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Durban and the road ahead

Elizabeth May, MP

Home on Canadian soil for the last few weeks, I have been happy to enjoy Christmas in Sidney, but having trouble shaking the residual depression from Prime Minister Harper's decision to legally withdraw from Kyoto.

Naturally, most Canadian media coverage focussed on Canada's role in Durban, not on the results.

To give you a sense of the nail-biting finish, look at this photo, taken (not by me) in the wee hours of Sunday, December 11 as two weeks of negotiations, and three days of round the clock talks, hung by a thread.

Since 2005, climate talks have been moving along two tracks—decisions under the 1992 UN Framework Convention on Climate Change (described as the Long-term Cooperative Action, or LCA, track) and under the 1997 Kyoto Protocol. The key difference between the two tracks is that the US is part of the 1992 FCCC, but not Kyoto. All other countries are within Kyoto, but the support for a second commitment period has been waning. Sub-issues abound, from funding adaptation, to monitoring, to how to account for changes to forest cover. It is ultimately enormously complicated. But it would be a mistake to think it is challenging primarily due to its complexity. It is challenging because the weight of some of the biggest corporations in the world, Big Oil and Big Coal, have been blocking progress.

People talk about 'the UN' as though it were a building, or a bureaucracy. It is both, but it is in its workings, and failings, a collection of nations, and they are a collection of people.

This photo illustrates what the UN looks like. It is not institutional. It is excruciatingly human. Here you see the faces of the key movers of progress (or blockers of progress depending on where you sit) after many sleep-deprived hours.

Standing is the President of COP17, the woman who chaired all proceedings, formal and informal, South African Minister of International Relations, Maite Nkoana-Mashabane. To her left sits India's Minister of Environment and chief climate negotiator, Jayanthi Natarajan. Across from her, the blond woman in profile is Denmark's former

environment minister, the woman who unsuccessfully battled her own prime minister to try to avoid disaster in Copenhagen at COP15. (William Marsden's new book, *Fools Rule: Inside the Failed Politics of Climate Change*, Knopf Canada, has nailed down critical details of how and why COP15 went so very badly). Connie Hedegaard left Danish politics soon after the Copenhagen train-wreck to take up the challenge of negotiating climate on behalf of the EU.

There in that snapshot is the drama of our future in negotiation. Three women working in English, not the first language of any of them, translation headsets abandoned on the table. In the end, it was the Brazilian minister who found the language that allowed the whole package of agreements to be approved (dubbed 'weasel words' by *The Economist*, and not unjustly). Instead of 'legally binding' agreements under the LCA track, the Durban agreement sets out that the LCA commitments will be in the form of a 'protocol, another legal instrument or an agreed outcome with legal force.'

Some have denounced Durban as a complete failure; others claim it was an historic breakthrough. In truth, it was a bit of both. If this set of agreements were all we ever achieved to reduce emissions, human civilization would not have much hope of survival. But if the negotiations had made no progress at all, our hope of future progress would be dashed. As Gwynne Dyer commented in his analysis, *Suicide Pact in Durban* (gwynnedyer.com), 'The outcome at Durban could have been even worse—a complete abandonment of the concept of legal obligations to restrict emissions—but it was very, very bad.'

What the EU, low-lying island states, Africa and environmental groups all wanted was a legally binding second commitment period under Kyoto. A second commitment period under Kyoto was also the sine qua non for China, Brazil and other growing economies to take on new commitments under the LCA track. EU leadership gained the lifeline to Kyoto with a second commitment period, to begin January 1, 2013, avoiding any gap in legally

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mandated reductions.

The weakness is obvious. The targets for reductions, on the order of 20-30% below 1990 levels by 2020, only apply to the European Union and a handful of other countries -- Norway, New Zealand and Australia.

But what did the EU gain to win that second commitment period? An LCA track decision for an all-inclusive set of reductions (having 'legal force') negotiated by 2015, to take effect by 2020.

And here is where it is clear the negotiations failed. 2015 is too late to act and 2020 is certainly too late to avoid shooting way past those tipping points in the atmosphere that preclude civilization from having a chance. As one scientist put it to the BBC:

'The agreement here has not in itself taken us off the four-degree Celsius path we are on, but by forcing countries for

the first time to admit that their current policies are inadequate and must be strengthened by 2015, it has snatched two-degrees Celsius from the jaws of impossibility.

'At the same time it has re-established the principle that climate change should be tackled through international law, not national voluntarism.' (Michael Jacobs, visiting professor at the Grantham Research Institute on Climate Change and the Environment in London, UK).

Lessons from Durban? Kyoto still matters. For Canadians to help the global process, we need to reverse the letter of intent to withdraw from Kyoto, which will not take effect until December 31, 2012. Somehow, we need to mobilize a global public to take on the fossil fuel industry.

There is still hope, but with each year's delay, we have less time. The atmosphere is not negotiating with humanity. And time is not our friend. ☞