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EXECUTIVE SUMMARY

The phenomenon of climate change has taken the world by storm and has become the most topical issue being discussed in various forums worldwide. Climate change has been defined in simple terms as an 'unprecedented rise in global atmospheric temperature' that produces a condition known as 'global warming' which is attributed to the emission of 'greenhouse gases' mostly by industries in the developed countries..

The depletion of our immediate atmospheric cover has now reached alarming proportions and climate scientists have warned that if nothing is done to reduce the emission of these poisonous gases, all forms of life on earth will be adversely affected.

The United Nations Framework Convention Climate Change is charged with the responsibility of ensuring that the developed countries minimize the emission of these harmful substances under the Kyoto Protocol signed in Japan in 2005.

Under the protocol the industrialised countries are to observe strict emission control mechanisms prescribed by the UNFCCC aimed at achieving specific emission reduction targets agreed upon by the parties by the year 2012.

The whole process of ensuring compliance is monitored the Conference of Parties (COP) under the UNFCCC. The CoP convenes annually to review and evaluate the compliance or otherwise of parties and introduces further measures that are aimed at achieving the emission control goals set up by the (UNFCCC). The 17th Conference of Parties (CoP.17) was held in Durban, South Africa from the 28th November to 8th December 2011.

A primary focus of the conference was to secure a global **climate agreement** because the Kyoto Protocol's first commitment period (2008–2012) was about to end.

The main issues that were up for negotiations in Durban were those anchored in the Bali Action Plan, Cancun Agreement and the Kyoto Protocol under the Convention which include the renewal of the second commitment period of the Kyoto Protocol, Finance, Technology Transfer, Capacity Building, Adaptation and Mitigation.

In Durban, negotiations were centered on the core issues and were conducted through **Specialized Committees, Major Groups, Contact Groups and Subsidiary Bodies** of the UNFCCC. Other emerging issues that were given consideration are the work programmes on Loss and Damage and climate –smart agriculture.

Faith –Based Organisations led by the World Council of Churches and the All Africa Conference of Churches set the trail for the conference through a mammoth rally on the 28th November that

handed a petition signed by over 200,000 people to the President of the Conference and the executive secretary of the UNFCCC on Climate Justice.

The outcomes of the conference dubbed the “Durban Package” include the renewal of a second commitment period under the Kyoto protocol, and the establishment and operationalization of the Green Climate Fund.

Some ethical and moral concerns however remain unanswered. Faith Based Organizations are expected to champion the attainment of climate justice looking forward into the future.

REPORT OF THE DURBAN CONFERENCE [COP 17] ON CLIMATE CHANGE.

The **United Nations Framework Convention on Climate Change** is an international environmental treaty produced at the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992. The objective of the Treaty is to stabilize Green House Gas concentrations [GHG] in the atmosphere at a level that would prevent dangerous human related activities from interfering with the climate system.

The Treaty itself has no mandatory limits on Green House Gas emissions for individual countries and contains no enforcement mechanisms. Instead, the treaty provides for updates called "protocols" that set mandatory emission limits. The principal update is the Kyoto Protocol [KP] which remained the only legally binding agreement that demanded specific emission reduction targets from the polluting countries. The KP has also been referred to as the cornerstone of the Climate Change regime. The UNFCCC entered into force in 1994 and has 194 parties. There is a UN Secretariat in Bonn, Germany that is charged with supporting the operations of the Convention.

Parties to the Convention

The Parties to the Convention have met annually since 1995 in **Conferences of the Parties (COP) Summits** to assess progress in dealing with climate change. There had been 16 previous COP so far and the Durban Conference was the 17th in the process. The UNFCCC has also set up technical committees that advise it from time to time. The most prominent ones are the Subsidiary Bodies.

A subsidiary body is a committee that assists the Conference of the Parties.

The Subsidiary Board of Implementation (SBI) makes recommendations on policy and implementation issues to the COP.

The Subsidiary Board of Scientific and Technological Advice (SBSTA) serves as a link between information and assessments provided by expert sources and the COP.

Other instruments include the Ad – Hoc Working Group on Long - Term Cooperative Action [AWG – LCA] and the Ad-Hoc Working Group on the Kyoto Protocol [AWG – KP]. These are referred to as the 2 - (two) track or twin approach under the Bali Action Plan.

Seventeenth Conference of Parties [COP 17]

The 17th Conference of Parties was officially held from the 28th November to the 8th December, 2011. The ceremony was opened by Mr. Jacob Zuma, President of South Africa. In his opening remarks he said that: “Climate Change poses serious risks for humanity, especially in the developing world, which is not just an environmental challenge but also a holistic, sustainable development challenge”.

He also urged States and Parties to look beyond their national interests and find global solutions to the challenges.

Mr. Zuma concluded that African countries were more vulnerable not just because of the risk of extreme weather conditions, but also because poverty made it harder for these countries to cope with such events.

A primary focus of the conference was to secure a global **climate agreement** because the Kyoto Protocol's first commitment period (2008–2012) was about to end. The Conference was also expected to focus on finalizing some of the Cancun Agreements reached at the 2010 Conference, such as co-operation on **clean technology**, as well as adaptation to climate impacts, and the promised transfer of funds from rich countries to poor ones in order to help them protect forests, **adapt to climate** impacts, and "**green**" their economies". The conference finally closed on the 10th December due to the prolonged nature of the negotiations, making it the longest so far in UN COP history.

Main Issues.

The main issues that were up for negotiations in Durban were those anchored in the Bali Action Plan, Cancun Agreement and the Kyoto Protocol under the Convention.

Kyoto Protocol

The most contentious issue at Durban was the renewal of a second commitment period for the Kyoto Protocol, which commitment period was due to expire in 2012. The developing countries, **Group of 77 + China** and the least developed countries [LDC] championed the case for the second commitment period, stating as it were that it still remained the only legally binding agreement that ensures that the polluting countries [Annex 1] cut their Green House Gas Emissions. They argued that without renewing the mandate of the Kyoto Protocol, it would be difficult for the world to make any substantial progress in global climate change efforts. In this regard, the establishment of Annex I commitments for the second commitment period of the Kyoto Protocol became the central priority for Durban.

Finance

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 the developing countries undertake **adaptation** and **mitigation** practices to counter climate change.

The establishment of a **Green Climate Fund** was agreed upon in COP16. The fund is to distribute US\$100 billion per year by 2020 to help poor countries adapt to climate impact, and was expected to be operationalised and resourced in Durban.

However, this expectation was rather met with resistance from some powerful nations. Whereas the United States insisted the GCF should not be accountable to the UNFCCC, the Developing Countries including the Group of 77 + China wanted the GCF to be under the direct control of the United Nations Body to allow for transparency and compliance. This entrenched position of the groups was one of the reasons responsible for the delay in closing COP 17 at the stipulated time.

Technology

Transfer of appropriate and relevant technologies to developing countries to mitigate and adapt to the effects of climate change is one of the key negotiation points for Africa. However, the issue of intellectual property and how technology could be easily transferred and adapted became a knotty point in the negotiations. In Cancun during COP16, Parties agreed to establish a technology mechanism with a Technology Executive Committee and Climate Technology Centre and Network to increase technology cooperation to support action on adaptation and mitigation and to become operational in 2012. This decision was referred to COP 17 for further negotiations and conclusion.

Capacity Building

According to the United Nations Conference on Environment and Development, the goal of Capacity Building is the enhancement of a nation's ability to *“evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of environmental potentials and limits and of needs as perceived by the people of the country concerned”*

Capacity development to enable developing countries address the issues of climate change and cope with the numerous requirements such as reporting standards, the preparation of National Communications, Reporting on Annual Inventories and many others have become serious challenges in the implementation of recommended climate activities.

Developed Countries had therefore agreed to provide the necessary support to Developing Countries in that respect. They are however enjoined to give information annually to the UNFCCC Secretariat on the nature of support they have provided for capacity building in developing countries. During the Panama Climate talks that preceded COP17 it was observed by Parties that without financing, technology development and transfer and **Capacity Building**, the extent to which developing country Parties will be able to effectively implement their commitment under the Convention will be directly affected. COP 17 was therefore expected to review the CP Framework adopted in Cancun.

Adaptation

Adaptation for Africa is a key requirement in the negotiations. Several studies carried out indicate that although Africa is the least polluter, the effects of climate change are more pronounced in the continent than any other globally. The Bali Action Plan adopted in 2007, recognizes adaptation as one of the key building blocks required for a strengthened future response to climate change. Adaptation to the adverse effect of climate change is essential to

reduce current impacts and increase resilience to future impacts. African researchers also concluded that Climate Adaptation measures are crucial and must be prioritized. At COP16 the Cancún Adaptation Framework was established to allow for better planning and implementation of adaptation projects in developing countries through increased financial and technical support.

COP17 was to enhance the implementation of the framework by focusing on the modalities and procedures of the Adaptation Committee among others.

Mitigation

Stabilizing concentrations of Green House Gas emissions to prevent dangerous climatic impacts is the ultimate objective of the Convention, which prescribed two fundamental response strategies: [**adaptation and mitigation.**] While adaptation measures help reduce vulnerability of human and natural systems against climate change effects, **Mitigation** measures utilize human interventions to reduce emissions and enhance greenhouse gas removal through the use of carbon sinks, such as forests, vegetation, and soils. The expansion of forests and other "sinks" to remove greater amounts of carbon dioxide from the atmosphere is one of the most effective mitigation actions. Forest degradation in Africa has exacerbated the incidence of adverse climate effects which must be addressed.

Under the Convention, Developed countries are required to put in place national programmes and measures to control emissions and adapt to climate change impacts. In addition, Parties are to promote the sustainable management of forests and other ecosystems as well as the development and use of climate-friendly technologies. They are further enjoined to promote and facilitate the transfer of climate – friendly technologies to developing countries.

Although developing countries are not bound to green house gas emission reduction commitments based upon the ‘‘ common but differentiated responsibilities’’ under the Bali Action Plan [BAP], some countries expressed a variety of concerns within discussions focused on developing country mitigation. Bolivia expressed concern about the similarities in requirements imposed on developed and developing countries while the EU reiterated that progress on these issues is important to ensuring compromise and consensus in Durban.

In COP 16 Governments agreed to boost action to curb emissions from deforestation and forest degradation in developing countries with technological and financial support. These are the outcomes Parties to COP 17 especially developing nations were seeking to achieve in Durban.

Emerging Issues

LOSS AND DAMAGE

Some emerging issues that became relevant and discussed in Durban include the concept of ‘**Loss and Damage**’ associated with the impacts of climate change in particularly vulnerable developing countries, COP-16 in Cancun established the work programme on Loss and Damage as part of the Cancun Adaptation Framework to look at the climate impacts in developing

countries, including the possible development of a 'climate risk insurance facility'.

In Durban, Parties briefly discussed the work programme within the SBI in informal meetings.

Nairobi Work Programme.

The Nairobi Work Programme [NWP] was crafted under the SBSTA to deal with Impacts, Vulnerability and Adaptation to Climate Change. The aim of NWP is:

To assist all Parties, in particular developing countries, including least developing countries and small island developing States, to improve their understanding and assessment of impacts, vulnerability and adaptation; and

To assist Parties to make informed decisions on practical adaptation actions and measures to respond to climate change on a sound scientific, technical and socio-economic basis, taking into account current and future climate change and variability.

In Durban, SBSTA welcomed documents prepared for the Conference [COP] on the Nairobi Work Programme (NWP), including a report on the joint SBSTA/SBI in-session workshop that considered relevant NWP outcomes.

Climate - Smart Agriculture

The prominence that the Africa Group and Civil Society expected agriculture to be given in the negotiations was almost absent in COP17. This realization caused a lot of agitation during the last few days of the Conference to the extent that Africa Civil Society and their counterparts from the North led a strong campaign with a slogan **"No Agriculture, No Deal"**.

In spite of this general feeling among Africans especially Civil Society, *Mr. Kofi Annan* – former Secretary General of the United Nations, led a discussion panel comprising *Mr. Zeles Menawi* – President of Ethiopia, *Mr. Jacob Zuma* of South Africa and the Managing Director of the World Bank *Sri Mulyani Indrawati* to address a side event on Climate - Smart Agriculture, which according to them, is an initiative driven by the African Union and the New Partnership for Africa's Development (NEPAD). According to President Zuma, Climate-Smart Agriculture is being touted for all of Africa to deal with Climate Change impacts that have been taking a toll on food production and security. Climate-Smart Agriculture seeks to enhance agricultural productivity by improving on resilience, and farmers are to be at the centre of this transformation of the Agriculture Sector in Africa.

According to the panelists, research shows that Agriculture has a huge potential to cost-effectively reduce greenhouse gases through changes in agricultural technologies and management practices, particularly in developed countries. However, Climate Change creates risks and uncertainty with potentially serious downsides', and without strong adaptation

measures, climate change could reduce food crop production by 10 to 20% by the 2050s, with more severe losses in Africa.

Climate-Smart Agriculture includes proven practical techniques including mulching, intercropping, conservation agriculture, crop rotation, integrated crop-livestock management, agro-forestry, improved grazing and improved water management.

Mr. Kofi Annan, who is Chairman for the Alliance for a Green Revolution in Africa,[AGRA] said Africa had to grow food to meet its own needs and also be able to export any surplus. He said this would require a collaborative effort from farmers, businesses, government and scientists. He called for a collaborative effort on the part of African Governments to make Climate – Smart a reality in Africa.

World Bank Managing Director Sri Mulyani Indrawati indicated that “as climate change increases its impact on agriculture, the Bank will support African leaders in their efforts to boost action that will help feed Africa and the world," said.

The panelists concluded that there is a strong link between climate change, food security and poverty. There is the need therefore to engage on emerging issues including finance and technological support and approaches such as Climate-Smart Agriculture that are geared towards addressing food security, adaptation and mitigation.

Climate –Smart Agriculture was therefore recommended to be practiced to mitigate and adapt to the consequences of climate change in Africa.

Negotiations

In Durban, negotiations were centered on the core issues and were conducted through **Specialized Committees, Major Groups, Contact Groups and Subsidiary Bodies** of the UNFCCC.

All the main issues were those that Parties to the Convention agreed on during COP16 and which they intend to conclude in Durban. Some of the thorny issues especially regarding the establishment and operationalisation of the **Green Climate Fund** and the renewal of the **second commitment period of the Kyoto Protocol** took centre stage.

While the SBI was negotiating the **implementation** of previous agreements, the SBSTA was also reviewing the **technical issues** that had to do with the **science** of Climate Change and its effects on human development. Results and agreement of negotiations in the UNFCCC process had always been achieved through consensus and convergence on issues.

At some point however, it became clear to the **African Group, Group of 77 + China** and the **LDCS** that, they were in for a long haul on basically all the core issues that were referred from COP 16 in Cancun for further deliberations and acceptance in Durban.

The understanding and feeling of many in these groups was that matters on which agreements had been reached at Cancun were only to be brought up for endorsement and given finality in Durban. However, the deliberations at some stage of the negotiations were not pointing into that direction at all. Rather, extraneous issues that did not form part of the Cancun decisions, and were not particularly of any major significance at the decision level at the time, or relevant to earlier mandates of the negotiating bodies were brought on Board supposedly and intentionally by the big powers to buy time ahead of a major onslaught later in the final negotiations.

There was therefore a stalemate on the issue of the second commitment period for the Kyoto Protocol and the final architecture and mandate of the Green Climate Fund on the last day of the negotiations before the arrival of Heads of Governments and States for the High Level Segment which was expected to take and endorse all final decisions.

Role of Faith-Based Organisations

An Inter - Faith rally, held at the Kings Park Stadium on 27 November was the first event for Faith Communities in Durban, who have been preparing for COP17 since a year ago. It was a mammoth rally attended by the Crème de la Crème of Ecumenical Bodies in Africa.

During the rally Bishop Desmond Tutu delivered a petition with 200,000 signatures of support titled **“We have faith”** to the incoming President of COP17, Maite Nkoana-Mashabane, South African Minister of International Relations and Cooperation, and to Christiana Figueres, Executive Secretary of the UNFCCC Secretariat. The petition had an African emphasis taken from the **“Time for Climate Justice”** campaign which brought churches together for some years.

In support of the document Mashabane said, the petition will be taken seriously, while Figueres encouraged the faith movement **“not to give up faith and hope”**, regardless of the results of the COP17. At the rally, Brahma Kumaris, Christian, Jewish and Muslim leaders expressed the common concern of **Caring for Creation** which is central in all religions.

Mary Robinson, former President of Ireland and former High Commissioner for Human Rights also addressed the audience, calling for the inclusion of gender issues, agriculture, human rights and *climate justice* to be at the core of COP17 negotiations.

Among other Faith Leaders, the WCC General Secretary, Rev. Dr Olav Fykse Tveit, conveyed greetings on behalf of the Faith Bodies, and sent a strong message to Durban, saying, “It is time for Climate Justice”.

Ecumenical and Advocacy Alliance/ ACT

The Ecumenical Advocacy Alliance organized a side event on Food Security and Climate Change. The meeting which was very well attended painted a gloomy picture of agricultural events in the Horn of Africa, where extreme weather conditions accounted for a 6% loss of cattle in Ethiopia, total crop failure in Kenya, while the price of maize in Ethiopia increased by 106% and in Somalia by 393%. These extreme weather conditions were attributable to climate change effects and needed to be solved through Adaptation measures.

The EAA advocated that climate friendly agriculture is needed to mitigate these effects while the Right to Food is highlighted and prioritized. EAA was deeply concerned that COP 17 was handling Agriculture under Mitigation in the negotiations where the voices of smallholder farmers, their needs and interests were not being strongly articulated.

They also indicated that suggestions that Farmers in Africa should participate in Carbon Market Mechanisms is flawed, since smallholder farmers may be forced to invest in the market, in which they might likely lose out in when business failed. EAA saw this proposition as a ploy for land grabbing by business moguls from developed countries.

Other panelists however argued that Agriculture was also being discussed under adaptation and made references of such under the Nairobi Work Programme, the Copenhagen Accord on Nationally Appropriate Mitigation Actions [NAMAS] and the sectoral approaches that have been adopted in the negotiations. In their opinion it was rather difficult to distinguish between Adaptation and Mitigation in Agricultural negotiations.

The EAA concluded that food security in Africa is important and critical. There is therefore the need for investment in small holder farmers. In their considered opinion, Food Security could not be attained in the midst of Climate Change effects unless we promote soil conservation measures, practice sustainable agriculture and conservation farming.

SAFCEI

The South African Faith Communities Environmental Institute organised a Thanksgiving Service on the 4th December, at the Durban Technology College where many Faith Bodies including the Brahma Kumaris, Jewish, Muslim, Christian and Bahai's were represented.

Bishop Geoff Davies thanked God Almighty for a successful COP 17 and prayed that the issues discussed would be implemented for the sake of humanity and the protection of the only home that humans have in Mother Earth. There were musical renditions and recitals of sacred literature from various faith groups. The FBO curtain in Durban was effectively drawn down at the end of the service.

Outcomes of COP17

The Conference in Durban concluded with the finalization of key outcomes from the COP and CMP in a set of agreements called the Durban Package. This Package comprises a set of decisions under the Convention and Protocol negotiating tracks. It also includes the operationalization of key outcomes from Cancun, the future of the Kyoto Protocol, and the establishment of a path for the development of a new universal legally-binding treaty.

On the Kyoto Protocol, Governments agreed to a second commitment period to begin January 1, 2013, immediately following the conclusion of the first commitment period and thus allowing no gap in reporting periods. This decision aims to ensure that aggregate Greenhouse Gas Emissions of Annex I Parties are reduced by at least 25-40% below 1990 levels by 2020.

Under the AWG-LCA, Parties decided to launch a process to develop a universal legal agreement on climate change no later than 2015, for implementation from 2020. A new subsidiary body to the Convention called the Ad Hoc Working Group on the Durban Platform for Enhanced Action will begin work on this universal agreement immediately.

Other key decisions include the operationalization of the Technology Mechanism in 2012, approval of the Green Climate Fund as the financial mechanism under the UNFCCC in regard to Mitigation and Adaptation in developing countries.

Several European countries in Durban pledged more than \$50 billion in seed money to establish this fund, an amount that is expected to increase to \$100 billion per year by 2020.

Ethics, Justice and Equity

Even though the Durban outcome posted some positives, some analysis of the ethical and moral questions on climate change and its effects on humanity at large and affected people in particular continue to beg for appropriate answers.

Climate Ethics, a global think tank on climate change argues that the Durban outcome did not fully address some of the salient points that have got to do with the moral, ethical and justice concerns. Climate Ethics has frequently explained that the key missing element in international climate negotiations as well as in the development of domestic climate change policies for most nations has been the acknowledgement that nations not only have economic interests that can be affected by climate change policies but also have **duties**, **responsibilities**, and **obligations** to protect people around the world and the natural resources on which life depends.

They indicate that climate change must be understood as a civilization challenging ethical and moral problem. Failure to acknowledge and act on this has been responsible for an inadequate global response to climate change's immense threat during the twenty years of international negotiations that have sought to reach agreement on a global solution.

The other major problem with international climate negotiations is that most nations are approaching the negotiations as if their economic interests ranked higher than their global responsibilities. Climate Ethics further opines that even though some of the outcomes may post positive results in the long term, strong criticism of the Durban outcome is warranted because the agreement to cooperate on a new binding legal instrument which became one of the key outcomes in Durban under the AWG – LCA, is only an agreement to negotiate an agreement about which almost nothing has been settled and that will not likely become effective until 2020.

They further indicate that Justice demands that no nation can refuse to reduce its emissions to its fair share of safe global emissions levels on the basis that others would not act. Yet this is consistently what some powerful states and a few other nations have done. This stance by some nations made the negotiations much more complicated that they needed to be.

Conclusion

Observation of some minimal ethical criteria would therefore help in bridging the gap created by the Durban outcomes. Requirement that national emissions reduction proposals must be consistent with what "equity" and "justice" demands of nations, that each nation reduces its emissions to its fair share of safe global emissions and that each nation's emissions reduction levels are based upon what distributive and retributive justice demands, and the provision of adequate funding to support adaptation programs in developing countries, given that some developing countries have done nothing to cause climate change, are steps that would go a long way to achieving equity and justice in global climate negotiations

Faith Based Organizations share in the sentiments and actions that will make equity, justice and ethical considerations central to future global negotiations. Alliances with independent bodies that share like minds on our common humanity are a sure way forward to impressing on the polluting nations that there is no substitute to planet earth. All actions must therefore be geared towards strengthening the **VOICE** for the demands of equity, justice and fair play during future Conference of Parties.

Compiled for the All African Conference of Churches [AACC] by

MR. CHARLES AGBOKLU

COORDINATOR –RELIGIOUS BODIES NETWORK ON CLIMATE CHANGE

GHANA

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