

A stylized world map composed of a grid of dots in various shades of gray, with several dots highlighted in red to represent specific countries or regions.

# World Climate Summit in Doha (COP 18)

## Objectives, Developments and Challenges

**NINA NETZER**  
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- The upcoming Climate Change Conference in Doha marks a turning point in international climate policy: for the first time, the previously divided negotiation strands, which differentiated between industrialised and developing countries, are to be merged into a new global agreement for all countries. In view of the deep ideological divisions and conflicts of interest, which characterised the negotiations in recent years, this is a remarkable compromise – now it has to be designed in a just and equitable manner and a balance of interests between the different stakeholders has to be found.
- A central question is, therefore, how a new global agreement for all countries should be formulated, so that on the one hand it holds all major greenhouse gas emitters to their obligations, and on the other hand, guarantees that the contributions of the contract parties vary based on their respective economic ability and historical contribution to climate change. In order to find a fair compromise, poorer countries and island states in particular have to be adequately supported financially and technologically.
- Whether a satisfactory result can be found in Doha, depends largely on whether or not there are brave pioneers and new alliances campaigning for progress. Thereby, the host country Qatar, among others, could play an important role, which could secure an end to the obstructionist policies of the oil exporting countries. However, Germany and the EU also have an important function: a unified and ambitious European approach can contribute to the renewal of the progressive Durban Alliance with the least developed countries, island states, as well as the African negotiating group.



The 18<sup>th</sup> United Nations Climate Change Conference will take place in Doha, Qatar from 26 November to 7 December 2012. The decision to hold a climate change conference in a country that has the highest CO<sub>2</sub> emissions per capita in the world – 55.43 tons – was vehemently criticised by environmental and human rights organisations. The International Trade Union Confederation (ITUC) also protested against Qatar as conference venue because of the country's systematic disregard for the rights of workers, particularly migrants: on the one hand, holding a climate change conference in a country that systematically exploits workers, sends a devastating political signal. On the other hand, there is a real fear that within the framework of conference operations, new (albeit short-term) jobs in construction or services sector will emerge, which are based on exploitation, low wages, and a lack of respect for labour standards.

The challenges on the agenda in Qatar are large – thus, it is necessary first and foremost to place the objectives and possible results of the conference in the foreground and to work towards a positive result. Moreover, the choice of the conference location could help to bring about a change: thus far, the oil-exporting OPEC countries, to whose negotiating group Qatar also belongs, often proved to be obstructionists of an ambitious, international climate agreement. At least temporarily, the field of climate policy and the first positive signs in the region – in particular, the efforts of the host country to organize a successful conference – are moved to the centre of regional attention.<sup>1</sup>

Climate change conferences in recent years have shown that brave pioneers and new alliances are needed to achieve progress. So what is the situation before the conference in Doha and with which expectations are stakeholders going into negotiations?

### One for all, all for one: a new global agreement for all countries

The Doha Conference marks a watershed in climate policy, since the separation of the lines of negotiation between developed and developing countries is to be lifted.

1. On the role of the host country Qatar also see Judith Althaus (November 2012): COP 18 in Qatar. Fossil of the Day or Going Green? FES Perspektive.

Previously, the climate negotiations took place in two working groups: the first group, the »Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol« (AWG-KP) comprises the Annex I countries of the Kyoto Protocol (industrialised countries). In this working group, the emission reduction commitments of Kyoto industrialised countries after the expiry of the Kyoto Protocol 2012 are negotiated. The second group, the »Ad Hoc Working Group on Long-term Cooperative Action« (AWG-LCA), joins all 194 countries that have signed the United Nations Framework Convention on Climate Change (UNFCCC). In this group, countries that do not belong to AWG-KP play a central role – i.e., developing as well as non-Kyoto industrialised countries.<sup>2</sup>

In Durban, it was decided to transfer the previously bipartite negotiation process – and with it the separation between developed and developing countries – into an overall process. Through the »Ad Hoc Working Group on the Durban Platform,« a new, comprehensive climate agreement should be negotiated by 2015, which should be binding for all countries by 2020. In view of the deep ideological divisions and conflicts of interests, by which negotiations in recent years were marked, it is astonishing that a compromise has even been reached at all: Developing countries argue that, seen historically, climate change was caused by industrialised countries, since through resource- and emission-intensive growth paths they have done business for decades at the expense of the world community, and as a result now have to bear the main burden of mitigating climate change and adapting to the consequences of global warming. Industrialised countries say that since 1992 – the year in which the UNFCCC was adopted – the world has changed radically: The classical division into industrialised and developing countries was softened primarily through the rapid economic rise of some emerging countries – above all, China and India – which with increasing economic growth, are also responsible for an ever larger share of global emissions. The lines of argument are simultaneously diluted by the fact that precisely these countries, despite their increasing economic strengths, are not prepared to take on responsibility for climate policy and

2. The group of non-Kyoto industrialised countries, since the ratification of Russia in 2004 and Australia in 2007, only consists of the USA and most recently Canada, which prematurely pulled out of the protocol shortly after the last climate change summit in Durban in December 2011, as well as Japan and Russia again soon, which have already announced that they no longer want to participate after the expiry of the first commitment period.



insist on being classified with the group of developing countries. If it were up to the Annex I countries, a greater number of countries would thus have to commit to binding reductions. Almost more difficult is the debate on the role of developing countries: Industrialised countries would find it desirable if poorer countries would engage in a kind of environmental leapfrogging, building their future development directly on renewable resources, and thus avoid the traps of resource scarcity and environmental pollution, in which many industrialised countries have fallen. This desire, however, often collides with the reality often perceived on the part of developing countries of the incompatibility of economic growth and poverty reduction on one side, and climate protection on the other. This conflict between a »right to sustainable development« and a »right to catch-up development« can only be resolved when poorer countries receive, in an appropriate form, financial and technological support from industrialised countries – which has not yet happened.

That despite this complicated situation, a joint declaration of intent for a global climate agreement has been reached is remarkable – part of the compromise was the agreement that there would be a second commitment period of the Kyoto Protocol for industrialised countries (which will be adopted with all probability in Doha after the appropriate principal decision in Durban), as well as the continuation of the important processes for developing countries in the areas of adaptation and financing. The other side of the coin is that the agreement, which is meant to go into effect beginning in 2020, comes much too late. With this timeframe and level of ambition, the 2-degree target cannot be reached and the compromise is at the expense of those who already suffer the most from the consequences of climate change: the poorest developing countries, island states, and marginalised population groups. All the more reason that engagement on all levels is required: at the national level, governments urgently have to take the initiative and invest in low-carbon economies; at the international level, the regulatory framework of the UNFCCC must be promoted, not least to secure the rights of disadvantaged countries.

## What is on the agenda in Doha?

At this year's Conference on Climate Change there are a number of challenges: The participating countries have to determine the mandate for negotiation, the timetable,

and important cornerstones of a new, global climate agreement, which has to be signed by 2015 at the latest and be mandatory for all countries beginning in 2020. But the formal agreement of the second Kyoto Protocol, the short-term climate protection targets of the countries, and the »Peak Year« – as the year beginning with which global emissions in total have to sink – will also play a large role. If no progress is made here, trust in international climate policy will sink further and subsequent negotiations will be more difficult. Last but not least, the question of climate financing is an important topic – it is vital that in particular poorer countries, island states, and marginalised population groups be supported financially and technologically in coping with the consequences of climate change within the framework of a fair burden sharing. In many topic areas, however, there are still open questions and points of contention:

### 1) Adoption of a second commitment period of the Kyoto Protocol

During the negotiations, the contracting states have to agree on the details of the design of the second commitment period of the Kyoto Protocol, so that a ratifiable draft can be submitted.

Open questions that still need to be resolved are:

*a) The duration of the second commitment period* – this should be between five (until 2017) and eight years (until 2020). While the industrialised countries prefer a five-year duration, the emerging and developing countries favour an eight-year duration – in particular, the Chinese negotiators champion this demand because they want to enjoy their developing country bonus until 2020. The only exception among industrialised countries is the EU, which also advocates for eight years, whereby at half time, a review should take place to determine if more ambitious reduction targets could be reached.

*b) The quantified reduction targets of countries* that participate in the second commitment period. The aim of the Kyoto Process is to reduce the greenhouse gas emissions of the signatory states between 25 to 40 per cent, in comparison to 1990, by 2020. The participating Annex I countries submitted in advance proposals for their respective reduction contributions, which will be decided in Doha. The EU has already submitted their



independent reduction target of 20 per cent by 2020. It is still being debated within the EU whether the EU should announce a more ambitious climate target – however, given the weak financial and economic situation in many member states and the obstructionist politics of some member states, in particular Poland, it is highly unlikely that a more ambitious target will be agreed upon. This represents a step backwards from the EU negotiations offer from 2011. At that time, the EU had announced reducing their greenhouse gases by 30 per cent, if other countries bindingly followed – i.e., industrialised countries in comparable scope, and economically further advanced developing countries with a contribution appropriate to their abilities. Already ahead of the climate change conference in Durban, this approach was criticised from many sides. Especially civil society actors and developing countries would have hoped for a more ambitious approach from the EU, which has long taken a leading role in international climate policy – on the one hand, because it has invested in financial and political resources to support international climate change policy, and on the other because in climate negotiations they are one of the few actors campaigning for binding targets. Especially civil society organisations have argued that one can only expect from emerging countries an proportionate contribution if the EU makes advance payments; the EU argued in turn that the European member states are meanwhile only responsible for 11 per cent of worldwide emissions and that they cannot reduce climate change alone. However, the 20 per cent commitment is not sufficient – above all not in view of the fact that the target is already in range today. The 20 per cent commitment corresponds to the developments in recent years, indicating that the EU, for a variety of reasons, is less prepared to take the lead in international climate policy.

Besides the lack of visible progress in other countries – in particular the USA, which is still not prepared to ratify the Kyoto Protocol despite being one of the largest polluters worldwide – the pressure of the global economic downturn and the Euro crisis can primarily be held responsible for Europe's reluctance: this leads to a greater concern with their own problems and presents the political leadership in member states even stronger than usual with the problem of justifying to voters and taxpayers contributions to international climate protection financing. Finally, internal EU disagreements between a group of protagonists like Germany, the United King-

dom, and Denmark (which campaign for higher reduction targets), and obstructionists like Poland (which are against increased efforts) make it difficult to follow a uniform approach. Furthermore, there are differences within the national governments.

c) *The use of surplus emission rights* (so-called Assigned Amount Units – AAUs) from the first Kyoto commitment period. The Kyoto Protocol provides that all surplus AAUs from the first commitment period can be transferred to the second, however the number of surplus emission rights according to UNFCCC amount to over 13 billion – that is three times more than the annual emissions of the EU or twice as much as the USA. This high surplus comes about for three reasons: First, the Kyoto targets were set too low; second, some countries (including Russia and the Ukraine) were granted significantly more emission rights as they (due to the collapse of the industries after 1990) actually needed; and third, the potential demand was missing in the USA, which did not become a party to the Kyoto Protocol as envisaged. This surplus, which is also known as »hot air«, can be sold to countries that have not reached their reduction targets – thereby the amount of greenhouse gas emissions allowed worldwide increases, and the proposed reduction of global warming leads on the contrary to a collapse of CO<sub>2</sub> prices and more greenhouse gas emissions. With the beginning of the second commitment period, the decision has to be reached about what to do with the surplus emission rights. There are three basic possibilities:

- The surplus certificates will be carried over into the second commitment period. It is clear that an unlimited transfer of the AAUs will lead to a significant decline in the levels of ambition and would soften the previous Kyoto targets.
- The certificates will be temporarily removed from the market and later re-entered (backloading). This idea goes back to a proposal from the European Commission in June 2012 to amend the Emissions Trading Directive. In this case, the commission was meant to be empowered to intervene in the scheduling of the auctioning of the certificates. The aim is to anchor a temporary restraint of the certificates to be auctioned in the EU Auctioning Regulation – i.e., certificates that were originally meant to be available for the auction in 2013-2012, should first be able to be auctioned in 2018-2020. Experts, how-



ever, are sceptical whether a backloading of certificates can really help to change the prices in the long term and not merely push the surpluses backwards.

- The surplus certificates will be removed from the market permanently (set aside) – a corresponding proposal from the African negotiating group and the Alliance of Small Island States (AOSIS) plans to eliminate roughly 95 per cent of the surpluses.

So far, the EU cannot agree on an approach – and this despite the fact that most of the European member states agree that an unconditional transfer, which is vehemently rejected primarily by the developing countries most affected by climate change, would severely damage the environmental integrity of the Kyoto Protocol. At a meeting of the Environment Ministers on 26 October 2012 in Luxembourg, the governments of the Eastern European countries insisted on keeping their emission rights and prevented a compromise. Mainly the Polish government, which at the beginning of October sold certificates worth over 40 million Euros to Spain, is both against permanently removing the certificates from the market and against the backloading proposal. In a coalition of East European countries, Poland campaigns for transferring the surplus AAU into a new commitment period. Besides the East European countries, there are still further allies for this position: Cyprus, which has the EU presidency until 31 December 2012, said that the willingness to transfer at least a portion of the emissions rights could possibly be used as a bargaining chip to move Poland to sign the reduction targets beginning in 2020. And Ireland, which holds the next chair of the rotating presidency, has already indicated that it sympathises with the position of countries with high surplus emission rights and their aim to transfer them into the next commitment period.

Although it is difficult to find a compromise in this context, a solution must be negotiated in Qatar, which not only makes a second commitment period under the Kyoto Protocol feasible, but also avoids stifling progress with regard to a new global agreement. This can only be ensured if the contract parties in Kyoto agree to permanently eliminate almost all surpluses – the same goes for the surplus emission credits from the flexible mechanisms of the Kyoto Protocol, the Clean Development

Mechanism (CDM), and the Joint Implementation (JI).<sup>3</sup> A further open question is how to deal with the surplus certificates from Russia. The country will not enter Kyoto II, but would like to retain the right to sell their certificates. The EU has announced that it wants to find a settlement to rule out these certificates being bought by the EU. A similar approach is expected from Australia and New Zealand.

Not least, it must be avoided that similar problems with surpluses of emission rights and negative impacts on the price of CO<sub>2</sub> arise again in a second commitment period. If the presently unambitious emission reduction targets from Russia, the Ukraine, and the EU are not raised, the risk of surplus certificates remains high. Therefore, any 2020 reduction target from the Annex I countries have to be substantially lower than the current or projected levels of emissions.

The transition between the first and the second commitment periods of the Kyoto Protocol. On 31 December 2012, the first commitment period of the Kyoto Protocol ends. The probability that there will be a new commitment period binding under international law is almost nil. Even if the details of a second commitment period could be negotiated at the Climate Conference in Doha from 29 November until 7 December 2012, it will take a while until the parties have completed their ratification processes at the national level. Even if initially only a political declaration of intent is to be reached in Doha, it must be made clear that the Kyoto process has not only a political character, but also a legal one in which the ratification processes in the individual countries have to begin as quickly as possible.

## 2) The financing commitments from Copenhagen

The World Climate Change Conference, which took place in Copenhagen in 2009, did not yield a legally binding agreement, but a political declaration of intent –

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3. Overall, the Kyoto Protocol provides three market-based, so-called »flexible mechanisms,« which should contribute to reaching the reduction targets defined in the Kyoto Protocol. In addition to emissions trading, this includes the CDM and the Joint Implementation (JI). The basic idea is that greenhouse gas emissions worldwide can be reduced where it is cheapest. Industrialised countries can implement climate protection projects in other industrialised countries through the »Joint Implementation« or in developing countries through the »Clean Development Mechanism.« For a detailed critique of the two instruments, see the contribution from Nicole Piepenbrink in: Bärbel Kofler und Nina Netzer (Ed.), May 2012, »On the Road to Sustainable Development. How to Reconcile Climate Protection and Economic Growth.«



the so-called »Copenhagen Accord« – which was »taken notice of« by a core group of industrialised, emerging, and developing countries.

The most important results included the recognition of the target of limiting the global temperature rise to below 2 degrees Celsius, the agreement to put forward quantifiable emission reduction targets for industrialised countries for 2020 and »nationally appropriate emission reduction measures« for developing countries, and to implement them as well as financial commitments by industrialised countries: this meant the financial support to developing countries for climate protection measures on the order of USD 30 billion in the period 2010 to 2012 (short-term financing). Furthermore, it was agreed that industrialised countries collectively raise USD 100 billion annually (long-term financing), whereby private and public, bi- and multilateral resources, as well as funds from alternative finance sources should flow into this amount. Apart from many open questions – for example, from which sources the funds should come – one clearly could not stick to the 2-degree target with the total amount. In Doha, therefore, the states that have thus far given no financing targets must present some – these include Iran, Turkey, and a number of Arab states. This is especially true for those countries that, from a global perspective, belong to the main emitters of greenhouse gases. The remaining countries have to raise their targets. In addition, areas such as international aviation or shipping must be included in order to expand the revenue base.

Another decision that is pending in Doha is the question of the financial growth path between the period of the short-term financing, which ends in 2012, and the vague pledge to raise USD 100 billion annually by 2020. Developing countries demanded an interim target for 2015 be stipulated – that this will happen is unlikely. Rather, it will come down to the economic situation in many countries, that the extent of the payments remains at the level of each national contribution to short-term financing.

### 3) Negotiation of a new global climate agreement

By 2015, a new comprehensive climate agreement should be negotiated by the »Ad Hoc Working Group on the Durban Platform,« which should be binding for

all countries beginning 2020. At the same time, it has to be avoided that a gap emerges and important decisions are postponed to 2015. Hopes, therefore, lie on the so-called »Durban Alliance,« where the EU, the poorest developing countries, and the small island countries pushed through a second commitment period of the Kyoto Protocol and the negotiation of a new global agreement. This alliance of the progressives could decisively contribute to further progress in Qatar. Thus, the EU has already demanded that a Minister's Round Table on the question of the Post-2015 system should be organised, similar to the »Informal Ministerial Roundtable for Ambitious Follow-up to Durban – Accelerated Climate Actions,« to which the EU extended invitations in May; they also demanded a work plan with concrete steps by 2015.

A general challenge in coming years is how the previous double strand in the negotiations can be translated into a new process that leads to a global climate agreement. This means, the strands of the Kyoto process »Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol« (AWG-KP) and the »Ad Hoc Working Group on Long-term Cooperative Action« (AWG-LCA) must be relinquished in favour of a new strand. Subsequently, that has to mean to only work in the »Ad Hoc Working Group on the Durban Platform« in the future.

In particular, developing countries are wary of leaving a framework, which at least in its institutional setup – aside from implementation in reality – is conceived as just. Therefore, in the course of the negotiations, it must be made clear that a new global climate agreement for all countries cannot mean that the historical responsibility of industrialised countries is being denied – it must continue to determine different responsibilities according to economic performance and historical contribution to climate change.

### New alliances and partners

Of the 194 parties to the UNFCCC, most are organised in political bargaining groups, which have formed on the basis of common interests. These groups include the G77+China, which in turn is divided into many sub-groups such as the African Group, the Alliance of Small Island States (AOSIS), and the Group of Least Developed



Countries (LDC), as well as the oil-exporting countries, emerging countries, and middle-income countries. Besides the G77 and the EU, there is the »Umbrella Group« (composed of Australia, Canada, Iceland, Japan, New Zealand, Norway, the Russian Federation, Ukraine, and the USA), the »Environmental Integrity Group« (composed of Mexico, South Korea, and Switzerland), the »Central Group« (composed of Bulgaria, Croatia, and Romania), the Organisation of Petroleum-Exporting Countries (OPEC), and the group Central Asia, Caucasus, Albania, and Moldavia (CACAM). The G77, which was originally intended to address the interests of the »Third World«, meanwhile has 133 members. Because disagreements within the group were increasingly revealed – the interests of the countries like the Seychelles, Saudi Arabia, Zimbabwe, or Singapore were too different – more and more informal negotiating alliances have formed recently.

On 28 November 2009 during a preparatory meeting for COP 15 in China, the BASIC group – composed of Brazil, South Africa, India, and China – was founded, which together with the United States played a decisive role in shaping the albeit insufficient architecture of the Copenhagen Agreement (COP 15). The BASIC countries have tried repeatedly to work closely with the G77 group to put forward their concerns regarding the financing of climate protection measures for small countries within the group. Due to content differences in many points – e.g., with regard to the question of an immediate, ambitious, legally binding agreement for all countries that the AOSIS and the African countries support in contrast to China and India – no powerful alliance has resulted.

Also worth mentioning is the anti-imperialist-oriented ALBA group – including Bolivia, Cuba, Ecuador and Venezuela – which demanded a radical system change through the overcoming of capitalism and a complete rejection of market-based instruments in the fight against climate change. In 2010, the group organised in Cochabamba, Bolivia, the »World People's Conference on Climate Change and the Rights of Mother Earth«, whose central demands were the establishment of an international environmental and climate tribunal, as well as a worldwide referendum on climate change. In addition, after the Climate Change Conference in Copenhagen, a group of developing countries developed, together with some rather constructive industrialised

countries, the »Cartagena Dialogue for Progressive Action«, which has been ambitiously and pragmatically involved since then.

Partly because of the increasing friction in the group G77+China, which is primarily based on the resentment that China and India insist on their developing country status and thereby block important negotiation progress at the expense of poorer developing countries and small island countries, a new progressive alliance including the EU, the AOSIS, and the poorest developing countries emerged at the last climate summit in Durban, South Africa. Known as the »Durban Alliance«, they are pressing for a second commitment period of the Kyoto Protocol and the negotiation of a new global treaty.

In response to this progressive alliance, a new negotiating group has evolved at the current climate preliminary negotiations in Bangkok, which is called »Like Minded Developing Countries (LMDCs)«. In the group, 28 countries are organised, such as Bolivia, Ecuador, Egypt, Argentina, China, India, and OPEC, which for different reasons attempt to derail progress in the negotiations: India and China reject binding emission limits for developing countries, to which they also belong; the ALBA countries reject the climate negotiations completely and want a new system based on the rights of »Mother Earth«; the OPEC countries are against comprehensive reduction commitments because they fear a loss of revenue in the oil sector.

Given these developments, the progressive Durban Alliance could play a decisive role in attaining progress in Qatar.

## World Climate Agreement: patient alive but not yet healed

In recent years, drawn-out UN processes, including the annual UN Climate Conference or this year's Rio+20 Summit for Sustainable Development, have led to many observers losing faith in climate diplomacy. This is exacerbated by the fact that there are fewer and fewer actors who are prepared to take brave steps on the international level and to take a leading role. In the wake of the international finance and economic crises, as well as the European debt crisis, this trend – primarily in the area of climate financing – has increased even more. Canada



has left the Kyoto Protocol, and Japan and Russia have announced that they do not want to join a second commitment period. The EU, which for a long time took on a leading role in the negotiations by taking a stand for binding emission reduction targets, is less and less willing to campaign for progress in climate negotiations.

Thus, voices were being raised in recent years, which challenge the sense of such large conferences at the international level and demand a shift of responsibility back to the national level. It is true that much has to be done at the national level: investment in renewable energy sources and energy efficiency, as well as sustainable transformation of economic systems will contribute an

important part in global climate protection and ensure that followers in other countries turn up. However, the international level cannot be neglected – not least out of reasons of justice. Only a reliable international framework can guarantee that poor countries also receive the necessary support in adapting to the impacts of climate change and in the sustainable transformation and setup of their economic systems. Otherwise, the gap between the countries that on the one hand carry the main responsibility for climate change and now profit from growth in new green lead markets, and the countries that have contributed the least to global warming and now suffer the most from its consequences, will widen yet further.





### About the Author

**Nina Netzer** is in charge of International Energy and Climate Policy in the Department for Global Policy and Development at the Friedrich-Ebert-Stiftung.

### Imprint

Friedrich-Ebert-Stiftung | Global Policy and Development  
Hiroshimastr. 28 | 10785 Berlin | Germany

Responsible:  
Jochen Steinhilber | Head of the Department Global Policy and Development

Phone: ++49-30-269-35-7408 | Fax: ++49-30-269-35-9246  
<http://www.fes.de/GPol>

Contact:  
[Sandra.Richter@fes.de](mailto:Sandra.Richter@fes.de)

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