

Analysis from Conservation International

Outcome of Durban Climate Negotiations

Seventeenth meeting of the Conference of the Parties,
United Nations Framework Convention on Climate Change (UNFCCC)
28 November – 11 December, 2011
Durban, South Africa

The 17th Conference of the Parties (COP 17) of the United Nations Framework Convention on Climate Change (UNFCCC) concluded shortly after 6:00 am Sunday, 11th December 2011—a day and a half past the deadline. As the negotiators worked through consecutive nights, it often seemed as if the meeting might collapse, failing to achieve any decision. In the end, however, 194 countries were able to agree on a number of decisions that provide meaningful progress to the multilateral climate policy process. These include:

1. A 2nd commitment period under the Kyoto Protocol, avoiding a gap in binding commitments to reduce emissions after 2012;
2. Durban Platform for Enhanced Action, establishing a process to form a legal instrument for ALL nations to commit to climate actions by 2015, with implementation by 2020;
3. Launch of the Green Climate Fund, which could provide unprecedented levels of climate finance to developing countries;
4. Operationalization of the Adaptation Committee and progress in all of the major elements related to adaptation: a work program on Loss and Damage, National Adaptation Plans; and the Nairobi Work Program (NWP), including prioritization of Ecosystem-based Adaptation and Water under the NWP next year.
5. Decisions on REDD+¹ financing, which importantly includes market-based sources of finance, and which provide needed guidance on REDD+ reference levels and social and biodiversity safeguards.

Do these decisions ensure that we will not exceed the 2 degree Celsius threshold and experience dangerous levels of climate change? They do not. They do, however, improve our chances of being able to work together to successfully address one of the greatest challenges of our time.

Additional work is required if these decisions are to result in positive change. There is still the risk that each may languish as a mere framework or unfulfilled pledge if future UNFCCC negotiations do not urgently and adequately build off of the progress made in Durban. In parallel with the UNFCCC process, we must also begin to see more aggressive action by nations, companies, communities and individuals, for 2020 will be too late to begin pursuing climate solutions if progress is not made before a new multilateral legal instrument enters into force. At the same time, the COP 17 outcomes are unexpected and extraordinary in their own way. They provide a critical glimmer of hope that we may act collectively to limit average global temperature rise to less than 2 degrees Celsius and to adapt to the changes that

¹ Reducing emissions from deforestation and forest degradation in developing countries, including the role of conservation, sustainable management of forests and enhancement of forest carbon stocks.

even that entails before the window of opportunity closes forever. Achieving these goals will, in the end, require collaborative action by all countries and the Durban decisions provide a way forward for the UNFCCC to bring such action into being.

Background

The United Nations Framework Convention on Climate Change (UNFCCC) is one of the three conventions to emerge from the Earth Summit in Rio de Janeiro in June, 1992. Today the UNFCCC enjoys universal participation—all 194 countries of the world participate. The objective of the Convention is to “prevent dangerous anthropogenic (human-induced) interference with the climate system.” Because it is a framework convention, the Convention itself does not spell out how countries will work together to achieve that goal. The Kyoto Protocol, agreed in 1997, provided the details on how Annex I (developed countries) were to reduce their greenhouse gas emissions. Not all of the UNFCCC parties (most notably the United States) have ratified the Kyoto Protocol.

In 2005 the UNFCCC began considering long-term issues—the commitments that would be needed after Kyoto Protocol’s first commitment period, which runs from 2008-2012. In 2007, countries agreed to the Bali Action Plan, which established a process and outline for a long-term agreement after 2012. Countries were to finalize that agreement in Copenhagen in 2009, but failed to do so, instead producing a political declaration—the Copenhagen Accord. The 2010 Cancun Agreements breathed new life into the multilateral process, reaffirming the desire of countries to collaborate under the UNFCCC to take climate action. The Durban outcomes solidify the intentions communicated in Cancun and have begun to provide some of the details necessary to make the Cancun Agreements implementable. They also put all of the countries of the world on a path to hammer out, by 2015, the commitments that will be necessary to avoid dangerous levels of climate change. Below is an analysis of recent progress under the UNFCCC in Durban, in which over 12,000 government, NGO, indigenous, academic and private sector representatives participated. Additional information can also be found on the UNFCCC website, the CI website, and CI blogs.

Durban Outcome

Conservation International went to Durban in order to pursue 3 overarching goals. On all 3, parties to the UNFCCC were able to deliver. As stated above, more work remains to be done, but for now we are satisfied that the following has been accomplished:

- The Kyoto Protocol, the environmental milestone adopted in 1997 to hold developed countries accountable for legally-binding emissions reductions, has been preserved.
- A mandate has been established to develop a legally-binding agreement (or something very close) for all countries by 2015 at the latest.
- Details have been agreed that build off of last year’s Cancun Agreements. This includes the launch of the Green Climate Fund, rules for REDD+ and progress on adaptation.

The Durban decisions are available online and include:

- [Establishment of an Ad Hoc Working Group on the Durban Platform for Enhanced Action](#)
- [Report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention](#)
- [Launching of the Green Climate Fund](#)

Kyoto Protocol

A second commitment period under the Kyoto Protocol was agreed upon and will begin on 1 January 2013 and end either on 31 December 2017 or 31 December 2020, to be decided by AWG-KP 17. Importantly, the definition of quantified emission limitation and reduction objectives (QELROs) was deferred, enabling governments to agree on to a commitment period, but pushing off the important

question of how much each party will agree to reduce emissions until COP 18. Russia and Canada withdrew from the second commitment period, weakening the potential emission reductions of the future of the Kyoto Protocol. The aim is that countries will commit to reduce emissions by at least 25-40% below 1990 levels by 2020, but it is unclear which nations beyond the EU will sign up to the second commitment period. Even so, this is a major political victory and preserves the rules-based mechanism at least for the short term.

Ad-hoc Working Group on the Durban Platform for Enhanced Action (AWG-DP)

The Durban Platform initiates a new set of negotiations to be concluded by 2015 at the latest so that they can be implemented by 2020. The Durban Platform enhances the Bali Action Plan and Cancun Agreements by specifying that the end result should be “a protocol, another legal instrument or an agreed outcome with legal force”. If successful, it will also go further than the Kyoto Protocol in that it will apply to all countries—both developed and developing—and can bring countries, such as the United States, which never ratified the Kyoto Protocol, into the fold. It is important to note that while the agreement pertains to all countries, it can and should still respect the principle of “common but differentiated responsibility.” The decision looks to increase the level of ambition and notes “with grave concern” the gap between mitigation pledges and the effort needed to hold global average temperature rise below 2 or 1.5 degrees Celsius. This may entail a move away from the “pledge and review” system that Copenhagen shepherded in. Parties and observers should submit their views by 28 February 2012.

Finance and the Green Climate Fund

The launch of the GCF was one of Durban’s major areas of success, and a number of features make the fund relatively innovative in regards to multilateral development finance. Decisions were made on the legal personality, the host country selection process, and a process for conferring legal personality on the Fund. Parties were unable to agree on the permanent secretariat or the host country. The fund will include windows for mitigation and adaptation as well as a “private sector facility”, and does not close the door on additional windows to be determined later.

On another important front, Durban failed to identify or mobilize sources of finance for the post-2012 period. While this was largely anticipated, it is additionally disappointing that the decision does not include a comprehensive pathway for making progress in this area. Instead, countries simply agreed on a work program on long-term finance with no specific goals nor timetables besides the previously agreed goal of mobilizing \$100 billion per year by 2020. There also was not mention of any specific potential sources of finance, such as measures to address international aviation and maritime emissions. In addition, the decision urges developed countries to enhance the transparency surrounding their efforts to fulfill their fast-start finance commitments. CI shares others concerns that if sources of medium- and long-term finance are not addressed soon, the GCF will remain an empty shell and the ability of developing countries to pursue climate change solutions will be greatly constrained.

The Durban decision further elaborated the functions of the Standing Committee, which is intended to provide recommendations regarding the UNFCCC’s financial mechanism. Amongst other things, this will aid in the understanding of the geographical and thematic balance in the allocation of climate funds, both within and outside the UNFCCC, and improve linkages and coherence of climate funding.

Finally, parties in Durban agreed on common formats for how developed countries should report on financial contributions so that they can be transparently tracked.

REDD+

The LCA outcome included a decision on REDD+ finance. The decision agrees that a wide variety of sources of finance should be available for REDD+, referencing market-based sources of finance for the first time in a COP decision in relation to REDD+. It states that “appropriate market-based approaches

could be developed by the Conference of the Parties to support results-based actions.” Regardless of the source of financing, the REDD+ safeguards are relevant. The LCA will consider further issues relating to REDD+ finance next year and parties and observers are to submit views on “modalities and procedures for financing results-based actions” by 5 March 2012.

In addition, a decision was made based on the SBSTA work on safeguards and reference levels ([REDD+: Safeguards and reference levels](#)). This decision builds on existing guidance. In the case of systems for providing information on how safeguards are addressed and respected, the decision clarifies that the process should be transparent, that the information should be accessible by all relevant stakeholders and that the information should be regularly updated. While the Cancun decision had been unclear as to whether information would be provided at the international level, under this decision all countries undertaking REDD+ activities will provide a summary to the COP in their national communications. Further guidance is still needed in order to ensure that the first provision of information is early enough in the process and to provide some consistency in the information being provided by various countries so that it is easily understood.

The decision also outlines a process for submitting reference levels. It defines reference levels in terms of fluxes and clarifies that the most recent IPCC guidance and guidelines should be used. Reference levels, as in 4/CP.15, are to be based on historical data and may be adjusted for national circumstances. While this provides scope for countries with high forest cover and low historical rates of deforestation to establish reference levels with space for them to demonstrate progress, it also does not constrain adjustments which may impact overall environmental integrity. The decision does, however, ask countries to transparently provide both information and rationale, which can help ensure that data are good and that any adjustments are justifiable. Of course, we will have to follow the submission and review process closely to ensure that the reference levels are well constructed and overall environmental integrity is maintained.

Parties and observers are invited to submit their views on 1) drivers of deforestation and 2) national forest monitoring systems by 28 February 2012.

Adaptation

Adaptation was raised to a new level in Cancun last year with the creation of the “Cancun Adaptation Framework” and “Adaptation Committee” under the LCA, along with an agreement to discuss a work plan on Loss and Damage, extension and expansion of the Nairobi Work Program, and creation of National Adaptation Plans. In Durban, countries made significant progress by fleshing out the details of those elements and moving them forward.

One important element of progress was the operationalization of the adaptation committee. This includes the creation of a work plan during its first year which should include milestones, activities, deliverables and resource requirements, and employ the following modalities to fulfill its functions:

- Workshops and meetings;
- Expert groups;
- Compilation, review, synthesis, analysis reports of information, knowledge, experience and good practice;
- Channels for sharing information, knowledge and expertise; and,
- Coordination and linkages with all relevant bodies, program, institutions and networks, within and outside the Convention.

The Adaptation Committee, in addition to developing its work plan, is requested to initiate some of the activities contained in Annex V during its first year, which include:

- providing recommendations to the COP on ways to improve coherence among adaptation elements under the Convention;
- reviewing the capacity of regional centers and making recommendations on how to enhance their role in the COP;
- synthesizing information knowledge relating to, *inter alia*, implementation of adaptation activities and good adaptation practices; and,
- upon request, considering technical support and guidance to parties as they develop national adaptation plans, and work in support of the work program on loss and damage.

The Committee meetings will be open to accredited observers unless otherwise decided by the Committee and will report annually to the COP via the subsidiary bodies. It will engage with all adaptation related programs in the UNFCCC, engage with all relevant institutions, and be composed of 16 elected members that represent all five United Nations regional groups, small island developing States, Least Developed Countries, Annex 1 and non-Annex 1 countries. Due to its breakdown, the composition of the Committee will have a majority of representatives from developing states.

Another important element related to adaptation in Durban was a decision to set out a work program on Loss and Damage, or compensation for climate impacts in vulnerable developing countries that are too great to adapt. There are three main thematic areas that the work program will elaborate on: assessing risk and current knowledge on loss and damage associated with adverse effects of climate change; looking at a range of approaches to address loss and damage due to adverse effects, including extreme weather and slow onset events; and looking at the role of the Convention in enhancing the implementation of approaches to address loss and damage. This decision includes highlighting the importance of understanding the data gaps, tools, and approaches for dealing with climate impacts to different sectors and ecosystems.

The COP also acknowledged that national adaptation planning can enable all developing and developed country Parties to assess their vulnerabilities, to mainstream climate change risks and to address adaptation. A decision was therefore made to support National Adaptation Plans for medium to long term planning that do not detract from current short term NAPAs. This included a call for financial support for Least Developed Countries to undertake NAPs through a variety of streams including the Least Developed Climate Fund under the GEF, and other multilateral and bilateral funds. There is also a call to other developing countries to use the modalities or guidelines outlined in the decision to implement NAPS. Importantly, this decision highlighted the need for iterative adaptation planning that is integrated across sectors and takes into consideration vulnerable groups, communities and ecosystems, as well as the best available science and traditional knowledge.

Additionally there was a decision to extend the Nairobi Work Program (NWP) and continue to look at specific activities for the program as well issues for it to address. As such, NWP will be holding two workshops in the next year. The workshops will be focused on 1) water and climate change impacts and adaptation strategies, and 2) ecosystem-based approaches for adaptation to climate change, taking into account the role of ecosystems; vulnerability and impacts in ecosystems; the implementation and benefits of ecosystem-based approaches for adaptation; and lessons learned, including through the three Rio Conventions.

Adaptation has moved forward significantly in Durban. Progress was made through decisions on all of the major elements: the Adaptation Committee, a work program on Loss and Damage, National Adaptation Plans; and the Nairobi Work Program. Additionally, a window was created in the Green Climate Fund to support adaptation and balance between adaptation and mitigation funding was emphasized. Vulnerable communities and the ecosystems that support them were acknowledged and

referenced in several decisions as critical for understanding how climate will impact the world and for finding adaptation solutions. Participatory processes and the value of the best available science and traditional knowledge were also referenced and acknowledged as important elements of effective adaptation. However, adequate funding, meaningful outputs from workshops, and effective implementation on the ground will all be necessary in the future to see these decisions resulting in positive change.

Agriculture

While a program of work on agriculture under the SBSTA was not technically created in Durban, SBSTA is to consider issues related to agriculture next year for a COP decision at COP 18. Since this comes from a decision under sectoral approaches, it is not clear if this will include both mitigation and adaptation, however, parties and observers are to submit their views by 5 March 2012. A general framework for sectoral approaches was not decided on and will be considered further next year. Discussions also took place regarding the Nairobi Work Program and food security, but no workshops have been scheduled to give this issue special attention in that space.

Markets

In addition to the REDD+ decision, the LCA also addressed market-based approaches generally and defined a new market-based mechanism operating under the authority of the COP. This is meant to maintain and build on the existing flexibility mechanisms under the Kyoto Protocol. This decision emphasizes that various approaches, including markets, “must meet standards that deliver real, permanent, additional and verified mitigation outcomes, avoid double counting of effort, and achieve a net decrease and/or avoidance of greenhouse gas emissions.” Submissions on this issue are due by 5 March 2012.

Transparency and Accountability (MRV)

Decisions were made in Durban regarding a variety of means for measuring, reporting and verifying (MRV) emissions and actions. MRV is important because without transparency and accountability there is no way to know if countries are meeting their commitments and if the UNFCCC will, in fact, be able to achieve its goal. For developed countries, Durban fleshed out the details of the Cancun Agreements in 2 areas. The Durban decision clarifies that the first biennial reports should be submitted by the beginning of 2014 and outlines what information countries need to report regarding their economy-wide targets. It also provides the rules for International Assessment and Review (IAR), including a 2-step process including technical analysis by experts of the reports and multilateral assessment of each country’s progress towards its emissions reduction target.

Similar details were agreed for developing countries. In their case, the first biennial update report should be submitted by the end of 2014, with exemptions for least developed countries and small island states. Emissions data should be no more than 4 years old, use IPCC methodologies, and provide information on the actions each country takes. The rules are provided for International Consultation and Analysis (ICA) and, as for developed countries, include technical analysis and multilateral assessment.

Geopolitics

On a geopolitical front, we have seen the EU, after a lapse, show leadership once again by teaming up with the Alliance of Small Island States (AOSIS) and the Least Developed Countries (LDCs) and leaders, like Brazil. China continues to demonstrate its role as an emerging leader. And while the impasse in the US continues to be a barrier to progress, it is no longer blocking progress as completely as previously, in many ways thanks to the joint approach that was put forward by the EU/LDCs/AOSIS/Brazil.

Next Steps

Negotiations will continue in 2012 and more work is needed if we are to achieve the full potential of the Durban Platform and of the other measures discussed at COP 17, such as the Green Climate Fund, REDD+ and adaptation. Progress will also be needed outside of the UNFCCC by the nations, corporations, communities and individuals whose actions hold the key to climate solutions. Conservation International looks forward to working on both fronts and at all levels (global, national, local) with all of those pursuing a stable global climate.