

COPENHAGEN TO CANCUN: WHAT JUST HAPPENED?¹

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It has caught us by surprise. The 15th Conference of the Parties (COP15) in Copenhagen was such a disaster -- a train wreck of a negotiation. The conference was contaminated by bad faith. On the second day, a draft agreement was leaked; one prepared in secret by the “presidency.” In UN parlance “the presidency” is the host government’s environment minister (usually) assisted by “the secretariat” (the permanent UN staff to the UN Framework Convention on Climate Change -UNFCCC). Denmark’s leaked text was designed to kill the Kyoto Protocol and move to a less onerous regime. It created a mood of distrust that permeated the gathering. The conference was plagued with abuses, big and small. Delegates were often left standing in endless queues in sub-zero temperatures, logistics were unworkable, and “secret meetings” and elite groupings continually undermined the transparency and good faith such multilateral negotiations require. The last indignity was President Barack Obama’s high-stakes, “invitation only,” meeting with a handful of countries. The result, described as “politically binding,” was the so-called Copenhagen Accord. It made no legally binding commitments and in its first draft literally left countries to fill in the blanks at a later date: “reduce by X % by X year.”

Despite the media hoopla, the Copenhagen Accord did not become a decision of COP15, but it did deal a blow to the survival of the only legally binding commitments, those of the Kyoto Protocol. After COP15 in Copenhagen, the climate action movement and international diplomacy for climate action seemed to sink into a deep depression. No one held out any real hope for COP16 in Cancun, Mexico. Worse was the sense that multilateralism couldn’t work. Ideas were floated that the G20 should handle the issue instead of all 192 countries in the UN system. As the Cancun conference began, it seemed likely to be another disaster. The Japanese government dealt a blow to the process by announcing on the second day of the conference that it would not participate in a second commitment period under the Kyoto Protocol. As Kyoto was (obviously) Japan’s baby, this was a serious injury. Then it was reported that Russia and Canada had said so as well. The developing countries made it clear that if there was no second commitment period for Kyoto, they would not continue in negotiations.

Meanwhile, the location and facilities seemed designed to fail. The conference was out in a bizarre resort, called “Moon Palace,” while the expo displays and side-events were being held at another facility (more like a series of enormous garages), called “Cancun Messe.” Many other events were scattered through the over-built, environmental mess that is the resort destination of Cancun. To get from anywhere to anywhere required taking the special COP16 buses. One bus took delegates from the multitude of hotels to Cancun Messe, clear security and walk through the building for another bus to the Moon Palace. This typically took an hour. The media facility was a further bus ride from there. Unlike Copenhagen, we were not likely to freeze outdoors, but other than that, it did not feel like a conference on the verge of anything but failure.

So What Happened?

The President of COP16, Mexico’s Minister of Foreign Affairs, Patricia Espinosa and her team worked tirelessly. Their challenge was less to do with the contentious issues under debate and

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more a therapeutic work in healing. Re-building trust was essential. Espinosa promised that there would be no surprise texts emanating from Mexico. She pledged no secret meetings. She set out ground rules for ministers to ensure that they could not show up at the meeting (for the high-level segment which began on Tuesday) and hold exclusive meetings. She pledged transparency and inclusiveness. Over and over again. And she delivered.

The mood began to lighten. One stock-taking session seemed to be particularly cathartic. On Sunday, at the mid-point of negotiations, Colombia's delegation head spoke of the "elephant in the room" which she described as the "ghost of Copenhagen." Delegation after delegation spoke of the need to restore any sense of trust. Still, how to have Kyoto survive in the face of objections from Japan, Russia and Canada trying to perform last rites? Small contact groups worked on key issues, co-chaired by pairings of developing and industrialized countries appointed by Espinosa. But she insisted that the small groups were not closed to other countries. Their negotiations continued with an open door. The biggest issues, what to do with the Kyoto Protocol and how to pursue the Long-term Cooperative Action under the FCCC, were in a group co-chaired by the UK and Brazil. Negotiations were intense. Stock-taking meetings were called periodically, in which the President received reports of progress – or lack of progress -- in open session. It was noted that India and China were showing unprecedented flexibility.

Friday a new draft text was circulated. It was based on a 50 country consensus with input from nearly all 192 countries. Unlike the usual process for UN documents, it was not an official COP document. It was an attempt at consensus from the President, but she stressed, it was not Mexico's document. After allowing a few hours for countries to review the text, she convened briefly before 6 pm. Without having had the text debated, or officially approved, she received a rousing standing ovation. Hope had returned. She asked the working groups to continue their negotiation and asked for parties to reconvene in several hours.

Word was spreading that Japan was not insisting on blocking reference to a second Kyoto Period. Rumours flew that Ban Ki Moon had phoned the PM of Japan. Avaaz had run full page ads calling on Japan to come to the aid of Kyoto. Canada was not prepared to be the only country objecting, so it seemed possible that an agreement could be found. The session resumed at 9 pm. When Patricia Espinosa came to the chair, the room of several thousand again rose in a standing ovation. As she was clearly moved by the tributes, there was a commotion at the door and loud banging. The security guards had closed the doors to the plenary and were denying entry. The room was at capacity. But a number of country's delegates were still outside as were hundreds more representatives of civil society. Espinosa came to the microphone to explain that there was an over-flow room with close-circuit television, but that she had asked the UN secretariat to ask security to make an exception and allow everyone in the room. It took another half hour for every spot of carpet to be filled. People standing, sitting on the floor, packed to the gills, the room has a buzz. It was widely known that Bolivia planned to object. But to lose the progress represented in those documents would be devastating.

When she resumed, there was another standing ovation. If anything, the delegations and the ngos wanted all countries to know that these agreements had to be approved. The future of multilateralism was on the line. But more importantly, so was the slim hope of governments acting in time to avoid runaway global warming. By 3:30 AM, the draft text had become the decision of COP16, now to be known as the Cancun Agreements. (for a blow by blow of that session, see my blogs from that session.)

What Was Decided?

The documents do not by themselves obligate governments to take any new steps. What they do is build a strong foundation for agreements to be reached at COP17 next year in Durban, South Africa. The language is strong and unequivocal. In the LCA decision it is stated “climate change represents an urgent and potentially irreversible threat to human societies and the planet, and thus requires to be urgently addressed by all Parties.” (Kyoto Protocol text) The decisions confirm that the science and IPCC advice is compelling. It commits to find ways to avoid allowing global average temperature from increasing to 2 degrees C, but recognizes the need to consider that the high point should be 1.5 degrees C.

For the first time in a UN decision, it mandates that all nations should immediately determine the year by which GHG emissions should peak and begin to fall. It states all parties agree “that Parties should cooperate in achieving the peaking of global and national greenhouse gas emissions as soon as possible.” It states that industrialized countries should reduce emissions by 25-40% below 1990 levels by 2020. Further it states that “addressing climate change requires a paradigm shift towards building a low-carbon society that offers substantial opportunities....”

It deals extensively with the need for adaptation (creating a Cancun Adaptation Framework and Adaptation committee), for financing, it creates a new Green Climate Fund, as well as funding to help arrest deforestation. There are many detailed elements. Not all were great. Many were disappointed to see Carbon Capture and Storage added to acceptable technologies for the Clean Development Mechanism. New and welcome elements were language recognizing the importance of human rights in implementing climate policy, respect for indigenous peoples, women, and gender-related issues, and a clear victory for labour in the reference to the need for a “just transition.” Cities and sub-national governments finally get the respect they deserve as partners.

What Does It Mean?

It means Kyoto is still alive, but the parties are not committed to a second commitment period when Kyoto’s first period ends in 2012. It just means there *could* be a second commitment period. Anchoring of voluntary pledges from the Copenhagen Accord may fit into the language of the LCA text, but the Copenhagen Accord targets are laughably weak. Hence, the language calling for industrialized countries to “raise the level of ambition” in their targets. Somehow in Durban at COP17 we will have to find a way to either continue this two-track process (Kyoto and FCCC) or merge them in one agreement.

What Can Canadians Do?

Once again, our government won the Colossal Fossil Award for being the most obstructive nation in the negotiations. Before Durban, we have to get a change in our government’s position, or get a new government. Canada stepping up to commit to a second commitment period, even on weaker targets, could help shift the balance to saving Kyoto. It would help the EU and low-lying island states and poor African nations in insisting on Kyoto. The bottom line is that we are running out of time. In the next 12 months, we must seize the small ripples of hope that are emanating from Cancun. We must build a mass public mobilization that insists on real action to bring the words and framework of the Cancun agreements to life.