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The Concerted Effort to Fight Climate Change

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The Concerted Effort to Fight Climate Change

Towards a Fair Arrangement for Southern Countries to Become Partners in the Post-2012 Commitments?

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In 1992, in Rio, the industrialised countries (grouped as Parties included in Annex 1), conscious of their historic responsibility for the growing concentration of greenhouse gases (GHGs) in the atmosphere, agreed to take the initiative in the battle to counter the greenhouse effect. Under the aegis of the United Nations Framework Convention on Climate Change (UNFCCC), they committed themselves to stabilise, by around 2000, their GHG emissions at 1990 levels. In 1997, they decided to go further by adopting the Kyoto Protocol⁽¹⁾ and committing themselves to legally binding targets: by 2008-2012, they have to reduce their GHG emissions by an average of 5.2% below 1990 levels. This is the first of the five-year targets. According to the Intergovernmental Panel on Climate Change (IPCC), the Protocol's targets are not ambitious enough to reverse the process whereby GHGs are growingly concentrated in the atmosphere⁽²⁾. They are sufficient only to slow this process down⁽³⁾. This slowing down must be seen in relation to the requirements of the Convention's ultimate objective, which is the "stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system⁽⁴⁾."

The experts consider that it is necessary first to impose a ceiling on GHG concentration and then to reduce it so that, by around 2050, global temperatures would be held at a level no more than 2°C higher than in the pre-industrial period. This would assume that global emissions be halved by that date and that the developed countries reduce theirs by three-quarters⁽⁵⁾.

To succeed, the industrialised countries would have to agree, by the second target period of the Kyoto Protocol (2013-2017), to reduce their emissions far more drastically than they are committed to do during the first period (2008-2012). But a still greater challenge for the post-2012 negotiations to confront is the determined opposition by southern countries, particularly China and India, hitherto exempt from targets, to subscribe in their turn to commitments on limiting their emissions. In the absence of climate control policies

(and according to IPCC forecasts), emissions from the developing countries will by themselves equal or exceed, over this century, the world total of emissions, rendering ineffective any preventive action limited to the industrialised countries.

Montreal: the debate opens on post-2012 obligations

The Montreal Conference (December 2005) was an opportunity for governments to officially open discussions on how, after 2012, they should reduce emissions⁽⁶⁾. In fact, the Protocol includes two articles, Article 3.9 and Article 9, requir-

1. In 1995, the first Conference of Parties (COP 1) to the Convention, bolstered by new scientific evidence of the extent of climatic change, agreed on the need to extend the commitment of the Parties included in Annex 1 beyond 2000 to a specific target date (with no new commitments by the southern countries). This "Berlin Mandate" was the forerunner of the Kyoto Protocol, agreed upon in 1997 at COP 3. Thus, the Protocol brought into being four significant advances on the Rio aspirations: delegates pledged to reduce emissions by legally enforceable quotas (before, they had merely made declarations of principle); to create two categories of government with different aims, the Annex 1 developed countries and the Non-Annex 1 countries (where previously all governments had the shared aim of stabilising emissions); they accepted specified targets for 2008-2012, these to be succeeded by further five-year target periods (replacing the targets for 2000); and they increased the number of targeted gases from three to six. To counterbalance the acceptance of these tougher commitments, an element of flexibility was introduced to realising these quantified aims. For this reason, in addition to putting in place policies and national measures aimed at attenuating climate change and its impact, the Protocol includes what are defined as "flexible mechanisms" allowing for International Emissions Trading (IET), Clean Development (CDM) and Joint Implementation (JI). These are designed to help Annex 1 economies to meet their targets in the most cost-efficient way.
2. *IPCC Fourth Assessment Report on Climatic Change, 2007, Working Group 1 Report: "The Physical Science Basis", Summary for Policymakers, Paris, February 2nd 2007, www.ipcc.ch*
3. The global atmospheric concentration of carbon dioxide, the most important of the greenhouse gases, has increased from its pre-industrial level of about 280 parts per million (ppm) to 379 ppm in 2005. *IPCC Fourth Assessment Report, op. cit.*
4. *Ibid.*
5. Annual CO₂ emissions from fossil fuels have grown from 6.4 gigatons of carbon (GtC) over the period 1990-1999 to 7.2 GtC for the period 2000-2005. 1 GtC corresponds to 3.67 GtC. *IPCC Fourth Assessment Report, op. cit.*
6. We are concerned here with the structures adopted at Kyoto. We shall not be raising the question of US abstention. Nor can we address here the Asia-Pacific Partnership, the new agreement that the Americans reached in July 2005 with Australia, China, India, South Korea and Japan.

ing that the process for discussion on post-2012 should begin by 2005 at the latest, the deadline having been fixed with the adoption of the Montreal Action Plan (MAP), setting out three stages for opening the negotiations.

The first stage, according to Article 3.9, is to adopt a process leading to the definition of new commitments by the industrialised countries, the Parties to Annex 1/B (PA1/B). The task at Montreal was to determine which negotiating mechanism to favour (workshop, say, or working group) and to create a timetable for the work, including a deadline for industrialised countries to adopt new targets⁽⁷⁾.

The second stage, based on Article 9, proposes a complete review of the Protocol (co-ordinated with the reviews under the Convention required by Article 4.2.d) "in the light of the best available scientific information and assessments on climate change and its impacts, as well as relevant technical, social and economic information." This reassessment⁽⁸⁾ must include an evaluation of the level of effort accepted by all Parties as well as establishing the availability of technical and financial support for the developing countries. Progress should be made towards a decision that will intensify the commitments of the industrialised countries and, at the same time, widen the participation of the developing countries.

The third stage, designed to launch a process for adopting a post-2012 package is to be conducted under the aegis of the Convention. It is to be a "dialogue on long term cooperative action to fight climate change". All the parties to the Convention are involved. This process, embarked upon in Bonn in May 2006, consists of four workshops that must concentrate on innovative ideas to induce the developing countries to commit themselves further (such as sectoral approaches and non-binding, flexible targets). The process will consist only of exchanges of views, information and non-binding ideas and "will not open negotiations likely to lead to new commitments⁽⁹⁾". This process will open the way towards lasting development; it will provide a response to difficult changes; and it will exploit the new technologies and market opportunities in the fight against climate change.

The search for a mutually advantageous and fair agreement

The participation of the southern countries will require that the question of fairness in the burden of sharing should be addressed; and it must be reflected in commitments adapted to each country's specific situation and to the ultimate objective of the Convention. However, the Kyoto Protocol offers only a rough framework, one that may well be adapted to the particular circumstances of the industrialised countries but

remains totally inadequate for enabling southern countries to join the system of emissions quotas.

It would be unrealistic to expect the developing countries, those wishing to participate in the system of tradable emissions permits implemented by the Protocol, to join Annex B: that would require them first to be members of Annex 1 and therefore to accept all the concomitant obligations of the Convention. So the idea of creating a new annex to the Protocol, Annex C, was put forward during the fourth Conference of Parties (COP 4, Buenos Aires, November 1998). Ahead of the debate on the second period commitments, some southern countries suggested voluntary commitments for the first period, hoping to join the system for trading emissions quotas. As it happened, their proposals opened the debate and began to circulate the idea of creating the new annex. It would include developing countries wishing to make different kinds of commitments from those by industrialised countries envisaged in Annex B: commitments that would be non-binding and that might take the form of, for example, diminishing the intensity of GHGs within their economies, rather than imposing defined limits on emissions. Aside from bringing the developing nations into Annex 1/B (which is unthinkable), on what basis might one now ask them for targeted commitments under Annex C?

Towards a contraction and convergence principle for reducing emissions

When it comes to the form that the developing countries' future commitments might take, several options are today

7. It was decided that an ad hoc working group of no fixed composition, the "Special Working Group on New Commitments by the Parties defined in Annex B," would lead the consideration of how to amend the targets listed in Annex B. Although no timetable was fixed, the Group would have to wind up its work as soon as possible (before 2008) so as to assure continuity between the first and second target periods. The Group had its first meeting in Bonn (17-25 May 2006), and the second in Nairobi (November 2006) without making any significant progress.
8. Although it was on the agenda at the Nairobi conference, the Conference of Parties has not yet begun its assessment. Switzerland, supported by the European Union and Norway, proposed at Nairobi that a "process" should be embarked upon leading to the evaluation of the Protocol. Because of this, discussions were focused on the reach, the subject matter and the manner in which this evaluation should be conducted.
9. Because the southern countries have several times made clear their refusal to sign any binding commitment on climate control, the decision is free of any constraints. During the first workshop of the Dialogue (Bonn, May 2006), the debates and informal exchanges between the participants revealed a number of common viewpoints on the Convention's long-term future. Yet, some delegates pointed out that divergent points of view on active measures and future directions might emerge as the process advanced—and this is what happened at the second workshop in Nairobi, in November 2006. Unsurprisingly, when the Russian Federation suggested the possibility of voluntary commitments by developing countries, member countries of the Group of 77 objected strongly.

under discussion⁽¹⁰⁾. Assuming that negotiations on climate stabilisation continued to favour collaboration in the form of allocating emissions quotas, the adoption of a common, long-term emissions criterion per head of population and convergence criteria taking account both of initial situations and demographic and economic developments would be likely to create the conditions for a compromise between countries attaching primary importance to starting positions and countries whose immediate demand was to establish the emissions rights of each individual⁽¹¹⁾. The combined effect of these two principles could lead, starting with global, medium-term targets at each stage for the entire world, to the search for a differentiated distribution of efforts by each country (or each region) with a concern for their objectives to converge in successive stages.

The Kyoto Protocol implicitly recognises that the lowest emitting industrialised countries with least purchasing power have the possibility of increasing their emissions in line with their demographic and economic development needs: this recognition represents the start of a process of integrating long-term emissions quotas in terms of units of carbon per head or of units of carbon in relation to GDP per head, starting from very different initial circumstances. These early steps towards differentiation are an important advance in the debate on how to bring several, even possibly all, the developing countries, post-2012, into some arrangement for common commitments. The process needs to be explicit and fit for the purpose of extending the present system to southern countries according to a generic formula, applicable to each country and not based on exceptional arrangements accepted only by some. The kind of exceptions that the Protocol has created for a few countries is in fact too specific to serve as a basis for the participation of all developing countries. The idea of mastering the GHG-emissions of these countries, which is now current at least in the minds of northern negotiators, could never be realised on an equitable basis. Most importantly, it must be founded on an explicit logic, acceptable to all sides over the long term, based on GHG-emissions per head of population and leading to common values compatible with climate change.

Conclusion

If we seek to reach an agreement acceptable to all, it is essential to clarify the debate surrounding future participation of the developing nations. Alongside the delicate question of how emissions rights can fairly be allocated, these discussions ought to pave the way for a constructive approach to a

contraction and convergence timetable for stabilising emissions. So it is right for us to explore further the various rules and criteria likely to be applied and their redistributive effects in terms of wealth and the allocation of emission rights⁽¹²⁾.

If dialogue on future commitments could be dispassionately pursued on the basis of clear, firm principles, while the range of possible options was explored, the Kyoto Protocol would be reinvigorated, along with the global management of climate change. The governments concerned would then have the extra incentives to implement effective and efficient policies and measures to tackle the intensifying greenhouse effect.

The fact remains that the future of the concerted battle against climate change, waged under the aegis of the Kyoto Protocol, is problematic: one can perceive a sharp deceleration in the rhythm of advance—even a pause—when we look at global ecological management. The last Nairobi Conference (November 2006), at which those parties present sat tight in their respective positions, did nothing to dispel that perception. The interplay of co-operation and conflict has become more complex with the growing influence exerted by newly industrialised countries such as India, China and Brazil. Those governments have joined the United States in holding back the formulation of new international rules on the environment. And the negotiations to devise common, long-term procedures for this “global ecological management” have become all the more difficult. •

• Translated by Philip Liddell

10. Numerous proposals have already been put forward. See, in particular: D Bodansky *et al.*, *International Climate Efforts Beyond 2012: A Survey of Approaches, Prepublication Draft*, Pew Center on Climate Change, Washington, DC, June 2004, www.pewclimate.org. Alain Chetaille, *Consolidation du régime multilatéral et préparation de l'agenda climat et développement post-2012*, Pôle politiques publiques et régulations internationales (PPRI) du Groupe de recherche et d'échanges technologiques (GRET), Paris, January 2006, www.gret.org. N. Höhne, E. Lahme, *Types of Future Commitments Under the UNFCCC and the Kyoto Protocol Post 2012*, WWF Briefing Paper, Washington DC, 20 September 2005, www.panda.org. William D. Nordhaus, *Life after Kyoto: Alternative Approaches to Global Warming Policies*, Yale, 7 December 2005, www.econ.yale.edu/nordhaus/kyoto_120805.doc. Cédric Philibert, *Climate Mitigation: Integrating Approaches for Future International Cooperation*, information note on OECD and AIE Environment Management, 14 November 2005, www.iea.org.
11. In the aftermath of Kyoto, the most extreme positions—the Brazilian notion of historical responsibility, the American assertion of continuing divergence justified by domestic imperatives, the Indian proposal for emissions to be shared out equally per head—have been set aside. Negotiations have gradually inclined opinions towards the differentiation of efforts. The initial criterion of “acquired rights” (in the allocation of emissions rights, objectives are founded upon a country's history and its particular circumstances) has been filled out by the notions of demographic evolution, initial wealth and development needs. Admittedly, these different notions have not become explicit criteria, but they have allowed all sides to justify their varying aims in the service of a shared goal.
12. For more on this, see: Béatrice Quenault, “Protocole de Kyoto et gouvernance écologique mondiale: enjeux et perspectives des engagements post-2012”, in *Mondes en Développement*, vol. 34, n° 136, April 2006, pp. 29-47; “Changements climatiques – Quelles stratégies post-Kyoto?”, in *Vie & Sciences Économiques*, n° 166-167, November-December 2004, pp. 95-103.