

A Time of Transition: Why Lamenting the Lack of Political Will at COP18 Misses the Point

There has been a striking dichotomy in the aftermath of the United Nations Climate Change Conference (COP18) in Doha: on one hand, exhausted but rather satisfied negotiators talk about making progress, while on other negotiators, non-governmental organizations (NGOs), and think tanks offer very critical, even desperate assessments of a “failed” process.

The critics point to the growing body of research showing the world is on a path to greatly exceed the 2°C target – and, as the World Bank recently warned, is likely to reach 4°C of warming, with the potential for major negative impacts. Many argue that the negotiations are out of step with reality and must be overhauled. But practical suggestions for reform are rare or unrealistic.

Having spent many years in the negotiating rooms, I believe it is important to analyze the reasons for this dichotomy in more detail. In my view, it reflects a lack of understanding of the conditions and mechanics of negotiations on sustainable development and the real character of the so-called Rio Conventions, especially those on climate change, biological diversity, and combating desertification.

The climate negotiations

These Conventions are mostly process instruments: they contain only limited binding commitments, but are designed to help the Parties reach more substantive commitments. Thus the United Nations Framework Convention on Climate Change (UNFCCC) mainly refers to the ultimate objective, principles, institutions and procedures, with very weak commitments. Aware of this, the Parties negotiated the Kyoto Protocol, adopted in 1997, with quantified and differentiated commitments for Annex I countries, plus various supporting provisions. It took another four years to develop the necessary implementation measures, and after a laborious ratification process in which the U.S. bowed out, the Protocol only entered into force in 2005.

The Kyoto first commitment period covered 22 years, from 1990 to 2012. At COP13 in Bali in 2007, the Parties agreed



U.S. President Barack Obama meets with European leaders during COP15 in Copenhagen in 2009.



The opening plenary of the High-Level Segment of COP18 in Doha, December 2012.

to a roadmap for the negotiation of a second period, to be completed at COP15 in Copenhagen in 2009. Instead, what resulted was the Copenhagen Accord, which was not adopted by the COP, only taken note of. COP15 was considered a disastrous failure.

The process did not end there, however. The negotiating machinery kept moving, and aided by very skilful diplomacy by Mexico at COP16 and South Africa at COP17, the Parties developed a framework for continued progress on several secondary, but important, issues: adaptation, financial governance, technology. They also worked out terms for a second Kyoto commitment period and improved on national pledges by both developed and developing countries for the period until 2020. Finally, the Durban Platform, adopted at COP17, provided for the negotiation of “a Protocol, another legal instrument or an agreed outcome with legal force, applicable to all countries”, to be negotiated by 2015 and go into effect in 2020.

A transitional phase

In fact, Copenhagen proved the political conditions did not exist for a major breakthrough in the negotiations. The Obama administration could not have carried a far-reaching agreement through Congress. Meanwhile, China and India showed their geopolitical clout at COP15 by thwarting all efforts by the EU and others to make them agree to binding emission reduction commitments – especially if the U.S. didn’t act first.

That has shaped the period after COP15 as a sort of transitional phase, pending a clarification of the political positions of major actors. The Durban compromise reflected this – though it also laid the groundwork to replace the Kyoto Protocol’s strict distinction between Annex I countries (binding commitments) and non-Annex I countries (no binding commitments) with a more flexible system in which emerging economies such as China, India and Brazil would also be bound to reduce their emissions.

Prospects for the Durban Platform are still uncertain, but the present transitional period should be used to explore the concepts of equity, fairness and justice in the North-South relationship and in view of the increasing heterogeneity of the



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Youth protesters line the entrance to the conference hall at COP18 in Doha, December 2012.

Group of 77. At various events outside the negotiations in 2012, Parties were able to discuss these highly political concepts in a quieter and more constructive atmosphere. However, progress is far from guaranteed, and there is no doubt that the positions to be taken by Annex I countries on financing will have a decisive impact on the talks.

Assessing the Doha outcome

In this context, it is clear that modest but real progress was made at COP18. The EU decision to accept a second commitment period of the Kyoto Protocol allows for a continuation of the Kyoto provisions until 2020. There was no backsliding on the Durban Platform, and the conclusion of the Bali Action Plan will focus the Parties' attention on a single track from now until 2015. Decisions were confirmed on mechanisms and institutions dealing with technology, adaptation, and financing. The road was cleared for serious negotiation on loss and damage, in particular for small island states.

Thus the optimism on some negotiators' part. Of course, things can still go wrong, and it is not a foregone conclusion that a new deal will be successfully negotiated by 2015. But the UNFCCC process continues to build a global framework for long-term action on climate change, including major investments in low-carbon energy, transportation, infrastructure and more sustainable cities. In fact, the Convention is already creating new international law and strengthening the role of the United Nations in managing some of the world's greatest problems in the Anthropocene.

Of course more pessimistic negotiators, NGOs and earth scientists are also right: We don't know how much time we

have before we've done severe, irreversible damage to the climate. In that regard, the publication of the Intergovernmental Panel on Climate Change (IPCC) *Fifth Assessment Report* in 2013-14 will be central to the negotiations.

The concept of enabling conditions

Another issue that warrants further attention is the notion of "political will" – the lack of which is routinely blamed for the COPs' failings. In reality, however, negotiators come to the table with instructions based on national political, economic, and social considerations. Political will is just one factor in the equation. Far more important is the political capacity of national leaders to build enough support at home for bold action in the international arena. This is clearly visible in the intense political debate in the democracies, but it certainly exists in the shadowy world of non-democratic politics as well.

We all realize that climate change and other challenges of the Anthropocene are not just environmental matters: they will require fundamental changes in our societies and in core aspects of our industrial economies, such as energy and transport. How do we achieve them?

A key factor is the strength of the social fabric that decides the legitimacy of political leadership. Various factors have weakened that social fabric in many countries – most notably, growing inequalities in income and wealth, further aggravated by the present economic and financial crisis. If more and more people are threatened by unemployment, it is not easy to focus on long-term risks such as climate change.

This is what I mean by "enabling conditions": effective climate action – and global sustainability more broadly – depends on an array of socio-economic factors. If we wish to advance the UNFCCC talks, we need to ask bolder questions and dig deeper into the economic and social realities of this time. SEI will be an active part of this effort, delving into issues such as equity and equality at the national and international levels and the extent to which fossil-fuel interests continue to frame economic and political thinking even amid an accelerating renewable-energy revolution. It is an ambitious, multi-disciplinary undertaking, and a critically important one.

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This essay was first published on the Europe's World blog: tinyurl.com/boq8vcb

Further reading:

- Kjellén, B. (2011) 'Could a Transitional Agreement Offer a Way Out?' *Global Policy*, 2(1). 112–14. doi:10.1111/j.1758-5899.2010.00056.x.
- Kjellén, B. (2008) *A New Diplomacy for Sustainable Development: the Challenge of Global Change*. Routledge, London.