



# THE WOODS HOLE RESEARCH CENTER

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## ***The Earth Times*** **Climate Change: No time for complacency**

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The Framework Convention on Climate Change (FCCC) will be holding its Seventh Session of the Conference of the Parties (COP) from October 29th through November 9th in Marrakech, Morocco. COPs are significant events in the evolution of an international agreement in that the work carried out by governmental representatives receives political approval between sessions. This notwithstanding, some sessions of the COP are billed as more important than others. If one were to consider only the FCCC, it is clear that only three of the six held so far - COP1, where the Berlin Mandate was adopted, and COP3, where the Kyoto Protocol was adopted, and the "marathonish" COP6, where political agreement was reached on the "rule book" for the implementation of the Kyoto Protocol - stand out.

Clearly success at these sessions is largely due to the work carried out by the parties prior to these sessions. Each of the six COPs, therefore, played its due part in contributing to the evolution and further strengthening of the climate regime. What then is the significance of COP7? Is it one of those signature sessions with the attention of the world community focused on it or one of those behind-the-scenes, largely ignored or seldom reported events?

There are those who believe that COP6 accomplished what is necessary for the industrialized country Parties to begin the ratification process in their national capitals and that there is enough support amongst them to bring the Kyoto Protocol into force. The Protocol will enter into force when it receives 55 ratifications that constitute amongst them industrialized countries with 55 percent of greenhouse gas emissions in 1990. The first condition is easier to meet. Already the Protocol received forty ratifications and the European Union comprising fifteen countries indicated that it is beginning its ratification process. The second condition is the more difficult since the U.S. emissions in 1990 account for 37 percent of all industrialized country emissions. In the absence of the United States (which barring a major policy shift will continue to maintain that the Protocol is fatally flawed and continue with its opposition to it), this condition can only be met if just about all of the industrialized countries to ratify the Protocol. There may also be those who think that COP7 is important but are concerned about traveling after the recent terrorist attacks on the United States and the current U.S.-led campaign against terrorism.

Whether it is complacency or fear, the result of non-attendance in Marrakech is the same: the important work that needs to be carried out will suffer. The consequences will not only affect the implementation of the Kyoto Protocol but also influence the international environmental movement engaged in the preparations for the World Summit on Sustainable Development (WSSD) scheduled for Johannesburg in September 2002.

In short, there are two issues. One is whether COP6 has done what is needed for the entry into force of the Kyoto Protocol. The second is the link between development of a successful climate regime and a successful WSSD.



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Let's take the second question first. Ever since the United Nations General Assembly decided to launch negotiations for the adoption of an FCCC in 1990, the climate issue has grabbed the world's attention like no other environmental issue (in large part because it is not just an environmental issue). The host country of the Earth Summit, Brazil, repeatedly stressed the importance of adopting the FCCC at the 1992 Conference almost to the exclusion of all else. Developments around the world since then only have confirmed the importance of the topic by the prominence given to it in various meetings of Heads of State and Governments. The complexity of the subject matter brought about certain alliances hitherto alien to intergovernmental negotiations, both within industrialized and developing countries and among intergovernmental and nongovernmental organizations. Also, given the contentious negotiations that have characterized this issue and the prominence given to it by world leaders, the media and civil society, this topic ranks very high in determining whether the current international state system can adequately cope with a topic of this magnitude.

The FCCC and its Kyoto Protocol are at once agreements for safeguarding the Earth from climate change as well as helping nations meet their goal of attaining sustainable development. Thus the economic component of these agreements is as strong as the environmental component. Also, action is needed not just by the governments, but by the private sector as well as people everywhere. The reach of these agreements is such, at least one commentator felt, that outside of trade agreements this issue would be an ideal target for protests by the anti-globalization movement!

When one looks at the preparations for the WSSD, one is struck by how different they seem in comparison with those for either the Stockholm Conference on Human Environment in 1972 or the Rio Earth Summit of 1992. If the goal of the world community is to move from strength to strength in dealing with global environmental problems and effectively linking them with sustainable development concerns, it is vital that there be a lot more enthusiasm and hope for the WSSD. It is hard to come up with a new recipe that would, in the time remaining, make WSSD all that it could be for the world and its environment. But one can say with confidence that if the world were to falter in dealing effectively with climate change (by failing to bring the Kyoto Protocol into force by the time of the Summit), the repercussions on the Summit would be quite damaging indeed. It is hard to imagine a "successful" outcome at WSSD without sufficient excitement built around the implementation of the Kyoto Protocol amongst all the various sectors of society.

This then brings us to what needs to be done during COP7 to ensure that governments can go ahead with domestic measures to bring the Kyoto Protocol into force. While much progress has been made in reaching a political agreement on several issues, Parties in Marrakech will have to agree to, and adopt legal language on, just about everything that was agreed to in Bonn. The "package" that will have to be adopted in Marrakech contains not only decisions on the Protocol - viz., sinks, mechanisms, and compliance - where political agreement was reached in Bonn, but also decisions on policies and measures and reporting and review, where a substantial amount of work needs to be done. The decisions on reporting and review, largely left to be dealt with in Marrakech have vital implications for the world community to keep track of implementation measures carried out under the climate regime at the national level.

If the contentiousness evidenced in the final hours of Bonn is any indication, adoption of the package in Marrakech, where the decisions are presented in legal language for the first time, will be a formidable challenge. One of the unknowns is how the U.S. delegation might react to many of these proposals. Even though the Bush administration considers the Kyoto Protocol "fatally flawed," it has maintained so far that it will not "actively" come in the way of Parties making



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progress on the Kyoto Protocol. But it has maintained that to the extent its perceived interests, as defined by it, are at stake, it will aggressively pursue them. Other wrinkles include how the private sector and the environmental community, which, while not formally responsible for determining the outcome, will have significant influence in implementing the Kyoto Protocol, view the ultimate package.

The International Chamber of Commerce responded cautiously to the political decisions reached in Bonn in July. It noted that progress was made on some issues, largely to do with the mechanisms, but felt that additional detail is needed for businesses to make "expedient investment decisions." They call for a "detailed and realistic compliance regime where enforcement and liability are well defined." The environmental community, joined by the EU, has maintained throughout the negotiations that the ecological integrity of the Protocol be preserved. Even though these groups relented in Bonn to some extent, it is unlikely that they could be pushed too much further in the name of a successful conclusion at any cost.

All this is not to suggest that Marrakech is likely to be as cumbersome and politically wrenching as the COP6 meetings in The Hague and Bonn. A lot of work has been carried out in these conferences and outside. This can be built upon for a successful outcome in Marrakech, finalizing the outstanding details for the entry into force of the Kyoto Protocol and providing the needed boost to the World Summit on Sustainable Development. The prospect is good, but this is no time for complacency.