conference

January 2011

# Dynamics informing the 2010 negotiations

- Current system places legal obligations on developed countries under Kyoto but not USA or developing countries (BASIC targeted)
- Some developed countries (led by Japan and Russia) assert that the system is both unfair and environmentally ineffective (SIDS, LDC's & Africa, including SA also assert that the current system is ineffective)
- Simultaneously, obligations on some effectively give an economic competitive advantage to those with no comparable legal obligations
- Therefore current climate negotiations are driven by a changing world order - rise of rapidly industrializing developing countries
- Therefore, since 2004 the focus of climate negotiations has been on enhancing the balance and effective implementation in the light of this changing world order
- The 2007 agreement in the Bali Road Map = political balance along the two tracks under both the Convention and its' Kyoto Protocol
- Deadline of 2009 not met – noted political agreement, Copenhagen Accord – with deadline to complete negotiations in Cancun



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# Summary of the Cancun outcome

- Cancun decisions cover all the main elements of the 2 track Bali Road Map mandate and the political agreements in the Accord
- The Cancun Agreement decisions have 3 types of outcomes
  - reflecting agreements that have been reached thus far
  - processes to elaborate the governance and operational procedures of these
  - elements that do not yet have full agreement are transferred to Durban
- Under Kyoto agreement to –
  - capture pledges; convert these to QELROs; base year of 1990; continued use of market mechanism, LULUCF & the Global Warming Potential metric
- Under the Convention agreement on – a SV with review in 2013 &
  - Adaptation - equal priority to mitigation; Adaptation Framework; Adaptation Committee; programme to consider loss & damage mechanism
  - Mitigation – capture both A1 & NA1 pledges; rigorous, robust & transparent international assessment of A1; enhanced A1 reporting; registry for NAMA's seeking support; MRV & ICA system for NA1 mitigation & A1 support; market & non-market mechanisms; response measures forum
  - Finance - Green Climate Fund; \$30 bn fast start; \$100 bn by 2020
  - Technology – a Technology Mechanism; Exec Committee; Centre & network
  - Capacity building - process to monitor and review effectiveness & institutions



# What Cancun did not agree to

Cancun did not address the key equity related political questions

- The legal form of the Convention outcome & therefore the continuation of Kyoto,
  - A 2 Treaty type legally binding outcome (2<sup>nd</sup> CP under Kyoto)
  - A single treaty type legally binding outcome (replace Kyoto)
  - No legally binding outcome (kill Kyoto)
- The level of ambition sufficient to prevent dangerous climate change
  - A long term global emission reduction goal (2050)
  - A global peaking year
  - Upfront common carbon accounting rules
  - Complementarity or limiting the use of offsets by A1 for compliance purposes
- The fair allocation of burden and cost
  - Need for an Adaptation Centre & Network & a Loss & Damage Mechanism
  - Comparability of effort among A1;
  - Comparable compliance among A1;
  - Fair share of carbon space or time for developing countries to transition
  - Fair treatment of Intellectual Property Rights for the global climate commons

• These issues are transferred to Durban



# Emerging dynamics for Durban

In this context it is apparent that there are 2 emerging paradigms

- Vulnerable countries (Africa, SIDS, LDC's, some Latin Americans) say the regime must be a legal obligation on all countries, to ensure
  - Mitigation of GHG emissions at a level to prevent dangerous climate change
  - Comprehensive international adaptation to support vulnerable countries
  - Provide financial, technological and capacity building support
- Some developed (the Umbrella Gp) and some developing (China, India, OPEC) want non-legally binding decisions, due to
  - USA domestic politics preventing them entering any legally binding outcome now
  - The reluctance of others (China, Japan and Russia) to move without the USA
  - Enable confidence & understanding of the implications of the new system with non-legal incremental steps which could be converted to legal obligations later
  - The need to take urgent action – without the delay of negotiating legal obligations
- In this context, Cancun mandated SA to address 4 areas of work
  - Technical work to elaborate guidelines & modalities of the Cancun agreements
  - Further consideration of outstanding issues in the AWG's based on Party views
  - Further consideration of the big political questions
  - An inclusive and transparent consultation process to facilitate progress



# The Mexican COP Presidency

Post Copenhagen the Mexicans adopted a multi-pronged approach

- On communication specifically, they emphasised
  - The need to lower expectations for a comprehensive breakthrough in Cancun
  - The lesson of Copenhagen - it is unrealistic to expect a “big bang” outcome
  - That Cancun is a step in a process of evolving the system
  - The political realities – in the US and China and the financial crisis
  - That a failure in Cancun would undermine multilateralism
- On the preparatory process, they conducted an extensive, comprehensive and inclusive informal consultation process
  - Consultations not only with governments but also stakeholders
  - Enabled them to keep the “finger on the pulse” & understand what the world was ready to accept
- On the management of the negotiations, they
  - Played an active & constructive role in all 2010 negotiating sessions
  - When disagreement was clear - facilitated agreement to lift some elements
  - Used standard UN practice with parallel informal consultations at Ministerial level
- All this enabled them to table a compromise in the final hours
- Hailed as saviors of multilateralism but not likely that this methodology will work for Durban

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# Implications for Durban

South Africa will consult on how best to proceed, specifically with

- The UNFCCC secretariat to plan the work programme for the year
- Engagement with the Bureau and TROIKA on this programme
- The Mexican COP Presidency to launch the preparatory process
- Parties & groups to elicit ideas on what outcomes would be possible
- Key stakeholder groupings on their aspirations for Durban

On the basis of these formulate a comprehensive preparatory process

- The UNFCCC technical work,
- Participation meetings of the various UNFCCC negotiation groups and forums
- A Ministerial Consensus Dialogue
- A programme of active lobbying for compromise outcomes for COP17/CMP7
- A programme of engagement with national and international civil society stakeholders such as parliamentarians, local government, NGO's, business, labour, indigenous peoples and other groupings
- This work will be guided by the CC IMC with 2 sub-committees
  - A logistics sub-committee – supported by a project manager & PCO
  - A substance sub-committee – supported by the NCCC



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THANK YOU



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