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SOUTH AFRICA'S POSITION ON CLIMATE CHANGE NEGOTIATION

SUMMARY

The South African Government is widely expected to commit to a carbon emission reduction roadmap at the global meeting of nations in Copenhagen in December 2009. The only uncertainty that still remained until recently was in which shape or form it would come. However, the current information from the public domain states that South Africa's international climate change negotiation reflects "common but differentiated responsibilities" for climate change. This position argues for more ambitious, quantified and legally binding emission reduction commitments for developed countries[1], without imposing similar obligations on developing countries (including South Africa). South Africa is arguing for a climate regime based on the recognition that solving the climate problem will only be possible if it is undertaken within the context of developing countries' priority of achieving poverty eradication and promoting sustainable development. The country insists that the framework for mitigation action by developing countries should be supported and enabled by finance, technology and capacity building. There should be predictable financial, technological and capacity building flows into developing countries in any future climate regime in order to enable developing countries to build more resilient economies and 'leapfrog' to low carbon growth and development.[2] South Africa's position on international climate change negotiation mirrors what is popularly known as the "Southern View", which stipulates that the current state of climate change negotiations denies the developing world their right to benefit equally from the protection of the atmosphere. Accordingly, historical responsibility for climate change should guide the future actions on climate change.

POST-KYOTO APPROACHES TO CLIMATE CHANGE

Broad participation both by major industrialised nations and by key developing countries is essential to address the global commons problem of climate change effectively and efficiently. The call upon major developing countries to take decisive actions on climate change is due to the fact that the share of global emissions attributable to certain developing countries is significant and growing. There are currently concerns that developing countries may account for more than half of global emissions by the year 2020, or even before.[3,4] Although this perspective on the role of developing countries in aggravating greenhouse gas emissions cannot be disputed, there is a moral standpoint that calls on industrialised countries to take the initial steps of making serious emissions reductions on their own, on ethical grounds.

Nevertheless, it suffices to state that developing countries provide the greatest opportunities now for relatively low-cost emissions reductions.[5] In other words, it is the industrialised countries that

[1] Gilder, 2009.
[2] Van der Merwe, 2009.
[3] Nakicenovic and Swart, 2000.
[4] Pies and Schröder, 2002.
[5] Watson, 2001.

are solely responsible by definition for anthropogenic concentrations of greenhouse gases in the atmosphere, as the emissions were the result of industrialisation, that is, the result of emissions by developed industrialised countries. Hence, the argument is made that industrialised countries be the first to undertake emissions reductions and developing countries should embark on such efforts only later, especially in terms of distributional equity. This rationale underpinned the Kyoto Protocol, which required the developed countries to adhere to emission reduction targets within a certain timeframe, without requiring developing countries to undertake similar obligations.

It appears that the principles of "equity" and "common but differentiated responsibilities" embodied in the United Nations Framework Convention on Climate Change is likely to influence future climate change negotiations, especially the proposed United Nations Climate Change Conference in Copenhagen in December 2009. The principle of common, but differentiated responsibilities for countries signatory to the framework convention requires the international community to take appropriate action, taking fully into account the fact that developing countries have development needs and a lower level of responsibility for the considerable increase in greenhouse gas concentrations in the atmosphere, which is directly related to the energy, industrial and transport needs for human, social and economic development. In fact, developing country economies have historically contributed very little to the concentration of greenhouse gas emissions in the atmosphere.[6] Therefore, it is unreasonable to expect developing nations to incur significant emissions-reduction costs in the short-term on equity grounds, as this would retard their prospects of economic development. A compelling ethical case can thus be made that poorer countries should be free to develop economically without greenhouse gas constraints, while rich countries, which after all have built much of their wealth through energy-intensive industrialisation, should go ahead and reduce their emissions in the global interest. Poorer countries insist on their "right to develop" and as a result, greenhouse gas constraints (along with other environmental policies) are often seen as obstacles to development.[7] However, while this might be a historically accurate and politically correct position, it is a short-sighted view of a problem which, since it has negative consequences for the whole world, needs a holistic approach to resolve.

The principal and unchanged interest of the South has been *development* and a better quality of life for its people. However, limiting global warming to avoid the worst of the potential negative impacts will require a drastic change in the emissions trajectories in both rich and poor countries. As a result, developing countries will need to take part in the effort to contain global climate change. After all, developing countries already account for around half of annual global greenhouse gas emissions; and future emissions growth will come mainly from current developing countries. Engaging key developing countries is also vital to help make greenhouse gas control politically acceptable in industrialised countries.

There are, however, growing concerns that certain industrial countries might not take on obligations under an international climate agreement if major developing countries, particularly China and India, do not have commitments. Europe is pushing for deeper commitments for a broader set of countries; the United States has rejected the Kyoto Protocol altogether, after earlier

[6] United Nations, 2008.
[7] Jotzo, 2004.

insisting on quantitative commitments for developing countries; and most developing countries have so far refused to even discuss future commitments. National circumstances differ greatly between groups of countries and there are also conflicting interests among developing countries. It is not clear yet what will be the negotiating positions of key developing countries in the lead-up to the Copenhagen negotiations.[8] However, there needs to be further classification of the 'developing country' category for fair negotiation and also for the apportionment of commitments and action, as one size does not fit all.[9] No proposal can satisfy the interests and concerns of all countries,[10] although generally, developing countries need sustainable development policies and measures for decarbonising their development path to help them "leapfrog" over the problems of industrialisation. It suffices to state that policy-based approaches to global climate change will remain a viable tool in the hands of many developing countries, especially for those in the categories of rapidly industrialising developing countries as well as least developed countries.

Thus, for developing countries generally, the quest is to commit to low carbon paths that will not compromise human development goals. Such commitments consist of three parts: voluntary, conditional and obligatory. Voluntary commitment is made for no-regret emission reductions based on autonomous energy efficiency improvement during the course of economic growth. Additional emission cuts mainly in developing countries will be committed conditional to the transfer of technologies and financial assistance from developed countries. In this case, a sectoral approach can be adopted if an economy-wide assessment is difficult. It is important to note that the first approach is an entirely policy-based approach to climate change mitigation, whereas the second mechanism may combine both policy and targets-only approaches. The obligatory part is somewhat morally based, discouraging emissions arising from extravagant and wasteful development, thereby encouraging the setting of pollution targets for certain newly industrialised and rapidly industrialising developing countries.[11] This is consistent with the Nairobi Declaration, which stipulates the African position on current and future international negotiations[12], especially the proposed Copenhagen 2009 Climate Change Dialogue to produce post-Kyoto mitigation and adaptation scenarios. It is important to note that the African position underscores the key principle of "common but differentiated responsibilities" and respective capabilities under the United Nations Framework Convention on Climate Change.

The Nairobi Declaration affirms that international climate change negotiation should be based on the established principles of equity and common, but differentiated responsibilities and respective capabilities. In fact, the African common position forms the basis for negotiations by the African group during the negotiations for a new climate change regime that should take into account the priorities for Africa on sustainable development, poverty reduction and attainment of the Millennium Development Goals.[13] It is therefore abundantly clear that policy measures underpin the African common position on global climate change mitigation and adaptation. Implicitly, there is a future for policy-based approaches to international climate change management in the post-

[8] Ibid.
[9] Bodansky, undated.
[10] Blanchard, 2003.
[11] Pan, 2003.
[12] African Ministerial Conference on the Environment. 2009.
[13] Ibid.

Kyoto era, i.e., after 2012. This is indeed obvious for many commentators, who argue that the focus should not be on how relevant policy approaches would be in the post-Kyoto era, but rather on the attributes of an international climate change regime that should garner the support of the international community.

An effective international agreement for climate change mitigation must do three things. Kyoto, unfortunately, does none of them. First, a treaty must create incentives for broad *participation*. Kyoto failed to deter the world's biggest emitter and only superpower, the United States, from not participating. For example, in July 1997, the United States Senate passed a resolution 95 to zero against the United States becoming a signatory to any international agreement on greenhouse gas emissions that (among other things), does not also require developing countries to reduce their emissions. The Senate might be justified in insisting on broad participation, especially as the countries that matter most are the countries whose emissions are growing the fastest, such as China and India. They matter the most not only because of their size, but because of the magnitude of their emissions — for example, China is currently the world's largest emitter, bringing on line at least one coal-fired power plant a week. In a single year, China has added more coal-fired capacity than the entire installed capacity of the United Kingdom. Second, a treaty must create incentives for compliance. For example, Canada is a party to the Kyoto Protocol. It is required to reduce its emissions by 6 percent below the 1990 level through 2008-2012. However, Canada's emissions were 30 percent above this target in 2005. Consequently, the Canadian Government has given up on the idea of meeting the Kyoto target. It aims instead to reduce the rate of growth in emissions, hoping that Canada's emissions will peak around 2010, the mid-point of Kyoto's implementation period. A government-funded roundtable, however, has concluded that the government's policies will not meet even this modest goal.[14] Third, an effective agreement must require that countries take real action. Kyoto asks very little of its parties. It requires that a relatively small number of countries reduce their emissions very slightly for a very short period of time. Even if Kyoto were implemented to the letter, global emissions will keep on rising. So will atmospheric concentrations of greenhouse gases.[15]

CONCLUSION

In accordance with the principles of historical responsibility and equity, industrialised countries must take the lead in substantially reducing emissions whilst a means must be found to involve rapidly developing countries in reduction efforts in the near future. It is therefore expected that developed industrialised countries will wholly commit to the targets-only approach, with the newly industrialised countries committing to largely targets-only approach and to a lesser degree, policy-based undertakings. Thus, the present list of countries with emissions target commitments should not be viewed as set in stone, as there are a number of countries that are at least as wealthy as those on the original list (Annex I) and by any measure of fairness should be taking on binding targets after 2012. Conversely, the rapidly industrialising developing countries may be expected to commit equally to emission targets and policy-based instruments, respectively. It is only the other

[14] Barrett, 2009.
[15] Ibid.

categories of developing countries and the least developed countries that would be expected to commit to policy-based approaches to climate change management.

MATTERS FOR CONSIDERATION

- What are the merits of South Africa's position of not committing to emission targets?
- Is South Africa presenting its interests in Copenhagen as an individual country or as a block? Which are the other members of the block?
- Wouldn't it be appropriate for South Africa to simultaneously commit to certain emission targets and policy measures?
- How would South Africa's position of 'no emission targets' help the United States to sign onto any future climate regime when it shunned the Kyoto Protocol due to the lack of binding targets on developing countries?
- Are there concerns that nations might fail to agree on future climate regime in Copenhagen? What should be the basis for such fears?

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