

15th Conference of the Parties of the UNFCCC Peoples Struggle and Accord of Discord

1. Conference in Copenhagen

One of the most important Conferences of the Parties (COP) of the UNFCCC concluded in Copenhagen, Denmark on 19 December 2009 starting from 06 December 2009. This two weeks climate talks ended without having any agreed commitment by the country Parties, instead, by passing the traditional practice of decision making of the United Nations, the developed countries led development of 'Copenhagen Accord' where the major issues of Bali Road Map have largely ignored.

Since the adoption of Bali Roadmap in the COP 13 in December 2007, the Copenhagen Conference raised high hopes and unprecedented public and media attention around the world. Attended by some 40,000 government and NGO/ CSO representatives from 192 countries, the Copenhagen climate talks were aimed at hammering out a global climate deal to limit greenhouse gas emissions when the Kyoto Protocol's first commitment period expires at the end of 2012. The deadline came in December at the annual UN climate conference in Copenhagen where a deal was supposed to be sealed. The new deal is to tackle the causes of climate change (mitigation) and to assist countries to cope with the impacts of climate change that we can no longer avoid (adaptation).

As per science's prediction, the developing world has called on industrialized countries to commit to 40 or 45 percent cuts in emissions by 2020, compared to the 1990 benchmark. But, in all the way of Copenhagen Climate Talks the developed country Parties were found pushing obligatory emission reduction actions by the Parties of advanced developing economies-saying that the emission reduction pledge of the developed countries is premised on an effective and fair agreement with the participation of the advanced developing countries. The developed country Parties also asked for shared responsibilities of the developing country Parties in mobilizing adaptation finance. These are just talking 'out of the box' as the Kyoto Protocol, the only international treaty on curbing the output of greenhouse gases, requires the 37 industrialized countries to reduce their carbon emission by a certain amount, measured against a 1990 benchmark. Therefore, asking the developing country parties to follow the trait of the developed countries in tackling the climate change is bypassing of the 'equity principle' of the UNFCCC and denial of the historical responsibility by the developed country parties to take lead in mitigating climate crisis. Moreover, the present pledge of emission reduction, totaling 11-18 percent below 1990 level by 2020, is far below from the 'political will' of the developed country parties.

2. Copenhagen Climate Talks: the Major Agenda of Discussion

The Copenhagen Climate Talks hold 15th Conference of the Parties to the UNFCCC and the fifth Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP 5). Discussion of the summit included the tenth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP 10) and the eighth session of the Ad Hoc Working Group on Long-term Cooperative Action under

the UNFCCC (AWG-LCA 8). Discussion under the AWG-LCA 8 focused on the key elements of the Bali Action Plan (BAP) namely: adaptation, finance, technology, mitigation, capacity building and a shared vision for long-term cooperative action. The Bali Roadmap, an agreement on a two-year process, that developed in the 13th COP in 2007 focuses negotiation “tracks” under the Convention and the Protocol and set a deadline for concluding the negotiations at COP 15 and COP/ MOP 5, in Copenhagen in December 2009. Thus, the two key bodies under the Bali Roadmap are the AWG-LCA and the AWG-KP.

On the other hand, discussion under AWG-KP 10 rounded on Annex I parties’ emission reductions beyond the first commitment period under the Kyoto Protocol. In addition, parties continued to discuss other issues in the AWG-KP’s work programme, including the flexibility mechanisms, DEDD and REDD Plus, land use, land-use change and forestry (LULUCF) as well as potential consequences of response measures.

Therefore, the negotiation on AWG-LCA and AWG KP produced a number of non papers through a numbers of Working Group meetings starting from AWG-LCA 5 & AWG-KP 7 in March 2009 in Bonn, AWG-LCA 6 & AWG-KP 8 in June 2009 in Bonn, informal intersessional on AWG-LCA and AWG-KP in August 2009 in Bonn and AWG-LCA 7 and first part of AWG-KP 9 September 2009 in Bangkok, Both AWGs resumed their sessions from 2-6 November 2009 in Barcelona, Spain. All the Working Group meetings negotiated texts on the key issues and consolidated those to the non-papers which finally were forwarded to the 15th Conference of the Parties with an aspiration of a legally bound agreement by the country parties in Copenhagen.

The major issues of negotiation of the working group meetings from Bali to Copenhagen were;

- Framing second phase of the Kyoto Protocol from 2012- 2017 or to 2020 with necessary amendments.
- Framing a legally binding agreement by the country parties on the basis of Bali Action Plan that identified four major areas for negotiation; these are-
 - a) Reduction of the emission of the green house gases
 - b) Adaptation with negative impact of climate change
 - c) Technology transfer for mitigation and adaptation
 - d) Necessary financial support both for adaptation and mitigation

In relation to emission reduction the Convention provides a strong foundation for an inclusive, fair and effective international climate change regime which effectively addresses the imperative to stabilize the climate system while recognizing imperative and right of developing countries to develop, address poverty and food security. In this context the Convention is based on the principle of equity where developed countries, who are most responsible for the problem need to “take the lead”, as well as the principle of common but differentiated responsibilities where all countries would act in accordance with their responsibilities. The article 3 of the convention (referred to as equity article) stipulates that; a) Parties should protect the climate system ‘on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities, and b) Developed countries should take the lead in combating and the adverse effect thereof.

Therefore, the annex-1 countries are made responsible for mandatory emission reduction of the green house gases in a quantitative manner. Apart from this, the annex-1 countries are also made responsible for providing financial and technological support adaptation and mitigation actions of the LDCs as well of the developing countries. Global agreements must contain a sustainable development framework while giving equal importance to climate change adaptation and mitigation. The major issues of negotiation and position of the developing country parties were;

- GHG emission reduction by developed countries by 45% by 2020 compared to 1990 level
- Keep temperature rise well below 1.5 degree Celsius
- Reduce and keep greenhouse gas (GHG) concentration in the air to 350 parts per million immediately and Allow GHG concentration to peak by 2015
- Mandatory contributions from Annex-I Parties for meeting the cost of adaptation, which should be supported primarily from ‘public sources’.
- Finance should be adequate and predictable with direct, simplified and quicker access for the recipient countries
- Financial resources should be over and above the existing 0.7% Overseas Development Assistance (ODA); the proposed financial resources should not be less than 1.5% of the Gross Domestic Product contribution by the Annex-I Parties and with of increased allocation to the LDCs and SIDS
- Adaptation fund must be provided on a grant basis (not as concessional loans);
- Finance should be sustainable and in line with sovereign ownership of the recipient countries, and should be free from the domination of the existing international financial architecture especially from the World Bank which has been lobbying for a managing role in steering the adaptation funds;
- Technologies shall be free from Intellectual Property Rights and already patented technologies should be made available free of charge to the recipient countries
- Given the patterns of differentiated (historic) responsibilities, the costs for developing country adaptation are seen as debts to be borne by the industrialized world, and debts cannot be repaid by loans, or even by ‘grants’ – these reparations should not be part of the donor-recipient or patron-client relationship.

3. Accord of Discord

It was commonly expected that the Copenhagen Climate Conference would result an equitable legally binding agreement setting targets of ambitious emission reduction, adaptation financing and technological support and will provoke a path of green development to avoid dangerous climate change impacts now and in future. Against this backdrop, the outcome of this high level conference, the Copenhagen Accord, resulted a numbers of controversies and challenges. Controversy around the formation of a smaller group called “friends of the chair” and the way they worked; controversy whether a group of 26 countries was democratically selected in representational way to assist the chair of the COP; controversy around the transparency and process of decision making that played out during the meeting. Again the way of ‘top down’ decision making process challenged the traditional and historic customs of decision making of the United Nations.

Many of the developing countries strongly condemned the process of framing of this accord in untransparent' and "undemocratic' way and opposed to accept this Accord. On the other hand, few developing and least developed countries supported its adoption as a COP decision in order to operationalize it as a step towards "a better" future agreement. Finally, during an informal negotiations facilitated by UN Secretary-General Ban Ki-Moon the country Parties agreed to adopt a COP decision whereby the COP "takes note" of the Copenhagen Accord, which was attached to the decision as an unofficial document.

4. Summary of Copenhagen Accord

- No quantitative emission reduction target within a certain time frame. No agreement on the quantification of the reduction target (40-45 % emission reduction by 2020 and 85 % by 2050). The annex-1 countries will submit their aggregated or individual GHG emission reduction targets to the UNFCCC secretariat by 31 January, 2010. This means there is nothing mandatory in case of global target of 40-45% emission reduction by 2020 from the 1990 level.
- Developing countries wouldn't have any mandatory target for emission reduction. These countries will undertake the mitigation actions voluntarily considering their national capacity and in the context of sustainable development pathway. LDCs may undertake mitigation actions voluntarily in exchange of having financial and technological support.
- In every two interval developing countries will report implementation of their mitigation actions to the UNFCCC secretariat in the form of "National Communication". These reports will be reviewed, analyzed and verified internationally, but the national sovereignty of the countries will be respected.
- Emphasis will be given to the 'carbon offsetting' through supporting and developing appropriate market mechanisms, financing to REDD and REDD plus etc, while there is no indication of the level of emission reduction in the country of origin of the Annex I countries.
- Developed countries will provide US\$ 30 billion for three years period (2010-2012) equally for adaptation, mitigation and forest conservation. Although the LDCs and small island countries will have preferential access to the adaptation fund but the present commitment of adaptation fund is quite insignificant. There is indication of the amount of adaptation financing beyond 2012.

5. Bangladesh position in CoP-15

In the Copenhagen Climate Talks the country parties were found negotiating through three major blocks i) the European Union, ii) the United States, supported by Japan and Canada and, iii) the G77 and China. Besides, there are other regional blocs also like; African Group; LDC Group; The Alliance of Small Island Developing States-AOSIS; Environmental Integrity Group; Umbrella Group etc.

Among the negotiating blocs, the G 77 and China is the major one, comprises with 132 countries, which includes developing, LDCs, and the small island countries. The G 77 and China is the platform of almost all the Non Annex Country Parties who are historically not responsible for the present climate crisis. Therefore, in broader sense, G 77 and China is a distinctive negotiating bloc of common interest. But given the context of disparity in economic comparability, GDP growth of the country Parties 'G77 and China' is a heterogeneous Group mostly driven by the interests of the advanced developing countries.

Bangladesh, a major player of G77 and China Block, tried to incorporate country interest in group meetings. Besides, Bangladesh tried to uphold the climate change issues and country's vulnerability through organizing of different side events since the inception of summit. But at the end of the summit, Bangladesh tried to strengthen the LDC countries, because there a clear gap was created between advance developing countries and LDCs in case of their respective interest.

Besides the taking of common position for LDCs, Bangladesh also persuaded to introduce a separate protocol for climate change induced migrants and their social and financial rehabilitation internationally and claimed necessary compensation due to climate change.

Bangladesh didn't set any official communication, especially setting a media center or demonstration stall in conference premises by which government could draw the global attention in context of climate change impact in Bangladesh. The big official delegation was also found disorganized due to lack of proper coordination even among the civil society representatives.

6. Alternative platform and peoples' struggle

Aside with the official negotiation process of the country Parties, CSO (Civil Society Organization) across the globe also gathered in Copenhagen under an alternative platform called 'Klimaforum09' to raise people's concern and views in the climate change negotiation. EquityBD (Equity and Justice Working Group Bangladesh) participated many of the Klimaforum events and also organized a number of events to voices of the people of Bangladesh for climate justice and a 'just deal' in CoP 15.

The following demands are presented in favor of global CSO through Klimaforum-09;

- Absolute reduction of fossil fuel dependency by next 30 years period and by 2020, developed countries will reduce the GHGs at least 40% comparing the level of 1990.
- Developed countries must pay their carbon and climate debt.
- Immediate stopping of deforestation globally.
- Carbon trade and so called market base mechanism to be stopped in case of climate change actions.
- Impose tax on carbon emission.
- Climate finance will be kept free from IFIs intervention.

This was a remarkable mass-gathering in Klimaforum-09 on 12 and 16th December, 2009 where thousands of people gathered with a procession towards Bella Centre and shown their veto to the global leaders against unjustified climate change agreement.

Access of CSO and NGO representatives in Bella Centre have made limited when the peoples' protest was becoming intensified. The host country arrested many activists during peaceful procession and protest.

7. EquityBD's participation in the Copenhagen Climate Conference

EquityBD organized a photo exhibition titled "Bangladesh: The Ground Zero of Climate Change". The theme and objectives of this photo exhibition was to communicate vulnerabilities and struggle of the people of Bangladesh who are living with the impacts of climate change. This photo exhibition attracted attention of conference participants and international media.

EquityBD, in association with Saptahik and CSRL, also organized a seminar titled "Climate Change Induced Forced Migrants: in need of a new protocol under UNFCCC" was organized in association with LDC Watch and SAAPE while they termed climate migrants as 'Universal Natural Persons'. A number of CSO leaders like Kumi Naido of Green Peace International, Beverly Keene of Jubilee South, Lidy Nacpil of Jubilee South APMDD, Shaheen Anam of Manusher Jonno Foundation, and Tim Jones of World Development Movement spoke in the seminar and expressed solidarity and support to the movement.

To raise concern of the CSOs of the LDCs in climate change negotiation, EquityBD, in association with LDC Watch, Jubilee South, SAAPE, RRN and MS Action Aid Denmark, organized another seminar titled 'Issues and Concerns of the LDCs in climate change negotiation: position of the CSOs'. In this seminar CSO leaders of LDCs urged for justice to the least developed countries those are adversely affecting by the impacts of climate change. They also called all the LDCs to act together to claim compensation of carbon debt and ecological debt from the developed / annex-1 countries.

9. What we should do in future

This is not the end of struggle for climate justice. EquityBD expects more harmonized and integrated effort both the government and CSO to uphold country interest and interest of the LDCs. In this context EquityBD recommends following points to the government;

- a. Common and united national position in case climate change
- b. Strengthen alliance with the LDC and MVC (Most Vulnerable Countries) and enhancing political mobilization with those countries
- c. Government should define its position through consultation with NGO, CSO and other stakeholders and disclose national strategy on climate change negotiation.
- d. Government should select the core negotiator for next CoP-16.

For details

Md. Shamsuddoha (+88 0172 9259451)
Rezaul Karim Chowdhury (+88 01711 529792)

Equity and Justice Working Group Bangladesh (EquityBD)

House # 9/4 , Road # 2, Shamoly Dhaka -1207

Phone : (+88-02) 8125181, (+88-02) 8154673,

Fax : (+88-02)9129395, email : info@equitybd.org web: www.equitybd.org