



## Analysing COP17

### 1. Introduction

From 28<sup>th</sup> November to 9<sup>th</sup> December 2011 South Africa hosted 'COP17 – CMP7' the 17<sup>th</sup> Conference of the Parties (COP17) to the United Nations Framework Convention on Climate Change (UNFCCC). The term 'parties' refers to the States that have signed on to the UNFCCC and which have been meeting annually in 'Conferences of the Parties' to assess progress in dealing with climate change since 1995. The event was also the 7<sup>th</sup> session of the Conference of the Parties serving as a 'Meeting of the Parties' (CMP7) to the Kyoto Protocol. Maite Nkoana- Mashabane, Minister of International Relations and Co-operation, chaired the meeting, while Edna Molewa, Minister of Water and Environmental Affairs, led the national delegation. COP17 – CMP7 was anticipated as marking a critical moment in the ongoing international climate change negotiations; whether it in fact did so remains an open question.

### 2. South Africa's Position

South Africa's negotiating stance was informed by numerous national and regional considerations. Its key objective was to encompass the continent and to draw those most vulnerable into the centre of the debate. This event, coined 'the African COP', represented an opportune moment for the continent to lift its profile in the multilateral system. To do this, South Africa needed to reconcile its own national priorities and interests with those of the region and to work alongside African Union (AU) members in strengthening their common voice.

In 2009 the Africa Group began to use its collective bargaining weight to influence these international processes. The 54-member bloc has

made attempts to harmonise its position in the negotiations and to turn numbers into real political clout. However, the Africa Group remains divided by varying national priorities, defined by members' respective population sizes; geography; the composition of their economies; and the make-up of their emission profiles. Climate change challenges are felt locally, and countries respond according to their national circumstances. For example, Algeria, Angola, Libya and Nigeria, all members of the Organization of Petroleum Exporting Countries, focus primarily on response measures, concerned that a decrease in the use of petroleum products and increased investment in renewable energies will have a negative impact on oil-exporting countries. Small island developing states (SIDS) claim that they are already experiencing climate impacts, and thus seek urgent and more ambitious efforts to adaptation and disaster risk management.<sup>1</sup>

### 3. History and Background

The Kyoto Protocol is an international agreement, linked to the UNFCCC, which sets binding targets for 37 industrialised countries and the European Union<sup>2</sup> for reducing greenhouse gas emissions. The major difference between the Protocol and the UNFCCC is that, while the UNFCCC encourages industrialised countries to stabilise greenhouse gas emissions (GHGs), the Protocol *commits* them to do so. The Kyoto Protocol was adopted in Kyoto, Japan, on 11<sup>th</sup> December 1997 and entered into force on 16<sup>th</sup> February 2005. The commitment period of the Kyoto Protocol ends in 2012, meaning that the negotiation and ratification of a new international framework is necessary to deliver the stringent emission reductions as recommended by the Intergovernmental Panel

on Climate Change (IPCC). It was with this heavy expectation that COP17 – CMP7 got down to business.

But COP17 was not the first attempt to come up with a new binding agreement. COP15, which took place in Copenhagen, Denmark in 2009 called for a new deal but could only come up with the ‘Copenhagen Accord’, which is not a legally binding agreement. COP16, which took place in Cancun, Mexico in 2010 resulted in the ‘Cancun Agreements’. Earlier, the ‘Bali Action Plan’ was agreed upon at COP13 in December 2007, in Bali, Indonesia. The action plan called for the full, effective and sustained implementation of the UNFCCC through long-term cooperative action up to and beyond 2012, by addressing:

- *A shared vision for long-term co-operative action, including a long-term global goal for emission reductions.*
- *Enhanced national/international action on mitigation of climate change.*
- *Enhanced action on adaptation.*
- *Enhanced action on technology development and transfer to support mitigation and adaptation.*
- *Enhanced action on the provision of financial resources and investments to support mitigation and adaptation and technology co-operation.*

COP16 in Cancun was significant in two key respects:

1. *The international community agreed, firstly, to address the long-term challenge of climate change collectively and comprehensively over time, and, secondly, to take concrete action now to speed up the global response.*
2. *These agreements represented key steps forward in efforts to reduce greenhouse gas emissions and to help developing nations protect themselves from climate impacts and build their own sustainable futures<sup>3</sup>.*

More recently, however, negotiations on the legal form of a future climate agreement have reached a stalemate. On the one side, developing countries are in favour of a second commitment period for the Kyoto Protocol. They view the Protocol as the only mechanism for providing legally-binding verification and sanction tools, without which developed countries cannot be held accountable for their emission reductions.

On the other hand, Canada, Japan, and Russia have indicated that without the US, which signed the Protocol, but has not ratified it, they are opposed to its continuation. For its part, the US has emphasised that it will not take on binding emissions targets unless emerging economies such as China are also obliged to do so. And in December 2011, at the end of COP17, Canada announced that it was withdrawing from the Protocol.

#### **4. Fisheries and Agriculture**

The fisheries industry plays a critical role in contributing to food security and livelihoods in many African states. It is thus of great importance for fisheries-dependant states to ensure that the impact of climate change on marine and freshwater systems is integrated into their national adaptation plans.

African countries are amongst the most vulnerable to climate change when it comes to fisheries. Adaptation efforts on the continent recognise that ecological systems that are already weakened by habitat destruction, over-fishing and illegal fishing will be less resilient in the face of climate change. African states saw it as crucial to ensure that the issues of fisheries and coastal adaptation were included in the broader agenda on food security and adaptation during the COP17 negotiations; dealing with the emerging climate-related threats, as well as governance issues regarding illegal and excessive fishing, formed a crucial part of the continent's response to climate change at COP17<sup>4</sup>.

Agriculture employs 65% of Africa's labour force yet it is the only continent unable to grow enough to feed itself. As a result, in the months leading up to the Conference, the Department of Agriculture, Forestry and Fisheries had been strategising on ways to make the ‘African agricultural voice heard at COP17’.<sup>5</sup> Much of the debate on food security has focussed on climate-smart agriculture, and the SA Agriculture Ministry organised a side-event on ‘climate smart agriculture’ (CSA). At this event Kofi Annan, the former UN Secretary General, acknowledged that agriculture had been sidelined from the climate change debate for too long. In her speech, the SA Minister of Agriculture and Fisheries stated that it was time to come up with an action plan for CSA, proclaiming: “We have done the talking, now we need to do the work.”<sup>6</sup> Unfortunately the status quo remains – there was no inclusion of

agricultural mitigation measures in the final COP17 agreements.

## 5. Official Decisions

A number of decisions were reached at the end of COP17, some of them of general interest and others that were quite technical. We will focus on some of the main agreements below:

- *Establishment of an Ad-hoc Working Group on the Durban Platform for Enhanced Action*

The Durban Platform for Enhanced Action was established in order to negotiate a new legally-binding global agreement by 2015, which must come into effect by 2020. 190 nations agreed to it, and a working-group was chosen to begin the process.

- *Launching of the Green Climate Fund*

The Green Climate Fund (GCF) was founded within the framework of the UNFCCC as a mechanism to transfer money from the developed to the developing world, in order to assist developing countries with adaptation and mitigation practices to counter climate change. Its legal basis can be found in the Copenhagen Accord adopted during COP15 in 2009. The Fund will support projects, programmes, policies and other activities in developing countries using 'thematic funding windows'.<sup>7</sup> It aims to raise \$100 billion per year by 2020.<sup>8</sup>

- *REDD+ : Safeguards and reference levels*

Deforestation and forest degradation are the second leading cause of global warming, which makes the loss and depletion of forests a major issue for climate change. In some countries, such as Brazil and Indonesia, deforestation and forest degradation together are by far the main source of national greenhouse gas emissions. Reducing Emissions from Deforestation and Forest Degradation (REDD+) is a global initiative designed to reward groups or countries financially for protecting their forests and reducing emissions of especially CO<sub>2</sub>. It aims to reduce net emissions on a global scale. If it succeeds, it could help protect the world's forests as carbon reservoirs and maximize their potential for slowing down and

reducing the impact of climate change. At COP17, parties agreed that REDD+ should:

1. Be consistent with the guidance identified in decision 1 of COP16;
2. Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
3. Be transparent and flexible to allow for improvements over time;
4. Provide information on how all safeguards are being addressed and respected;
5. Be country-driven and implemented at the national level and;
6. Build upon existing systems, as appropriate.

In the same decision, UNFCCC Parties also agreed on modalities for forest reference emission levels and forest reference levels as benchmarks for assessing each country's performance in implementing REDD+ activities<sup>9</sup>.

- *Emissions trading and project-based mechanisms*

There was a reconfirmation by the parties that the use of these mechanisms should be supplemental to domestic action, and that domestic action would thus constitute a significant element of the effort made by each party to meet its quantified emission limitation and reduction commitments under the Kyoto Protocol. The Parties also decided that at their next session (COP18) they will review the design of the commitment period reserved to support the effective operation of emissions trading and revise it as appropriate, taking into account, inter alia, the relevant rules, modalities, guidelines and procedures for measuring, reporting, verification and compliance.

- *National adaptation plans and a review of the adaptation fund*

It was agreed by the parties that the objectives of the national adaptation plan process would be as follows:

1. To reduce vulnerability to the impacts of climate change by building adaptive capacity and resilience;

2. To facilitate the integration of climate change adaptation, in a coherent manner, into relevant new and existing policies, programmes and activities, in particular development planning processes and strategies, within all relevant sectors and at different levels, as appropriate;
3. The adaptation process should be based on nationally identified priorities, including those reflected in the relevant national documents, plans and strategies, and co-ordinated with national sustainable development objectives, plans, policies and programmes;
4. The enhanced action on adaptation should follow a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional and indigenous knowledge, with a view to integrating adaptation into relevant social, economic and environmental policies and actions.

## 6. Roundtable Discussion

The CPLO hosted a roundtable discussion on 24 February 2012 entitled *Analysing COP17*. The speakers for the event were Sidney Luckett, COP17 advisor to the Western Cape Provincial Government; Shaka Dzebu of the Justice and Peace Commission; Jessica Wilson of the Environmental Monitoring Group; and Muna Lakhani of Earthlife Africa.

Like many others, Mr Luckett had not been expecting an outcome on emissions because he had resigned himself to the idea that the Kyoto Protocol was a dead duck, and that other solutions needed to be found. He was not surprised to discover that many of the decisions at COP17 involved agreeing to timelines to create plans for the future. South Africa's National Development Plan, which spoke of transitioning to an environmentally resilient low-carbon economy that is socially just and economically sustainable was a promising step because, come what might, the country needed to reduce its carbon emissions.<sup>10</sup>

Mr Dzebu shared more about the way in which the Catholic Justice and Peace Department found in some of its research that there was little

knowledge on the ground about climate change, not due to ignorance but rather because poor people were mostly concerned with 'more important' bread and butter issues. J+P had launched a campaign called *Act Now for Climate Justice* which aimed to raise awareness of the effects of climate change, environmental issues and COP17, as well as inspire action at a grass-roots level which would contribute to the mitigation of climate change. The campaign saw participants embarking on a 1400 km cycle challenge from Musina to Durban, putting on 17 road-shows in the process. During the challenge it was observed that national policy is being made but is not trickling down to the local government sphere. The initiative took 160 community members to COP17 and also took them on an educational tour looking at the Durban South refinery and exploring the effect it has on the environment. The J+P campaign heightened environmental consciousness among participants as well as among community members encountered on the way to Durban; it also enhanced interaction between Justice and Peace and local government.

In an article for the South African Journal on Science,<sup>11</sup> Jessica Wilson wrote that the Kyoto Protocol notoriously established several market mechanisms and 'carbon sinks', which allow signatories not to actually reduce emissions, but rather to buy 'carbon credits' from other countries. Although this was problematic, the Protocol was still the only international legal instrument with quantified emission reduction targets, and the fact that it survived Durban with an agreement to a second commitment period was perhaps worthy of a small celebration. However, there were still various problems: firstly, there are currently no targets for the second commitment period, which is due to start in 2013; secondly, Canada, Russia and Japan have withdrawn, and the USA never signed on in the first place; and thirdly the countries that have agreed to do something contribute less than 20% of global emissions, based on 2000 data.

Ms Wilson also stated that the private sector, although a huge contributor to climate change, was not contributing to the Climate Green Fund, but was rather accessing money *from* the fund. She asserted that UNFCCC took too long to make decisions and that historical emitters were being let off the hook due to the power dynamics that run the UNFCCC. She said she found the UNFCCC to lack political leadership and that those taking climate change seriously had no power to

influence the negotiations. The commoditisation of natural resources and public goods such as soil and forests was a rising and worrying trend; future global prospects should include building on the compelling concept of the Rights of Nature,<sup>12</sup> and protecting and reclaiming public goods.

Muna Lukhani declared that sustainable development is the discipline of seeing to needs of the present generation without compromising the needs of future generations; when we examine the over-consumption surrounding us it is clear that this discipline has been lost. Our moral compass has been lost and needs to be rediscovered through climate justice and observing the rights of nature as was done by the progressive Cochabamba Resolution<sup>13</sup>. Mr Lukhani also referred to the new 'mortal sins' proposed by Bishop Gianfranco Girotti on 10 March 2011. These were: 'bioethical' violations; 'morally dubious' experiments such as stem cell research; drug abuse; polluting the environment; contributing to the widening divide between rich and poor; excessive wealth; and the creation of poverty.<sup>14</sup>

## 7. Conclusion

It cannot be denied that people in various parts of the world are dying at the moment due to lack of food and water for a host of 'traditional' reasons; people in this condition cannot be expected to

give much attention to the possibility that in 50 years time something else – climate change – will be making it even more difficult for them to access food and water. Many poverty-stricken South African communities are therefore not familiar with climate change, and the fact that COP17 was held in Durban allowed many civil society organisations and government to educate and inform people about climate change and the effects thereof, the changes they can make as individuals, and how to advocate on these issues to local government.

But there must also be a word of caution. Over the years more and more data is being collected and analysed on climate change, and with the new data come new questions: is climate change happening in a linear manner, or is it more complex than that? Can the increase in carbon dioxide in the atmosphere really be attributed to prolonged detrimental human activities (i.e.: is it anthropogenic), and is this increase itself harmful? Should we not be more concerned with curbing our over-usage of chemicals such as nitrogen due to their adverse environmental effects? Not all these questions have clear answers, but it is up to us ordinary people to respect ourselves and nature, to re-jig our moral compass, and to oppose both harmful practices and false solutions.

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<sup>1</sup> Chevallier, Romy. 2011. 'COP17: What role for South Africa as an Agent of Change', *SAIIA Policy Briefing Paper 38*. [http://www.saiia.org.za/images/stories/pubs/briefings/saia\\_spb\\_38\\_chevallier\\_20111108.pdf](http://www.saiia.org.za/images/stories/pubs/briefings/saia_spb_38_chevallier_20111108.pdf).

<sup>2</sup> Australia; Austria; Belarus; Belgium; Bulgaria; Canada; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Ireland; Italy; Japan; Latvia; Liechtenstein; Lithuania; Netherlands; New Zealand; Norway; Poland; Portugal; Romania; Russian Federation; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; Ukraine; United Kingdom; United States.

<sup>3</sup> [http://unfccc.int/files/press/backgrounders/application/pdf/fact\\_sheet\\_the\\_kyoto\\_protocol.pdf](http://unfccc.int/files/press/backgrounders/application/pdf/fact_sheet_the_kyoto_protocol.pdf).

<sup>4</sup> Benkenstein, Alex. 2011. 'Placing Africa Fisheries on the COP17 Agenda', *SAIIA Policy Briefing Paper 40*. [http://www.saiia.org.za/images/stories/pubs/briefings/saia\\_spb\\_40\\_benkenstein\\_20111114.pdf](http://www.saiia.org.za/images/stories/pubs/briefings/saia_spb_40_benkenstein_20111114.pdf).

<sup>5</sup> Christie, Sean, 2011. 'Agriculture on the Sidelines at COP17', *Farmers Weekly* <http://www.farmersweekly.co.za/article.aspx?id=11100&h=Agriculture-on-the-sidelines-at-COP-17>.

<sup>6</sup> Climate Smart Agriculture Highlighted at COP17 Talks [www.wfp.org/stories/climate-smart-agriculture-csa-highlighted-cop17](http://www.wfp.org/stories/climate-smart-agriculture-csa-highlighted-cop17).

<sup>7</sup> [http://en.wikipedia.org/wiki/Green\\_Climate\\_Fund#cite\\_note-UNFCCCTrans-1](http://en.wikipedia.org/wiki/Green_Climate_Fund#cite_note-UNFCCCTrans-1)

<sup>8</sup> [http://en.wikipedia.org/wiki/green\\_climate\\_fund](http://en.wikipedia.org/wiki/green_climate_fund).

<sup>9</sup> [http://unfccc.int/files/meetings/durban\\_nov\\_2011/decisions/application/pdf/cop17\\_safeguards.pdf](http://unfccc.int/files/meetings/durban_nov_2011/decisions/application/pdf/cop17_safeguards.pdf).

<sup>10</sup> National Development Plan

<http://www.npconline.co.za/medialib/downloads/home/NPC%20National%20Development%20Plan%20Vision%202030%20lo-res.pdf>.

<sup>11</sup> Wilson, Jessica, 2012. 'Diplomats Fiddle while Africa Burns', *South African Journal on Sciences*.

<sup>12</sup> <http://therightsofnature.org/what-is-rights-of-nature>.

<sup>13</sup> <http://pwccc.wordpress.com/2010/04/24/peoples-agreement>.

<sup>14</sup> [http://www.catholicnewsagency.com/news/vatican\\_bishop\\_points\\_to\\_modern\\_social\\_sins/](http://www.catholicnewsagency.com/news/vatican_bishop_points_to_modern_social_sins/).

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