

COMMENT

## Durban Dilemma

THE UN CLIMATE CHANGE CONFERENCE in Durban ended on Sunday (11 November 2011) morning with the launch of negotiations for a new global climate deal to be completed in 2015.

The new deal aims to ensure “the highest possible mitigation efforts by all parties”, meaning that the countries should undertake deep greenhouse gas emissions cuts, or lower the growth rates of their emissions.

It will take the form of either a protocol, another legal instrument or an outcome with legal force.

In a night of high drama, the European Union tried to pressurise India and China to agree to commit to a legally binding treaty such as a protocol, and to agree to cancel the term “legal outcome” from the list of possible results, as they said this was too weak an option.

The EU and the United States have said they want major developing countries to undertake emissions-cutting obligations similar to them.

This is a departure from the Climate Change Convention which distinguishes between the binding commitments that rich countries have to undertake and the voluntary climate actions that developing countries should do.

At the same time, it also took steps to wind down the current framework of climate talks, comprising the Kyoto Protocol and the Bali Road Map.

The Kyoto Protocol was saved from extinction by a decision by mainly European countries to enter a second period of emissions reduction commitments to start in 2013.

However, the Kyoto Protocol has been significantly and perhaps fatally weakened.

Japan, Russia and Canada have pulled out of a second period, while Australia and New Zealand notified that they may or may not join.

With only the European countries left, the Kyoto Protocol may live on till 2017 or 2020, but by then it may already be overshadowed by the new deal.

The sketchy terms of reference of this new deal were remarkable for being so one-sided in favour of developed countries, as the equity principle was conspicuously absent, and the implied principle was that all countries had to take part, and having a high ambition for total emission cuts.

The Durban conference also finalised details for a new Green Climate Fund, which will start operating with a Board and interim secretariat by early 2012.

At times the Durban talks looked as if they were going off track, with disagreements on many issues.

In the end Durban may be remembered for phasing out climate change frameworks based on equity and launching talks for a new treaty whose contours are yet to be defined. □□□

*[contributed]*