

# DURBAN Conference : The Road Ahead and Lessons for India

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**I**N RECENT past, the seventeenth conference of parties (COP 17) of United Nations Framework Convention on Climate Change (UNFCCC) is concluded at Durban International Convention Centre where 195 nations of the globe participated. The people from throughout the world were anxiously waiting for the positive and stronger outcomes breaking many roadblocks created since the last two COPs at Copenhagen and Cancun. In Durban right from the beginning there were a lot of obstructions in the negotiations and irrespective of intense consultation and dialogue, a common consensus was not reaching out for which the host country South Africa extended the time period of the conference for further thirty six hours. European Union (EU) along

with Association of Small Island Countries and United States (US) were insisting that Kyoto Protocol should come to an end and India and China must take a legally binding deal with some financial commitments towards global climate change mitigation. Although China in it's action, was not very strong initially, India from the beginning along with other BASIC countries and G-77 put forward the issues of "Equity", "Intellectual Property Right (IPR)" and "Barriers to Trade", asking some more in planet's carbon space so that it can take a new deal at least after 2015, as per it's cabinet decision.

## Major Decisions / Out Come in Durban Climate Change Conference

- New Deal in a post Kyoto Protocol to be finalized by 2015 and launched by 2020

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- Second Commitment Period in Kyoto Protocol to be operational in 2013 and continue
- Green Climate Fund (GCF) Launched to boost *technology transfer* and promote *Clean Tech*
- “Equity” finds a place back in future Climate talks
- More importance to Adaptation mechanism

### Geo-political Impacts of the Negotiations

- India regains Leadership of the Developing World
- Developed Nations Leadership remains in EU’s hand
- Small Island States weakens their ties with G-77, becoming EU front
- BASIC Countries look more united, although China was in weak bond at the beginning

#### India’s Gains

- Equity along with Common But Differentiated Responsibility (CBDR) Principle retained
- Secures 10 years of Economic Growth without Carbon containment

#### India’s Losses

- IPR and technology not as well anchored in new deal
- Emissions from Agriculture Sector finds more importance in Negotiation texts

#### Agenda ahead for India

- Ensure that review of existing commitments of developed world is mandated
- Smooth Introduction of Kyoto Protocol’s Second Commitment Period



The United Nations Climate Change Conference, Durban 2011, delivered a breakthrough on the international community's response to climate change. In the second largest meeting of its kind, the negotiations advanced, in a balanced fashion, the implementation of the Convention and the Kyoto Protocol, the Bali Action Plan, and the Cancun Agreements. The outcomes included a decision by Parties to adopt a universal legal agreement on climate change as soon as possible, and no later than 2015. The President of COP17/CMP7 Maite Nkoana-Mashabane said: "What we have achieved in Durban will play a central role in saving tomorrow, today."

- Fight to place Equity, IPR and Trade issues in right prospective before all
- Negotiations for 5 years the hard talks that would set out terms of new global regime

Let us now see how important is Durban conference from India’s perspective? Although India was pleading constantly on Common But Differentiated Responsibility (CBDR), equity and IPR and unilateral technical barrier to trade issues, along with historical burden sharing to have an equitable right on per capita basis; India managed to retain equity with CBDR into negotiation’s text and got the extension of Kyoto Protocol to its second commitment period 2013–17 and a new treaty could be finalized by 2015 which would be operational from 2020. These will certainly provide India and other developing countries some more breathing space to facilitate their citizens to grow and to have access to some of the basic necessities where the developed nations will also get some little time to meet

their Kyoto commitments, which unfortunately none of them have achieved even 15 percent so far. The technical details of gains and losses will emerge in coming days as deeper assessments are made, but India certainly took the centre-stage and regained its position as the leader and moral voice of the developing world. The principle of equity found its place back and life was infused into Kyoto Protocol which will now continue to be in force beyond 2012. During Durban Climate Change Negotiations, India enjoyed a strong support and backing of African nations particularly on Equity and Common but differentiated responsibility issues.

India very strongly put its stand to go with *Bali Action Plan* which should be implemented in next two years and *Cancun Agreement* should be operationalized along with funds and technology as promised, but said no to a legally binding treaty now. India is one of the least CO<sub>2</sub>e emitter and

many of its people don't have an access to common basic necessities like food, clothing, shelter and electricity. In 2010, the per capita CO<sub>2</sub>e emissions were estimated at 16.9 tonnes for the US and 9.2 tonnes for the EU as compared to 1.5 tonnes for India and 6.8 tonnes for China. When small island countries broke away from G-77 and joined EU and the US in demanding a new deal, India was backed by BASIC countries and developing economies like Egypt, Indonesia and Pakistan. It seems the negotiators from the industrialist countries were able to remove tactfully the text of historical burden sharing from *Cancun Agreement* and a lot of damage was caused to negotiations, particularly in last two COPs.

Another positive outcome of Durban conference is regarding the modalities of a Green Climate Fund (GCF). Although GCF remains an empty shell with no new funding commitment, it was decided that the fund will start operating from 2013 and G20 would look into the details of modalities during it's sessions in 2012. Nations have backed an intention to raise \$100 billion fund in climate cash by 2020 which would be run by a 24 member board, split evenly between developing and developed countries. The World Bank would remain as an interim trustee subject to a review after 3 years and would be accountable to the board. The fund will provide money and other assistance like technology transfer relating to clean energy technologies and help poorer nations shift towards low emissions

power generation and adapt to the impacts of the climate change. Poorer nations can access funds via multi lateral lending agencies or specialist UN bodies or directly after an accreditation process. Countries can nominate domestic agencies to access funds after vetting. The United States desired greater emphasis on the role of private sector and also favoured a model based on multilateral banks playing a leading role with World Bank.

It is at the same time, a matter of concern that emission level of all the individual countries as well as that of the planet is constantly increasing. The 512 metric ton increase amounted to a near 6 percent rise between 2009 and 2010, going from 8.6 to 9.1 billion metric tonnes. These increased emissions released into the atmosphere is the result of burning coal and gas, largely contributed by China, the US and India, the world's top three Green House Gas (GHG) emitters. GHG Emissions from the US has increased to 5.25 in 2010 from 5.04 billion tonnes in 2009 and similarly EU-27 had a rise from 3.94 in 2009 to 4.25 billion tonnes in 2010. In terms of absolute annual emissions, India emitted 1.84 billion tonnes of CO<sub>2</sub>e in 2010, just 35 percent of the emissions of the US, even though the population of the US is one third of India. More over, India has already announced a cut of 20-25 percent in it's Carbon Intensity by 2020.

Another important discussion of the Conference is imposition of "Carbon Tax" on aviation and

maritime transport. The International Civil Aviation Organisation (ICAO) and International Maritime Organisation (IMO) have proposed "Carbon Tax" on the line European Union enforced the scheme for flights landing or passing through European skies, starting next year 2013 (was proposed to start from January 2012 at Durban Climate Change Negotiations but could not be approved ) under Emission Trading Scheme (ETS) and to extend the same to the shipping sector in 2015. This EU move was opposed and resisted by India, China, the US and Russia as they have agreed collectively to a bouquet of counter-measures, if EU does not withdraw it's scheme of charging additional levy, which in fact does not have the Concurrence of the apex decision making body Conference of Parties to UNFCCC yet. Indian Environment Minister Ms Jayanthi Natarajan took this issue with partners in BASIC group in a recent meeting at New Delhi.

It is quite alarming to notice that there is a geometric rise of global green house gas emissions, from 8.6 to 9.1 billion metric tons (more than 6 percent) during 2009 to 2010 in just one year time period. It is high time the whole world comes forward for rapid actions to combat climate change collectively to protect our planet. Although developing nations are doing a lot voluntarily as India is going through it's Eight national missions mode approach, at this hour, we need to shape it's outcome and be more visible and look aggressive to the world. □