THIRD WORLD

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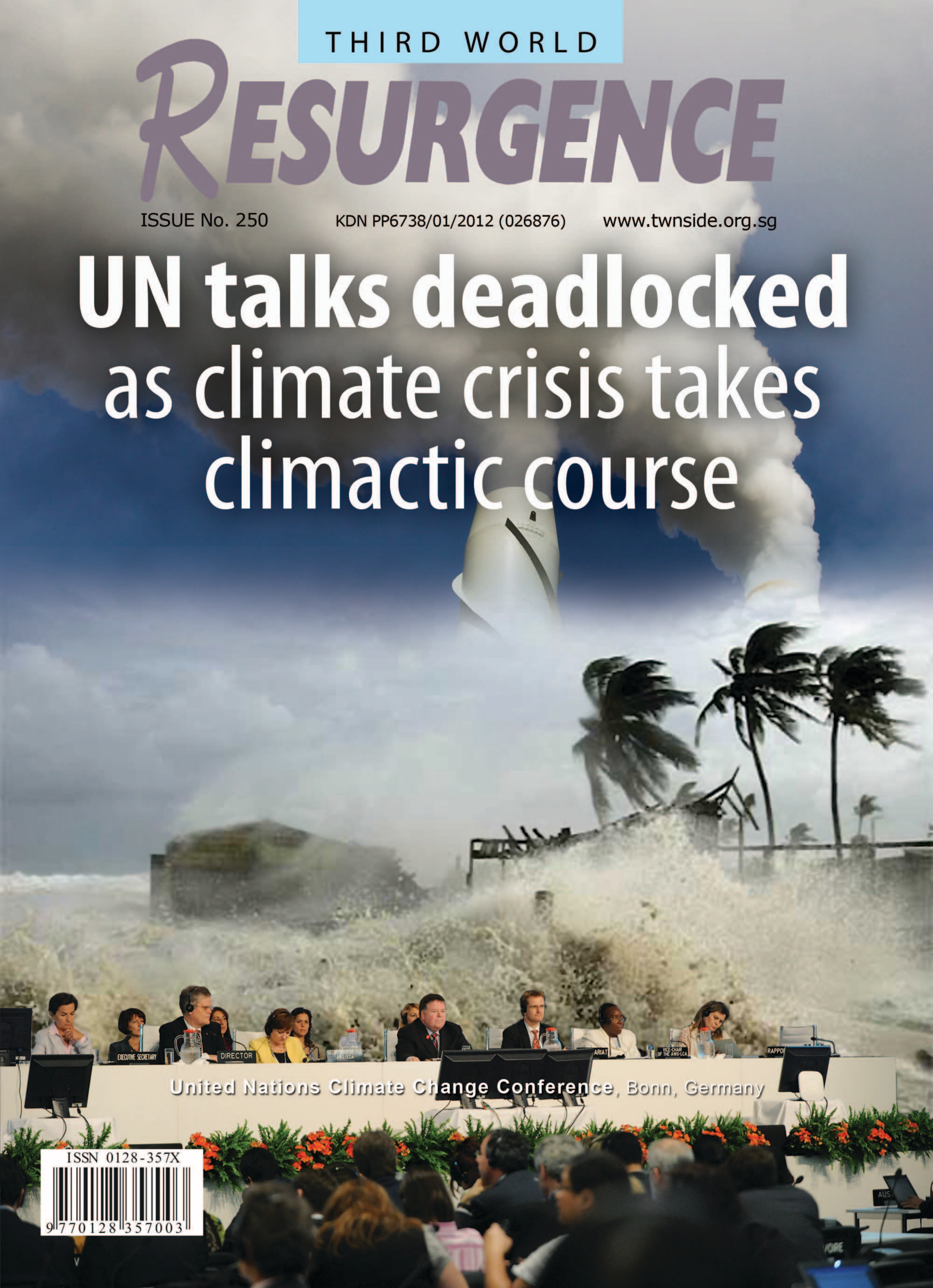
UN talks deadlocked as climate crisis takes climactic course



United Nations Climate Change Conference, Bonn, Germany

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Editor's Note

AS national negotiators, international agency officials and civil society representatives gathered in Bonn, Germany on 6-17 June for talks under the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol, they received a grim but timely warning from the International Energy Agency about the dire state of the climate.

According to the latest estimates released by this agency, carbon emissions in 2010 were the highest in human history. After a dip in 2009 as a result of the global financial crisis, carbon emissions in 2010 reached a record high. This, the IEA warned, represents 'a serious setback to our hopes of limiting the global rise in temperature to no more than 2°C' – the target agreed at the UN climate talks in Cancun, Mexico in 2010. In sounding the alarm that the climate crisis was 'edging incredibly close' to a point of no return, the IEA highlighted the 'shrinking room for manoeuvre' unless 'bold and decisive decisions are made very soon.'

Unfortunately, judging by the entrenched stance adopted by the developed countries on key issues at Bonn, this 'wake-up call' clearly fell on deaf ears.

To be sure, there was some progress on some of the main items on the Bonn agenda, such as the establishment of a standing committee to oversee and track climate funds for developing countries, a technology transfer mechanism and an adaptation committee to help poor countries cope with the adverse effects of climate change.

But the progress in these areas could not disguise the fact that on the fundamental issues that will determine the success or failure of the climate talks, the developed countries yielded little or no ground.

On the critical issue of the Kyoto Protocol, developed countries have continued to insist on a new agreement to replace it, one which would include all 'major emitters'. The Protocol now commits only the developed countries and countries with economies in transition to emission cuts, while sparing the developing countries from such obligation. The rationale is that those countries bear the historical responsibility for current global warming.

In Bonn, Canada joined Japan and Russia in serving notice that it was not prepared to commit itself to a second period of emission cuts under the Protocol after the initial period expires in 2012. European Union (EU) support for the Protocol has continued to wane over the years, and on 6 June, the EU's chief climate negotiator Artur Runge-Metzger made it clear that the EU would not sign up to a second commitment period without 'an agreement that covers … major economies [such as India and China] at the same time'. When account is taken of the fact that the US is not currently even a Party to the Protocol, the future of the treaty clearly hangs in the balance.

The implications of these developments are more than a question of injustice to developing countries in compelling them to undertake emission cuts to fight a crisis for which they are historically not responsible. The fact is that the Kyoto Protocol is the only international agreement which legally binds the developed countries to undertake emission cuts. The whole drive for a post-Kyoto agreement constitutes an attempt to replace a treaty with mandatory cuts with one with voluntary cuts, preferably one based on market mechanisms. Given the acute state of the climate crisis, this is clearly a recipe for disaster.

The irresponsibility of the rich countries stands out even more starkly when one puts the whole issue in its proper perspective. According to a recent Oxfam study, the total carbon emission reduction by 2020 resulting from the pledges made by the seven largest industrialised nations could actually be lower than those made voluntarily by China, India, South Africa and Brazil! What this means is that the countries which are historically responsible for our climate crisis are not only refusing to shoulder their fair share of the burden of emission cuts, but also seeking to jettison the only legally binding mechanism to successfully avert a catastrophe.

The Bonn meeting was another step towards the next full session of the 'Conference of the Parties' to the UNFCCC and Kyoto Protocol, to be held in a mere five months' time in Durban, South Africa. Will it be possible in this short period to shake the governments of the North from their slumber to face up to reality? No change can be expected from the US as the words 'climate change' will continue to be taboo until at least the conclusion of its 2012 presidential elections. As noted above, the EU has moved towards abandoning, in substance, the Kyoto Protocol. In view of all this and the unambiguous opposition of Canada, Japan and Russia to the Protocol, the situation is a bleak one.

Our cover story for this issue is devoted to analyses and reports on the Bonn climate change conference. While we focus on the critical debate at the conference on the fate of the Kyoto Protocol and the proposals for the Durban agenda, we also report on the concerns of developing countries about the misuse of trade measures by developed countries avowedly to mitigate climate change. Finally, we also highlight the limitations of market-driven approaches to the climate crisis and those which focus exclusively on clean and green technologies.

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On a happier note, we are pleased to inform readers that the current issue of *TWR* is our 250th since we began publication in 1990. Bringing out a regular publication is a challenge and we have our readers and contributors as well as our devoted publication staff to thank for making the continuance of this publication possible. As we express our appreciation to them, we look forward to the next 250 issues.

– The Editors

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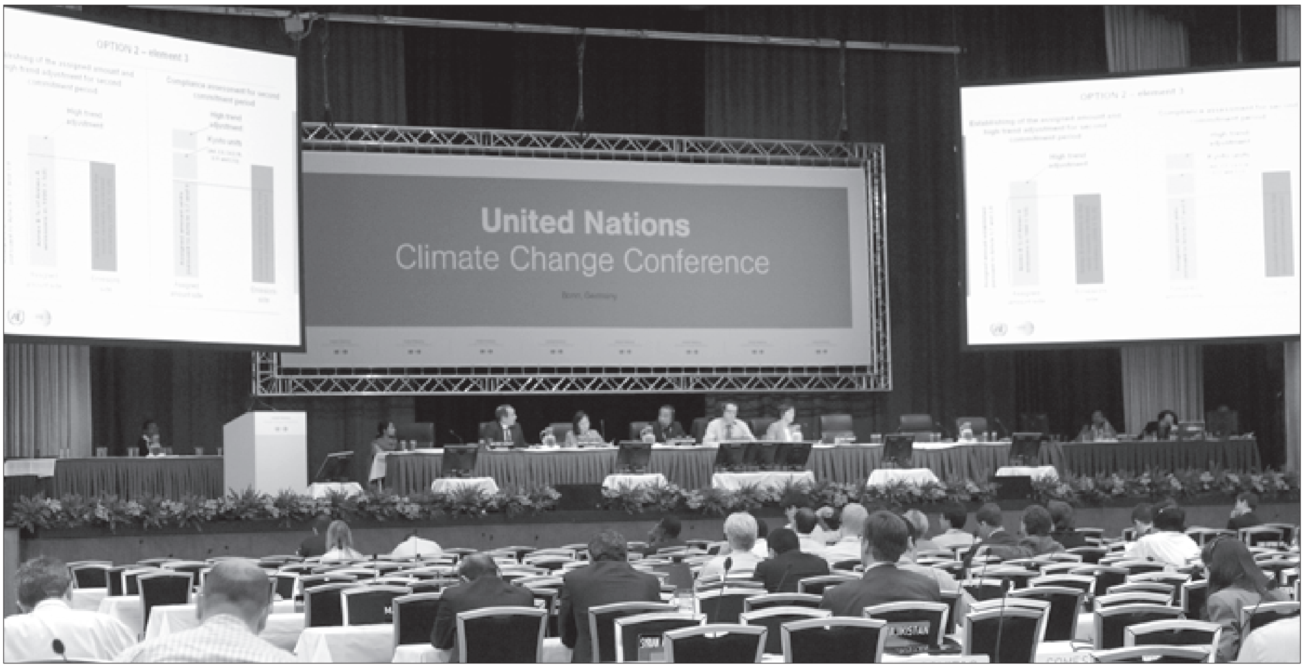

Photo courtesy of IISD/Earth Negotiations Bulletin

Even as the impacts of climate change intensify, UN negotiations held in Bonn, Germany in June *(pic)* made little headway towards a binding international deal on tackling the carbon emissions responsible for global warming. 11

THIRD WORLD RESURGENCE is published by the Third World Network, an international network of groups and individuals involved in efforts to bring about a greater articulation of the needs and rights of peoples in the Third World; a fair distribution of world resources; and forms of development which are ecologically sustainable and fulfil human needs.

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Cover photo of the UN climate change conference in Bonn courtesy of IISD/Earth Negotiations Bulletin.

WHA defers to 2014 decision on smallpox virus stocks destruction

US efforts to continue to retain smallpox virus stocks indefinitely have been somewhat frustrated by the decision of the World Health Assembly in May to reconsider the whole issue when this apex decision-making body of the World Health Organisation meets in three years' time.

Lim Li Ching

WHO/Christopher Black

World Health Organisation Director-General Margaret Chan *(fourth from left)* **in a discussion with delegates at the World Health Assembly on the destruction of smallpox virus stocks. The WHA decided to resume deliberations on the issue at its 2014 session.**

ATTEMPTS by the United States to prolong the retention of variola (smallpox) virus stocks have been thwarted at the World Health Assembly (WHA) that met in Geneva from 16 to 24 May.

The WHA, the highest decision-making body of the World Health Organisation (WHO), instead decided on 24 May to put aside the US proposal in favour of resuming the discussion at the 67th WHA in 2014.

The decision followed contentious discussions on a draft resolution, proposed by the US and several co-sponsors, that would have allowed continued retention of the existing virus stocks, with a report on progress of research only in five years' time (2016), at the 69th WHA. Despite an informal working group meeting to deliberate the issue, there was no consensus and a decision was then made to defer the discussion on the draft resolution.

In the final decision adopted on 24 May, the WHA decided to strongly reaffirm the decisions of previous WHA sessions that the remaining stocks of variola virus should be destroyed. It also reaffirmed the need to reach consensus on a proposed new date for the destruction of variola virus stocks when research outcomes critical to an improved public health response to an outbreak so permit.

It further decided to include a substantive item 'Smallpox eradication: Destruction of variola virus stocks' on the provisional agenda of the 67th WHA session.

According to various sources, enormous bilateral pressure, up to ministerial and head-of-state levels, was applied by the US on many capitals, urging support for the US position on smallpox.

Major review

This year's WHA, its 64th session, was meant to have considered the results of a major review of smallpox research. While smallpox was eradicated in the wild more than 30 years ago, live virus stocks are still held in two WHO repositories in the US and Russia. Despite previous experts' recommendations and WHA resolutions setting a date for destruction of the stocks, the two countries continue to insist on retaining the stocks. Retention is only temporarily authorised in order to conduct research essential to global public health. (See box on 'The smallpox debate in WHO'.)

The outcome of the major review mandated by the WHA at its 60th session found no compelling scientific or public health reason to continue to retain the virus. This review comprises a scientific review and a public health review, the latter carried out by the Advisory Group of Independent Experts to review the smallpox research programme (AGIES).

At the discussion on smallpox which opened on 23 May, developing countries that spoke strongly in support of the prompt destruction of the virus stocks and which reiterated that there is no justification for continued retention, included the 22 countries of the Eastern Mediterranean region (a WHO configuration), the Gulf Cooperation Council member states, Zimbabwe, China, Thailand, the Philippines, Malaysia and

Bolivia.

In the debate that ensued, Iran (speaking for the Eastern Mediterranean region) pointed out that the draft resolution (initiated by the US and issued on 16 May, the first day of the WHA) had ignored the fundamental element – the question of destruction – and that even those who supported the resolution have said that retention is temporary. After 30 years of accepting this, a definite time for destruction is needed at this juncture, it emphasised.

The draft resolution was first officially proposed on 16 May by Australia, Ethiopia, Lesotho, New Zealand, the Russian Federation and the US. A revised draft resolution issued four days later added Barbados, Canada, Colombia, the Democratic Republic of Congo, Mexico and Uganda as co-sponsors.

Observers were surprised that this new configuration of virus retention proponents included countries from the African region, which historically had been among the most vocal supporters for setting a new date for the destruction of the stocks. (It was such calls by the African region in 2007 that had led to the commissioning of the major review of smallpox research.)

Thus, developing countries were not as united as in previous WHA meetings in their call for prompt virus destruction.

US lobbying

After numerous postponements, the smallpox agenda item finally opened on the penultimate day of the WHA, 23 May. Observers noted that the delayed consideration of the smallpox issue was advantageous to the US, as it afforded the US more time to continue its lobbying efforts for its position. Various sources confirmed that there was enormous bilateral pressure up to the highest political level in several capitals, urging support for the US position.

That the issue was important to the US was also underscored by the press conference in Geneva held by its Secretary of Health and Human

CDC/Jean Roy

A photograph taken in 1974 of a young smallpox patient in Bangladesh. Smallpox was eradicated in the wild more than 30 years ago.

Services, Kathleen Sebelius, on the second day of the WHA. Smallpox was one of the three issues highlighted at the US press conference, as issues that the US has 'been focusing on'.

When the Chair of the WHA Committee A, which considers technical and health matters, opened the official discussion on smallpox, he informed the room that Italy, Denmark and the United Kingdom were now also co-sponsors of the US resolution. (Observers note that the latter two countries are each home to vaccine companies that are seeking multi-billion-dollar US government contracts to purchase smallpox vaccine.)

The US made the first intervention, stressing that it believes that now is not the appropriate time for destruction of the virus stocks, as it would leave the world vulnerable to a smallpox outbreak. It raised the issue of 'undisclosed stocks' (allegations of which have never been actually substantiated). It called for the WHA to continue to authorise smallpox research and to allow retention of the stocks.

The US cited the scientific review as supporting their position. (A reading of the scientific review report shows that every chapter of the review was authored or co-authored by variola scientists working with either the US or Russia.)

The US also referred to the AGIES report, giving the impression that the report stated that work with live variola 'may be indispensable for the development and approval of antiviral drugs against smallpox'. Observers were surprised by this apparent misrepresentation, as the report had merely said that this was what the scientific review had argued. In fact, in the AGIES' view, regulatory approval could be achieved without the use of live variola virus.

The US then read out a list of countries now supporting the draft resolution – Armenia, Australia, Barbados, Belarus, Canada, Colombia, Denmark, Democratic Republic of Congo, Estonia, Ethiopia, Fiji, Italy, Jamaica, Japan, Kazakhstan, Lesotho, Malawi, Mexico, Mozambique, New Zealand, Russian Federation, Samoa, Uganda, United Kingdom, United States of America and Tanzania – bringing the total number of co-sponsors to 26. During the discussions, Israel and Monaco indicated that they would also join as co-sponsors.

The Russian Federation reiterated that it needed time to continue the research and that there should be caution in destruction of live variola strains, as this would be an irreversible event. It maintained that its containment facilities are safe.

Canada held the firm view that the stocks must be retained for public health purposes and that setting a date for destruction was premature. It felt that a review of the issue in five years' time, as called for by the resolution, was an appropriate timeline.

Other countries spoke to merely state that they were supporting the US resolution, without providing any justifications for their positions.

A technical expert following the discussion said that regrettably, some of these countries made statements that were technically questionable, which perhaps reflected a lack of clear understanding of the issue. For example, one developing country raised the threat of a pandemic and the need to develop a vaccine, perhaps unaware that these vaccines already exist (and were used to wipe out smallpox in the first place) and do not require live variola, as the vaccines are made from vaccinia, a related but less dangerous virus.

Some African countries such as Tanzania and Ethiopia raised the prospect of monkeypox. (It was not clear how this issue, a concern in its own right, was related to the issue of smallpox.)

India, despite pointing out that the draft resolution strongly reaffirms previous WHA decisions that the remaining stocks should be destroyed, supported the adoption of the US resolution.

Japan also supported the US resolution and thanked the US for drafting the resolution. It, however, also reiterated that the final goal was destruction of the stocks.

Hungary, speaking for the European Union, Turkey, Croatia, Macedonia, Montenegro, Iceland, Bosnia and Herzegovina, Serbia, Moldova, Norway and Switzerland, supported continued temporary retention of the virus at the current locations (in the US and Russia), for the purposes of enabling further results-oriented and periodically reviewed research. It suggested that once the approved research was concluded, the WHA should research consensus on the date of destruction.

Nigeria, pending consensus on the timing of destruction, also supported continued retention.

On the other hand, Iran, speaking on behalf of the Eastern Mediterranean region, comprising 22 countries, traced the history of the smallpox discussion following its eradication in the wild, pointing to the two specific deadlines for destruction which were unfortunately not met. It reminded delegates that the research activities were approved only as long as they were outcome-oriented, time-limited and periodically reviewed. Iran said that the timeline for conducting such research had been extended and exhausted.

The Eastern Mediterranean region therefore did not think that further research required access to the live virus; on the contrary, destruction of the stocks would end the threat of an accidental or deliberate release. It called for a date for destruction to be set by the WHA, as ‘enough is enough’.

In its view, a resolution should set a prompt and fixed date for destruction, terminate authorisation of research involving live variola, ensure global ownership of the research re-

‘An unnecessary risk to mankind’

AHEAD of the 2011 World Health Assembly, 43 civil society organisations signed an open letter calling on WHA delegates to unequivocally terminate research with smallpox virus and to fix a prompt and irrevocable date for the destruction of the virus stocks. Their call is echoed by many in the scientific community, particularly those who were involved in eradicating smallpox from the wild.

In February 2011, an editorial in the journal *Vaccine* asked, ‘Why not destroy the remaining smallpox virus stocks?’ The editorial was written by J Michael Lane, former head of the Centers for Disease Control and Prevention (CDC) smallpox eradication programme, and Gregory A Poland, Editor-in-Chief of *Vaccine*.

[The CDC is the WHO repository for smallpox stocks in the United States. The other WHO repository is the Russian State Centre for Research on Virology and Biotechnology (Vector) in Novosibirsk, Russia.]

The *Vaccine* editorial highlighted that the little research that is necessary does not require the live smallpox virus and can be done using alternative models, which ‘suggest that retention of the live viral stocks is unnecessary, and represents an unnecessary risk to mankind’.

It concluded, ‘It is time to destroy our remaining smallpox virus stocks, call upon the rest of the world to do the same, and make possession of the virus an international crime against humanity. We find no evidence to compel us to do otherwise.’

DA Henderson, who led WHO’s global smallpox eradication programme, further places the choice before us clearly in a March 2011 article in the journal *Biosecurity and Bioterrorism: Biodefense Strategy, Practice, and Science*: ‘With 2 highly protective vaccines available and the near-completion of work on 2 antiviral drugs, is it warranted to continue to invest heavily in new vaccines and additional antiviral drugs that we hope and expect will never have to be deployed? Might it not be better to give priority to assuring that we have an adequate emergency reserve of smallpox vaccine and antiviral drugs that we know will protect against smallpox, and in strengthening the international and national response capabilities for surveillance, containment, and laboratory capabilities? The retention of the existing stocks of smallpox virus [is] not required for this agenda.’

The retention of live smallpox virus stocks creates the risk of accidental (or even deliberate) release of smallpox virus from the laboratory, something the world can ill afford, given that many people are no longer vaccinated against the disease. Of course on any given day, the chances of such an event are very small, and none has been recorded in recent years. Yet the last documented human cases of smallpox, in the UK in 1978, were the result of a laboratory accident. And both of WHO’s authorised smallpox virus repositories, in the United States and Russia, have experienced serious mishaps in recent years.

The reality of human and equipment failures at high containment laboratories, including laboratories with the latest technology and training, demonstrates the substantial risk. With smallpox, the risk is proportional to the length of time that smallpox is stored and the number of activities that are conducted with the stocks. In other words, the longer that the WHA delays destruction of the stocks, and the more research that is permitted, the higher the likelihood of an accident. – *Extracted from an article in* SUNS *No. 7150 (16 May 2011)* ◆

sults, ensure equitable access to the research outcomes, fully prohibit genetic engineering of smallpox, and allow for effective verification and monitoring. As such, the draft resolution as proposed by the US and co-sponsors was not acceptable to the region; 'drastic changes' were needed instead.

Iraq supported the Iranian statement on behalf of the Eastern Mediterranean region and called for a date for destruction to be set. At a minimum, it said, a timetable for the research conclusion was needed, leading to destruction of the stocks.

The Philippines reaffirmed that for eradication to be realised, no trace of the live virus should be kept, as it poses a public health risk. It called for the WHA to fix a date for destruction of the stocks and to not authorise variola research that was not essential to public health. It also requested the WHO Director-General to improve the transparency of the Advisory Committee on Variola Virus Research, to make the research results available to all, and to enforce strict biosafety and laboratory containment, in the interim before destruction.

Saudi Arabia, with support from the United Arab Emirates, Kuwait, Qatar, as well as Yemen, forwarded the Gulf Cooperation Council's view that there was no reason to continue research with smallpox virus and that a date for destruction should be set. Bahrain associated itself with the statements made by Saudi Arabia and Iran on behalf of the Eastern Mediterranean region and supported a resolution for destruction of the stocks. The United Arab Emirates similarly supported the Saudi Arabian intervention.

Bolivia also reaffirmed the consensus for destruction. It reiterated that the research's public health goals have been reached, and that therefore it was necessary to move forward on destruction.

Zimbabwe highlighted the point that as long as the two WHO repositories retain virus stocks, there remains a potential global threat of the resurgence of the disease. On the US-sponsored resolution, it was con-

The smallpox debate in WHO

A quarter-century ago, in 1986, the WHO Committee on Orthopoxvirus Infections first recommended that the smallpox virus stocks be destroyed, so that the risk of a future outbreak would be radically reduced. This recommendation was followed by more recommendations for destruction, with the WHO Ad Hoc Committee on Orthopoxvirus Infections in 1990 suggesting a destruction date of 31 December 1993; and again in 1994, recommending destruction on 30 June 1995.

These recommendations were taken up by the global health community, whereby Resolution WHA49.10 (1996) of the World Health Assembly recommended that remaining stocks be destroyed on 30 June 1999.

Following refusal by the United States and Russia to do so, Resolution WHA52.10 (1999) authorised temporary retention up to, but not later than, 2002. Temporary retention was authorised only for research essential to global public health, namely, in sequencing, diagnostics, vaccines and antivirals, and development of an animal model that would assist in these efforts.

Come 2002, there were still objections from the United States and Russia to destroying the stocks. Hence, WHA Resolution 55.15 (2002) authorised further, temporary, retention of existing stocks, with no date for destruction set. Following dangerous proposals by the United States to genetically engineer smallpox, which were eventually thwarted, the WHA stepped up its scrutiny over the smallpox research programme, a process that culminated in Resolution WHA60.1 (2007).

That Resolution called for a major review in 2010: of the research undertaken, underway and plans and requirements for further essential research for global public health purposes, so that the 64th WHA in 2011 may reach global consensus on the timing of destruction of existing stocks.

The major review consists of two parts: a scientific review of smallpox research conducted from 1999-2010 and a public health assessment. The scientific review mainly represents the views of virologists who work with smallpox and related orthopoxviruses. It is authored or co-authored by United States and/or Russian government scientists employed by the ministries that host the WHO repositories.

More importantly, the public health review paper offers a review of research undertaken (as documented in the scientific review paper) and an assessment of whether additional research using live smallpox virus is necessary from a global public health perspective. It was prepared by the Advisory Group of Independent Experts to review the smallpox research programme (AGIES), members of which were appointed by the WHO Director-General.

The AGIES did not include representatives of the WHO repositories in Russia and the United States, or the respective ministries that manage them. It was also notably more geographically balanced than the scientific paper authorship, including experts from all WHO regions.

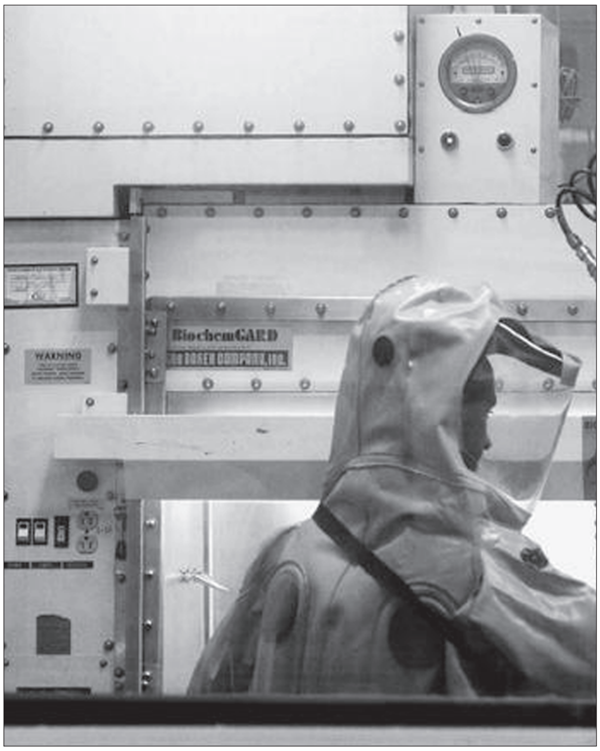
Thus, while the scientific review paper provides important data from persons working inside the smallpox field, mainly in the service of the United States and Russian governments, the AGIES paper is the global public health review of variola virus research that the 60th WHA requested.

According to the AGIES, smallpox virus is no longer needed for vaccine or antivirals research because of the dangers the research poses and because alternative animal models utilising related orthopoxviruses may be used for research and regulatory purposes.

The AGIES concludes that no essential public health need now exists for live smallpox virus, meaning that the WHA's purpose in authorising temporary retention has been fulfilled. – *Extracted from an article in* SUNS *No. 7150 (16 May 2011)* ◆

cerned that despite consensus in previous years on destruction of the remaining stocks, the US and Russia continue to retain the stocks. This is also despite the major review concluding that the essential research requiring live variola has been completed. Zimbabwe was concerned by the US resolution, which, among other things, authorises further temporary retention of the virus stocks and requires confirmation by member states that they do not have stocks within their borders.

It said that what the US is proposing 'is taking us two decades back'. It also stressed that there was no documented evidence of any other stocks besides the authorised ones. Zimbabwe called for immediate destruction of the virus stocks, as 'any further prevarication will only increase the potential threat of a resurgence of smallpox'.



Live smallpox virus stocks are still held in two WHO repositories in the US and Russia. Picture shows a researcher entering the smallpox research laboratory at the US repository in the Centers for Disease Control.

China lauded the great progress made in smallpox research, noting that diagnostics and vaccines already developed provide the necessary 'technical guarantees' to enable response to a future outbreak. The key problem remaining, China said, is how to effectively prevent the recurrence of smallpox. In China's view, the destruction of variola virus stocks and the strict prohibition on synthetic variola are the most important ways. China therefore supported the termination of use of live variola virus in research and urged a clear timeline for destruction. It also proposed that WHO make timely reports and notifications of the research progress and that member states have access to the relevant research results.

Echoing China, Thailand reiterated that the world already has the vaccines and diagnostic tools to deal with any potential smallpox outbreak, and there was no longer adequate scientific justification for retention of live variola virus stocks. Continuing to do so would not serve global security but would pose a threat to humanity. It reminded the WHA that the stocks of virus are the property of WHO and not of individual states such as the US or Russia. Thailand said that it could not accept the draft resolution and called for the stocks to be 'destroyed immediately'.

Peru pointed to the importance of the public health goals of the research and reaffirmed the need for destruction. Malaysia also recognised the major progress made on antivirals, improved and safer vaccines and diagnostics. It urged the WHA to fix a definite date for destruction for the remaining stocks. Bangladesh called for consensus on destruction 'sooner rather than later'. Indonesia recalled previous resolutions setting the date for destruction, and that the global consensus was for destruction. It called for a new date for destruction to be set.

After the interventions, the US responded by underlining that it clearly and unequivocally supports the eventual destruction of the virus stocks, but only when the programme of research is complete, and that time had not yet come. It pledged to be open in its research, and to make the results fully available to the global community.

A statement was made on behalf of CMC-Churches in Action and 43 civil society organisations calling on the WHA to unequivocally terminate research with smallpox virus and to fix a prompt and irrevocable date for the destruction of the virus stocks.

Final decision

After all the interventions were made, and given the huge differences between countries, the spectre of a vote by secret ballot as a last resort was raised by Iran on behalf of the Eastern Mediterranean region. The Chair convened an informal working group to work on the draft resolution to try to come to a consensus. Fifty member states participated in the working group's discussions.

When no consensus could be reached, the matter was then brought back to Committee A the next morning. Given the impasse, Switzerland proposed that the WHA defer the consideration of the item and discuss it again at the 67th session. Several countries made interventions in support of deferment, although there was disagreement about the date.

The meeting was then suspended for almost an hour and a half, during which WHO Director-General Margaret Chan informally facilitated discussions that led to the final decision that was adopted by the WHA.

Meanwhile, the Director-General will continue the mandate of the Advisory Committee on Variola Virus Research and the AGIES. ◆

Lim Li Ching is a researcher with the Third World Network. The above article, which first appeared in the South-North Development Monitor (SUNS*, No. 7158, 26 May 2011) published by TWN, was written with inputs from Edward Hammond.*

Land deals under the spotlight in Africa

As foreign investors continue to make more forays into Africa's land resources, a study has unearthed some surprising findings about the identity of some of the principal investors.

Chee Yoke Heong

SWATHES of land in Africa are being snapped up by investors and hedge funds, often at the expense of local inhabitants, with promises of benefits that may not materialise.

Lured by the prospects of high returns and attractive incentives offered by African governments, foreign and domestic investors are buying or leasing land across the continent as a means to secure land to grow food for markets back home, engage in export commodity production or merely for speculation. In return, the investors offer to provide jobs and development to the areas they have acquired.

But instead of bringing hope to the local population, large-scale unregulated investment in land in Africa is resulting in food insecurity, displacement of local farmers and farms to make room for cash crops, environmental degradation and heightened risk of political instability in the continent, according to research by the US-based think-tank Oakland Institute.

Western investors

Chinese, Indian and Middle Eastern parties may have been actively buying up land in Africa, but the Institute believes that Western companies, individuals and investment funds play a bigger role in African land acquisitions. It also named US universities like Harvard and Vanderbilt as among those joining the bandwagon through their investment in firms such as London-based Emergent Asset Management, which was founded by former traders at major banks Goldman Sachs and JP Morgan.

US firms also invest using subsidiaries registered in other countries, such as Petrotech-ffn Agro Mali, which is a subsidiary of Petrotech-ffn USA.

European firms are also involved, often with support from their governments. Swedish and German firms have strong interests in the production of biofuels in Tanzania while the major investors in Sierra Leone include Addax Bioenergy from Switzerland and Quifel International Holdings from Portugal. And Sierra Leone Agriculture is actually a subsidiary of the UK-based Crad-L (CAPARO Renewable Agriculture Developments Ltd.).

'The same financial firms that drove us into a global recession by inflating the real estate bubble through risky financial manoeuvres are now doing the same with the world's food supply,' said Anuradha Mittal, executive director of the Oakland Institute. She warns that the conversion of African small farms and forests into a natural-asset-based, high-return investment strategy can drive up food prices and accelerate climate change.

The justifications put forward by the governments of Africa, investors and international institutions for the large-scale leasing and sale of lands are that investment is needed to modernise Africa's agriculture through transfer of technology, spur infrastructure and economic development, and generate employment and foreign exchange through export of food and commodities. Also making agricultural investment attractive are global conditions in the form of recent high food prices and growing demand for food and biofuels as industrialisation continues and populations grow.

But the Oakland Institute study, which covers seven African countries, confirms many existing findings which show that large-scale land acquisitions do not necessarily produce the promised benefits for local populations. The investors, government officials and the local elites are among those who would gain most from the leasing and sale of land, with limited positive impacts on the livelihoods of the local communities.

This situation is attributed to the land policies and generous fiscal incentives which facilitate what has come to be known as 'land grabbing', as investors – foreign, domestic and diaspora – cash in on the very attractive investment climate.

For instance, contracts for large-scale agricultural investors in Sierra Leone allow 100% foreign ownership in all sectors with no restrictions on foreign exchange, full repatriation of profits, dividends and royalties, and no limits on expatriate employees. Land is also cheap. Sierra Leone officially stipulated that investors pay $12 per ha per year but even this low price is not respected largely because it is non-binding. As such, Sierra Leone Agriculture pays only $2 per ha per year, while for Quifel Agribusiness (SL) Ltd., payment starts at $5 per ha per year. In Gambella, Ethiopia, the Indian company Karuturi initially received their land for just $1.25 per ha but subsequent negotiation with the federal government has raised the price to $6.75 per ha. In contrast, rates for Brazil or Argentina were $5,000-6,000 per ha.

These prices are a bargain for the investors but they do not provide greater incomes for the host governments. The International Monetary Fund (IMF) has also shown that generous tax incentives aimed at attracting foreign investors in developing countries will only reduce much-needed tax revenues for the government without promoting growth.

The Oakland Institute study further shows how local economies are negatively impacted where investments took over land from active and productive businesses and farms. An example is the case of women farmers in Mali who lost the vegetable gardens they used to grow fresh food for the markets.

Agriculture investments were supposed to improve food security of the countries targeted by the investors but instead many small farmers are being forced out of their lands and small and local food farms had to make way for export commodities such as biofuel crops and cut flowers. In Mali, for instance, half of the investors with large holdings intend to grow plants used to produce biofuels, such as sugar cane and jatropha. In Mozambique, most of the investments are in the timber industry and biofuel production rather than food crops, which represent only 32,000 ha of the 433,000 ha that were approved between 2007 and 2009.

Instead of developing marginal or infertile land, most land deals take place near water resources offering irrigation potential, on fertile soils and close to infrastructure such as railroads and railways. They tap into major African rivers, hence controlling not only the land but also the water resources. Because water is available either without restriction or at extremely low costs, this raises major questions over the impact this will have on the rest of the area and on the rivers themselves and how they will provide for the needs of other users.

The land investments are also controversial in their immediate impact on the lives of local communities and smallholders. The construction of a canal resulted in massive disruption in the region of Kolongo in Mali in which houses were razed, and market gardens and orchards were bulldozed.

As to whether land investment will create jobs as touted by its proponents, the Oakland Institute research finds that in the countries it covers, the promises of job creation are often overstated or have yet to materialise.

Tomoyo Group has leased 100,000 ha of land on the western border of Malibya in Ethiopia where an estimated 100,000 to 200,000 people live. The company said it may employ 1,000 workers on its land. However, it is unclear what will happen to the rest of the population.

Addax Bioenergy in Sierra Leone employed only about 200 people as casual labourers among over 13,000 affected by its project that involved 32 villages. This left the rest of the population in its project area without land to farm and without work. The company also promised development in the form of schools, health facilities and water wells but to date none of these has materialised.

Non-transparency

The lack of transparency and the violation of human rights in these land deals are matters of concern. While investors have benefited from extensive assistance and fiscal incentives from the government and international organisations, any opposition to the land deals has largely been ignored or repressed.

There is almost no transparency regarding land investment negotiations and agreements. In the countries covered by the study, villagers on the acquired land are usually not informed or consulted, or adequately compensated if at all. The non-recognition of the rights of local villagers to their land is one reason why they are not able to claim compensation. In some cases they are regarded as 'squatters' and forcibly removed to make way for the takeover of the land by investors.

'It was with bulldozers that they [the investors] consulted with the smallholders,' says Ibrahim Coulibaly, president of the National Coordination of Smallholder Organisations (CNOP) in Mali.

In Ethiopia, all indigenous peoples in Gambella and Benishangul from approximately 135,000 households are being relocated under the 'villagisation' process from their ancestral lands, the very same areas targeted for commercial land investments. Those who refused to move were threatened with arrest. In the case of villagers who did move, the forests that their people had used for generations are now being cleared by the Saudi Star company.

In Samana Dugu in Mali in 2010, when bulldozers moved in to clear the land that was signed over to Moulin Moderne du Mali, the people from the community protested the cutting of their trees and the loss of their farmlands but their resistance was met by police forces who beat and arrested them.

In Tanzania, the memorandum of understanding between AgriSol Energy and the local government stipulates that the two main locations – Katumba and Mishamo – for their project are refugee settlements that will have to be closed before the project can start. This is despite the fact that the 162,000 refugees living there had originally fled Burundi and had been farming on the land for 40 years. When the refugees organised a protest they were arrested and detained.

In many agreements, the investors are required to produce Environmental Impact Assessments and/or Social Impact Assessments. Based on the findings of the Oakland Institute study, these assessments are often not carried out or, if they are done, the non-binding nature of the requirements and their lack of enforcement allow investors to ignore the health of the ecosystems and the welfare of the local populations.

Given all these problems, the promotion of land investment raises important questions regarding who benefits from these investments. Unless they are addressed and principles of good governance are adhered to, the study stresses, the situation is ripe for social, economic and political fallouts. ◆

Chee Yoke Heong is a researcher with the Third World Network.

Greek protesters are better economists than the European authorities

European authorities are putting the Greek people through years of unnecessary suffering and privatising the country's public assets at firesale prices rather than facing up to the default and debt restructuring that will have to take place sometime.

Mark Weisbrot

A protest against austerity measures held in front of the parliament building in Athens.

IMAGINE that in the worst year of our recent recession, the United States government decided to reduce its federal budget deficit by more than $800 billion – cutting spending and raising taxes to meet this goal. Imagine that, as a result of these measures, the economy worsened and unemployment soared to more than 16%, and then the president pledged another $400 billion in spending cuts and tax increases this year. What do you think would be the public reaction?

It would probably be similar to what we are seeing in Greece today, including mass demonstrations and riots, because that is what the Greek government has done. The above numbers are simply adjusted for the relative size of the two economies. Of course the US government would never dare to do what the Greek government has done – recall that the budget battle in April that had House Republicans threatening to shut down the government resulted in spending cuts of just $38 billion.

Unaccountable

What makes the Greek public even angrier is that their collective punishment is being meted out by foreign powers – the European Commission, European Central Bank (ECB), and the International Monetary Fund (IMF). This highlights perhaps the biggest problem of unaccountable, right-wing, supra-national institutions. Greece would not be going through this if it were not a member of a currency union. If it had leaders that were stupid enough to massively cut spending and raise taxes during a recession, those government officials would be replaced. And then a new government would do what the vast majority of governments in the world did during the world recession of 2009 – the opposite, i.e., deploy an economic stimulus, or what economists call counter-cyclical policies.

And if that required a renegotiation of the public debt, that is what the country would do. This is going to happen even under the European authorities, but first they are putting the country through years of unnecessary suffering, and taking advantage of the situation to privatise public assets at firesale prices and restructure the Greek state and economy so that it is more to their liking.

Greece would not be going through this if it were not a member of a currency union.

I have maintained for some time that the Greek government has had more bargaining power than it has used, and the recent events seem to confirm this. Because of the massive opposition to further economic self-destruction – the latest polls show that 80% of Greeks are opposed to making any more concessions to the European authorities – the Greek government has so far been unable to reach an agreement with the IMF for the release of their latest loan tranche on 29 June. So what happened? The IMF is going to hand over the money anyway, while the European authorities (who are in control of IMF decision-making on matters of Greek economic policy) continue to quarrel over how long they will postpone Greece's inevitable debt restructuring, roll-over, or whatever they choose to call it.

That's because the prospect of a disorderly default – as would be triggered by the IMF simply sticking to its programme and not lending Greece the money – is too scary for the European authorities to contemplate. For this reason the many news articles about the possibility of a financial collapse comparable to what happened after Lehman Brothers went under in 2008 are somewhat exaggerated. The European authorities are not going to let that happen over a measly $17 billion loan instalment. The recent events were all a game of brinkmanship, and the European authorities had to blink because the Greek government, as much as it wanted to, couldn't get approval for the deal.

Massive government spending cuts are being demanded in Greece by 'unaccountable, right-wing, supra-national institutions' like the European Commission *(pic)*...

... and the International Monetary Fund.

Harder line

A democratically accountable Greek government would take a much harder line with the European authorities. For example, they could start with a moratorium on interest payments, which are currently running at 6.6% of GDP. (This is a huge interest rate burden, and the IMF projects it to increase to 8.6% by 2014. For comparison, despite all the noise about the US debt burden, net interest on the US public debt is currently at 1.4% of GDP.) That would release enough funds for a serious stimulus programme, while they negotiate with the authorities for the inevitable debt write-down. Of course the European authorities – who are looking at this from the point of view of their big banks and creditors' interests generally – would be enraged, but at least this would be a reasonable opening bargaining position.

The IMF's latest review of its agreement with Greece suggests that the euro, for the Greek economy, is still 20-34% overvalued. This makes a recovery through 'internal devaluation' – i.e., keeping unemployment so high and therefore lowering wages to make the economy more internationally competitive – an even more remote possibility than it would otherwise be. But the big problem is that the country's fiscal policy is going in the wrong direction, and of course they cannot use monetary policy because that is controlled by the ECB.

The European authorities have more than enough money to finance a recovery programme in Greece, and to bail out their banks if they don't want them to take the inevitable losses on their loans. There is no excuse for this never-ending punishment of the Greek people. ◆

Mark Weisbrot is co-director of the Center for Economic and Policy Research in Washington, DC. He is also president of Just Foreign Policy. This article first appeared on the website of the Guardian *(www.guardian.co.uk).*

Climate regime on the brink

The climate talks held in Bonn (6-17 June) in further preparation for the next major UN climate change conference at Durban in December failed to break the deadlock over the future of the Kyoto Protocol. Even as more grim news emerges of the dire state of the global climate, there is now a real prospect of the global climate regime unravelling.

Martin Khor

THE month of June saw the first real negotiations on climate change since the United Nations conference in Cancun last December.

Many issues were discussed at the meetings in Bonn (6-17 June) of four bodies under the UN Framework Convention on Climate Change (UNFCCC). On some issues there was, thankfully, some progress.

The progress was in the setting up of a Standing Committee on finance (that is expected to oversee and track climate funds for developing countries), a technology transfer mechanism, and an adaptation committee to help developing countries cope with the effects of climate change.

Also discussed was the concern that in taking climate actions, developed countries may cause economic or social harm to poorer countries. Some developed countries are already preparing unilateral measures to impose charges or taxes on goods and services of developing countries, an issue highlighted at a special workshop in Bonn.

The Europeans came under fire for their new scheme to tax foreign airlines that do not meet greenhouse gas emission standards. There was also concern over some United States Congress bills that call for an emissions charge on some developing countries' products.

In future, such unilateral measures should be discussed before they are designed or implemented, and a forum under the UNFCCC should be set up on the impacts of mitigation actions to provide this kind of preventive diplomacy. This was suggested by many of the developing countries.

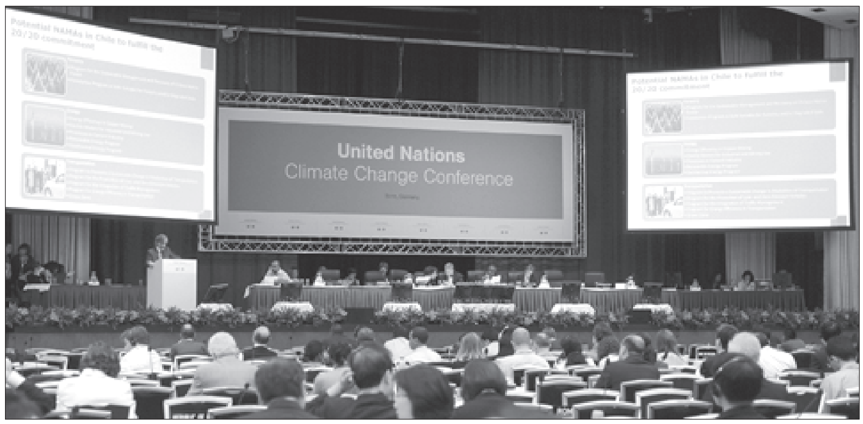


Photo courtesy of IISD/Earth Negotiations Bulletin

The UN climate change negotiations in Bonn in June *(pic)* **saw continuation of the deadlock on the future of the Kyoto Protocol.**

Despite good discussions on these issues, however, both the climate situation and the prospects for the global climate regime have become more grim.

Global emissions from the energy sector went up a record 5% last year, according to the International Energy Agency, which painted a doomsday scenario if this trend continues (see box).

Most significantly, the Bonn meetings saw the continuation of the deadlock on the future of the Kyoto Protocol (KP), the legally binding regime that commits developed countries to cut their emissions by certain percentages.

All developed countries except the United States are KP Parties and they are obliged to commit to a second period of emission reductions after the first period ends in December 2012. For a smooth transition, the figures for emission cuts for the second period have to be agreed to by this December at the UN climate conference in Durban.

But three countries (Japan, Russia, Canada) have announced they will not commit to emission cuts under the KP in a second period.

The European Union (EU) countries, traditionally the strongest members of the KP, have yet to declare conclusively whether they will sign up. If they do, some others like Norway, Switzerland, possibly New Zealand and Australia may also do so.

But if they don't, then the KP will almost surely die out. In its place will probably be an inferior system of voluntary pledges by both developed and some developing countries. The outlines of this new system were already ushered in at Cancun.

The inadequacy of such a voluntary system can be seen from the pledges already made by the developed countries.

Instead of cutting their emissions by at least 25-40% below 1990 levels in 2020 as science requires (or by more than 40%, as demanded by developing countries), the developed countries will actually increase their emissions by 6% in a bad scenario (based on the lower end of pledges and the use of loopholes) or will only cut by 16% in the good scenario (based on the upper end of pledges and without the use of loopholes). These estimates were made in a report of the UN Environment Programme (UNEP) last December.

These pledges, together with targets announced by some developing countries, indicate that the world is moving towards a global temperature increase of between 2.5 and 5 degrees Celsius before the end of this century, according to the report. This is far removed from the 1.5°C or 2°C 'safe limit', and is a recipe for catastrophe.

Recently another report was published showing that the pledges by major developing countries would contain more emission reductions than those of major developed countries.

According to Oxfam, the study it commissioned the Stockholm Environment Institute (SEI) to do shows that:

• China's total emission reductions could be nearly double those of the US by 2020;

• The emission reductions of developing countries could be three times greater than those of the EU by 2020;

• The emission reductions of China, India, South Africa and Brazil could be slightly greater than the combined efforts of the seven biggest developed countries – the US, Europe, Japan, Canada, Australia, New Zealand and Russia – by 2020.

There is still hope for success in Durban if enough developed countries decide they will go with a second commitment period starting 2013. And if those developed countries which stay out of the KP also make a comparable effort, under the UNFCCC (to which the US is a Party).

Developing countries meanwhile for the first time are making national targets, and those of the largest countries have been credible, as the SEI report shows. In future, as they gain more experience and confidence, the developing countries as a whole will be prepared to do even more.

However, it is neither fair nor realistic to expect the developing countries to make the same binding commitments as the developed countries.

Furthermore, to downgrade from the current system with the KP at its centre, to just a voluntary regime in which every country can choose by how much to cut (or raise) their emissions will be a recipe for disaster.

As the Bonn meetings ended on 17 June, the developing countries led by the Group of 77 and China reiterated their strong call that agreement on a second period of the KP be settled this December in Durban.

If that does not take place, we may witness the dismantling of the present regime, even as events on the ground, such as increased floods, hurricanes and forest fires around the world, indicate that the climate change crisis is already upon us. ◆

Martin Khor is Executive Director of the South Centre, an intergovernmental policy think-tank of developing countries, and former Director of the Third World Network.

Prospect of limiting the global increase in temperature to 2°C is getting bleaker

Energy-related carbon-dioxide (CO_2) emissions in 2010 were the highest in history, according to the latest estimates by the International Energy Agency (IEA).

After a dip in 2009 caused by the global financial crisis, emissions are estimated to have climbed to a record 30.6 Gigatonnes (Gt), a 5% jump from the previous record year in 2008, when levels reached 29.3 Gt.

In addition, the IEA has estimated that 80% of projected emissions from the power sector in 2020 are already locked in, as they will come from power plants that are currently in place or under construction today.

'This significant increase in CO_2 emissions and the locking in of future emissions due to infrastructure investments represent a serious setback to our hopes of limiting the global rise in temperature to no more than 2ºC,' said Dr Fatih Birol, Chief Economist at the IEA who oversees the annual *World Energy Outlook,* the Agency's flagship publication.

Global leaders agreed a target of limiting temperature increase to 2°C at the UN climate change talks in Cancun in 2010. For this goal to be achieved, the long-term concentration of greenhouse gases in the atmosphere must be limited to around 450 parts per million of CO_2-equivalent, only a 5% increase compared to an estimated 430 parts per million in 2000.

The IEA's 2010 *World Energy Outlook* set out the 450 Scenario, an energy pathway consistent with achieving this goal, based on the emission targets countries have agreed to reach by 2020. For this pathway to be achieved, global energy-related emissions in 2020 must not be greater than 32 Gt.This means that over the next 10 years, emissions must rise less in total than they did between 2009 and 2010.

'Our latest estimates are another wake-up call,' said Dr Birol. 'The world has edged incredibly close to the level of emissions that should not be reached until 2020 if the 2ºC target is to be attained. Given the shrinking room for manoeuvre in 2020, unless bold and decisive decisions are made very soon, it will be extremely challenging to succeed in achieving this global goal agreed in Cancun.'

In terms of fuels, 44% of the estimated CO_2 emissions in 2010 came from coal, 36% from oil, and 20% from natural gas.

The challenge of improving and maintaining quality of life for people in all countries while limiting CO_2 emissions has never been greater. While the IEA estimates that 40% of global emissions came from countries of the Organisation for Economic Cooperation and Development (OECD) in 2010, these countries only accounted for 25% of emissions growth compared to 2009. Non-OECD countries – led by China and India – saw much stronger increases in emissions as their economic growth accelerated.

However, on a per capita basis, OECD countries collectively emitted 10 tonnes, compared with 5.8 tonnes for China, and 1.5 tonnes in India. – *International Energy Agency* ◆

Developing countries have pledged more emission cuts than industrial North

New findings have revealed that the aggregate emission cuts pledged by the rich countries are less than those promised by India, China, Brazil and other developing countries combined.

Stephen Leahy

Turbines in Xinjiang, China to harness renewable wind power. New analyses show that carbon emission reduction pledges by China, India, Brazil and other developing countries exceed those of industrialised nations.

NEGOTIATIONS over a new international climate agreement are on the brink as new analyses show that carbon emission reduction promises by industrialised nations are actually lower than those made by China, India, Brazil and other developing nations. Even with all the promises or pledges added together they are still far short of cuts needed to prevent global temperatures from rising by 2°C, experts have reported.

'It's a very sad picture we see here,' said Marion Vieweg of Climate Analytics, a German NGO that analyses climate science and policy.

'The rich nations are doing nothing to improve their emissions pledges,' Vieweg told reporters during the final hours of the United Nations Framework Convention on Climate Change (UNFCCC) negotiating session in Bonn. These meetings were intended to work out the details for a new international agreement for government ministers to consider at the 17th Conference of the Parties to the UNFCCC in Durban, South Africa in late November.

Emissions gap

After nearly 20 years of negotiations and the Kyoto Protocol to reduce emissions, carbon levels in the atmosphere hit a new record high in 2010, said Bill Hare of the Potsdam Climate Impacts Research Institute (PIK) in Germany. The International Energy Agency reported earlier in June that the world released a record 30.6 gigatonnes of carbon into the atmosphere in 2010 – a 10% increase over 2005.

Climate Analytics along with other research institutes had previously identified a large gap between emission reduction pledges and the cuts needed to keep global temperatures from rising beyond 2°C. Global temperatures have already risen 0.8°C – primarily due to the burning of coal, oil and natural gas. Those fossil fuels release carbon dioxide into the atmosphere, which traps more of the sun's heat energy.

If industrialised countries fully meet their emission reduction promises, they amount to only 3.8 gigatonnes by 2020, less than the 5.2 gigatonnes developing nations promised at the last big climate meeting in Cancun, Mexico in December 2010, according to several recent analyses. That leaves a 10.0- to 14.0-gigatonne gap of additional cuts needed to keep temperatures from rising by 2°C.

Historically rich countries are responsible for about 75% of the total carbon emissions in the atmosphere. Carbon dioxide remains in the atmosphere for centuries – making it vital to make cuts as soon as possible.

Not only are rich nations failing to close this 'emissions gap' by agreeing to greater cuts in Bonn, they did not clarify how they were going to meet their current pledges, Vieweg told Inter Press Service (IPS). Instead, the discussion in Bonn became fragmented over the questions of how to count emissions and what constituted a reduction.

'Countries want to use whatever suits their needs best… But the atmos-

Carbon levels in the atmosphere hit a record high in 2010.

Photo courtesy of IISD/Earth Negotiations Bulletin

The Stockholm Environment Institute's Sivan Kartha: 'Developed nations have so many loopholes in the current agreements they could end up not making any emission reductions at all.'

phere doesn't care about anything except how much carbon goes into it,' Vieweg said.

Loopholes

'Developed nations have so many loopholes in the current agreements they could end up not making any emission reductions at all,' said Sivan Kartha, a senior scientist at the Stockholm Environment Institute, an independent international research centre.

These loopholes include accounting tricks, allocations for land use changes, and previously granted emission credits to get Russia and other former eastern bloc countries to join the Kyoto Protocol, Kartha said in a press conference.

'The simple solution is to close these loopholes but this is very difficult politically,' Kartha told IPS.

Saving Kyoto

Another political challenge is to keep the Kyoto Protocol alive. Kyoto is the only legally binding treaty to reduce emissions, and developed countries are balking at continuing with Kyoto which is a very serious matter for developing countries, says Martin Khor of the South Centre, a Swiss-based intergovernmental think-tank.

Signed in 1997, Kyoto obliges industrialised nations to reduce their emissions by 5% between 2008 and 2012. Those nations also agreed at that time to a second round of reductions after 2012. However, Japan, Canada and Russia have now said they will not participate, while the remaining parties – the European Union, Australia and New Zealand – have not said anything yet. The US did not join Kyoto and is pushing for a voluntary 'pledge and review' system that developing countries reject, said Khor.

'China, India, Brazil and other developing countries are doing their fair share and making collectively larger cuts than industrialised countries,' he said.

The entire UNFCCC process could unravel if there is no agreement on Kyoto. It is enough for only a few countries to sign on to keep Kyoto alive because it is 'the engine' of commitments to emission cuts that 'pulls everyone else along', Khor said.

An agreement to keep Kyoto has to happen in Durban – when government ministers and heads of state meet at the end of November. 'This is the European Union's big opportunity to show leadership. It won't cost much and they could easily do it,' Khor said.
– IPS ◆

COVER

Kyoto Protocol's future hangs in the balance

The Bonn talks witnessed a fundamental cleavage between the developed and developing countries on the issue of the future of the Kyoto Protocol.

Lim Li Lin

Photo courtesy of IISD/Earth Negotiations Bulletin

Ambassador Jorge Arguello of Argentina, which is the Chair of the developing-country Group of 77 and China, speaking at the Bonn conference. The G77 and China have stressed that the Kyoto Protocol is the cornerstone of the multilateral climate change regime.

THE future of the Kyoto Protocol hangs in the balance after the latest round of talks, and political guidance is suggested to be sought from ministers prior to and at the meeting of the Protocol Parties in Durban in December.

Following the slow progress made in the Bonn talks that ended on 17 June, it is expected that the fate of the treaty will now be in the hands of ministers.

In the closing plenary in Bonn of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), Chair Adrian Macey (New Zealand) summarised his views by concluding that most of the political issues remain unresolved and would benefit from political attention by ministers before and during the Durban meeting.

He identified the aggregate emission reduction figure, the nature, content and applicability of the rules for the second commitment period (for emission reduction after 2012), and the relationship with the Ad Hoc Working Group on Long-term Cooperative Action under the UN Framework Convention on Climate Change (AWG-LCA) as outstanding issues.

(The AWG-LCA is a separate track with its distinct mandate to implement the Convention more effectively.)

In their closing plenary statement in Bonn, developing countries under the Group of 77 and China acknowledged the need to continue political discussions to 'ensure an environment of trust and a sense of common purpose', but said that still more work is needed to reach a common understanding on technical issues, and more balance with the political debate.

Developing countries continued to be united in their insistence that developed countries must honour their legally binding obligation to commit to the next period of greenhouse gas emission reduction in Durban so as to avoid a gap when the first commitment period ends in 2012.

However, little progress was made to conclude the next commitment period for developed countries. Instead, Canada declared at the Bonn session that it was not going to undertake further emission cuts under the Kyoto Protocol.

Talks at the start of the session were at an impasse until agreement was reached midway to discuss political issues and continue technical negotiations in parallel, within the mandate of the working group which is for further commitments for Annex I (developed country) Parties under the Kyoto Protocol.

At the last session in Bangkok in April, developing countries had refused to work in small 'spin-off' groups discussing technical issues on accounting rules until there is clarity about the political issues around the future of the Kyoto Protocol. This is because a number of developed countries – Canada, Russia and Japan – have openly declared that they will not undertake further emission reduction commitments under the Kyoto Protocol.

Canada made this announcement in Bonn, joining Russia and Japan which had already declared their 'defection' last year. Instead, they want a new agreement to replace the Kyoto Protocol. Other developed countries like Australia, New Zealand and the European Union have placed conditionalities on their further commitments, and prefer a new agreement to replace the Kyoto Protocol.

As such, while developing countries are working towards completing the technical work in the AWG-KP for the second commitment period, most developed countries are working to complete its work in order to transfer the results into a new agreement that they seek as the outcome of the other track of negotiations in the AWG-LCA.

This led developing countries to insist on having a discussion in the larger contact group to clarify the context of the work in the AWG-KP. Developed countries and the Chair of the AWG-KP gave assurances that the work of the AWG-KP is within the context of its mandate.

Developing countries are united in their demand for the Kyoto Protocol's second commitment period to be adopted in Durban. It is the last meeting that offers any chance, however slim, for the next round of emission cuts to enter into force in time to avoid a gap in legally binding international emission reduction commitments. The first commitment period of the Kyoto Protocol ends in 2012. There is still no agreement on concluding a treaty as the outcome of the AWG-LCA, and the negotiations on the substantive issues are nowhere near completion.

The venue of the 1997 talks in Kyoto, Japan which resulted in the Kyoto Protocol. The fate of the treaty will likely now be in the hands of ministers attending the meeting of the Protocol Parties in Durban in December.

In addition, the new agreement that is being promoted by developed countries is based on a 'pledge and review' system, where countries decide what to do domestically, with weak or no international compliance measures. In contrast, the Kyoto Protocol sets legally binding international targets, and has already agreed rules on accounting, reporting, review and compliance. The negotiations for the next round of emission reduction commitments under the Kyoto Protocol are intended to be science-based, reflecting the necessary emission cuts required.

The technical spin-off groups made some progress in terms of 'streamlining' the Chair's proposed text, and a revised version was issued at the end of the session. It was also agreed that the next session (later announced to be in September/October) would be a resumed session of the AWG-KP meeting in Bonn.

AWG-KP Chair Macey's summary concluded that most of the political issues remain unresolved and pointed to ministerial involvement before and during the Durban meeting. He identified the aggregate emission reduction figure, the nature, content and applicability of the rules for the second commitment period, and the relationship with the AWG-LCA as outstanding issues.

He also said that in the proposed text for amendments to the Kyoto Protocol for the second commitment period, option B has largely not been discussed. (Option B contains proposals for amending the Kyoto Protocol that are not strictly within the mandate for further commitments.)

Overriding priority

Argentina, speaking on behalf of the Group of 77 and China, reiterated that the adoption of the second commitment period of the Kyoto Protocol in time to ensure there is no gap between the commitment periods is its overriding priority, and will be a key element for a successful, balanced and comprehensive outcome in Durban. It emphasised the need to continue political discussions to 'ensure an environment of trust and a sense of common purpose', but said that still more work is needed to reach a common understanding on technical issues, and more balance with the political debate.

Argentina stressed that the AWG-KP's mandate for further commitments for Annex I Parties is a legal obligation, and not only a political imperative. It said that the Kyoto Protocol is the cornerstone of the multilateral climate change regime, and that there is a need to preserve the Kyoto Protocol and its stringent rules for monitoring, reporting and verification, its flexibility mechanisms, and its compliance regime. The Kyoto Protocol is the only legally binding instrument to tackle emission reductions in an effective way, it said.

It emphasised increasing the level of ambition of current Annex I Parties' pledges, noting that the largest share of historical global emissions of greenhouse gases has originated in developed countries. Annex I Parties must show leadership in modifying the longer-term trends in anthropogenic emissions, and 'bridge the gap between the ambition of the current pledges and the requirements of science', it said.

Hungary, speaking for the European Union, said that it was eager to continue and speed up discussions on land use, land use change and forestry (LULUCF) and methodological issues. It said that there are elements of the Kyoto Protocol to improve, and this would be the best basis for a common rules-based framework for all 'major emitters'. It said that a balanced outcome for Durban would cover both negotiating tracks and capture progress. It was necessary to link the outcomes of the two tracks, as progress wider than the Kyoto Protocol is essential to limiting temperature increase to 2^{o}C, it said.

Australia, on behalf of the Umbrella Group, said that the Kyoto Protocol negotiating track is an important part of the work for a comprehensive climate regime that includes all 'major economies'. It said that LULUCF accounting rules are central, and that land sector rules must be finalised in Durban. Deeper and broader access to the carbon markets is essential, it said. Its aim is for a new global climate regime where all Annex I countries will continue to implement policies and measures after the first commitment period, and which includes all major emitters.

Grenada, speaking for the Alliance of Small Island States (AOSIS), emphasised that there had been agreement to complete the work of the AWG-KP as early as possible to ensure that there is no gap between the commitment periods. Its goal of limiting temperature increase to 1.5°C is already at risk if decisive action is not taken now.

It said that many Annex I Parties see value and necessity in continuing to build on the Kyoto Protocol through the second commitment period, and that it has worked hard to explore the conditionalities of some Parties, most of which are political. It said that there is only so much that small island states can do to address the political conditionalities, and asked all Parties to exhibit the flexibility needed to engage in technical, legal and political issues to enable willing Annex I Parties to engage on the second commitment period. Parties' constraints and concerns must be addressed, it said.

Papua New Guinea, speaking for the Coalition for Rainforest Nations, said that the second commitment period under the Kyoto Protocol must be a central part of the Durban outcome. The new regime must be built on the stringent system of rules under the Kyoto Protocol, it said, and clarity on them is needed. It supported solid accounting, and MRV (measurement, reporting and verification) at the national level. It said that LULUCF must cover all emissions and removals. The time has come to engage with all Parties to scale up the level of ambition for developed countries, and to ensure that the second commitment period guarantees environmental integrity, it said.

It advocated introducing REDD (reducing emissions from deforestation and forest degradation in developing countries)-plus under the Kyoto Protocol, and welcomed the proposal by South Africa on the intensification of work and direct engagement of ministers to move the work forward.

The Democratic Republic of Congo, speaking on behalf of the African Group, said that agreement on the second commitment period under the Kyoto Protocol is absolutely essential, and must be concluded as soon as possible. The climate regime must ensure ambitious emission reductions to ensure that the impacts of climate change do not undermine development goals. It expressed its deep concern that several Annex I Parties are not committed to the second commitment period, and that there is a lack of political will by Annex I Parties to meet their legal obligations under the Kyoto Protocol. Without the second commitment period, there is no legally binding instrument for emission reductions of Annex I Parties, and this is unacceptable to the multilateral process, it said.

It insisted on full separation between the two negotiating tracks, and said that any efforts to use the AWG-LCA to delay the negotiations on the second commitment period must be avoided. It emphasised its priority for a detailed work programme for adopting the second commitment period in Durban, which would be a turning point in the multilateral negotiations.

Gambia, on behalf of the least developed countries (LDCs), expressed its concern that Parties which do not support the second commitment period are stalling progress on the discussion of the level of ambition of Annex I Parties, while eagerly participating in the flexible mechanisms. It said that the flexible mechanisms are an integral part of the Kyoto Protocol.

Real commitments

Ecuador, speaking on behalf of the Bolivarian Alliance for the Peoples of Our America (ALBA), highlighted the goal of making real commitments to stabilise concentrations of greenhouse gases in the atmosphere to a level that would prevent dangerous anthropogenic interference with the climate system. It said that the world is facing a legal gap between the commitment periods, which would weaken the setting of ambitious emission reduction targets. As such, ALBA countries intend to organise a high-level meeting before Durban to promote an increased level of ambition for developed countries' emission reduction commitments.

It said that some Parties have emphatically refused the second commitment period but continue to undermine ambition in the AWG-KP, and clearly intend that rules developed by the AWG-KP are transferred elsewhere. Other discussions that do not increase the level of ambition but generate more flexibility for developed countries to fulfil their commitments move away from the mandate and the key elements of the AWG-KP. In relation to LULUCF, it said that it is important to further develop the definition of forests, which are part of complex ecosystems and are not just trees.

Statements were also made by China, India, Bangladesh, the Solomon Islands and Brazil.

China emphasised that Durban will be a litmus test on political will and political wisdom on dealing with climate change. Developed countries must accept their historical and present responsibility, it said.

India suggested that new facilitators should be provided a basic training module to help them act as disinterested facilitators rather than as Party negotiators. It said that negotiations need to be conducted on the basis of submissions made by Parties and these should be the documents carried forward to future sessions.

Bangladesh underlined the need to concentrate on the second commitment period with an increased level of ambition by Annex I Parties in Durban without prejudging what will happen after the second commitment period. It supported using the flexible mechanisms beyond 2012, and a fair, balanced, effective and binding global agreement in the future.

The Solomon Islands said that at the end of 2011, they are returning to the birthplace of humanity, and the last thing they want to see is humanity killed in its birthplace. Killing the Kyoto Protocol will kill humanity, it said. It is a setback that will kill developing countries and humanity from planet Earth. It said that there is no alternative to the second commitment period of the Kyoto Protocol, and Durban must deliver to save humanity.

Brazil said that there is a regime; the Kyoto Protocol is one instrument and the AWG-LCA is one process. Both tracks are in the regime, and the need is not for a new regime but instead to work together to strengthen the regime, it said. ◆

Lim Li Lin is a researcher with the Third World Network.

COVER

Canada spurns Kyoto in favour of tar sands

As critics charged that oil companies are dictating the country's energy policy, Canada at the Bonn talks joined Japan and Russia in refusing to sign on to a renewal of emission cut commitments under the Kyoto Protocol when the current commitment period expires in 2012.

Stephen Leahy

CANADA was roundly criticised by other nations at the UN climate meeting in Bonn after being caught underreporting carbon emissions from its tar sands oil production facilities, one of the country's biggest and fastest-growing sources of global warming gases.

But even the 'full emissions' data that Canada finally released represents only about half of the actual emissions, according to a new report.

'Small oil sands companies are not required to report their emissions. And oil-refining emissions are not included in tar sands emissions,' said independent Canadian researcher Michelle Mech.

Canada likes to claim the city-sized tar sands project in the western province of Alberta represents only 5% of the country's entire emissions, but the real number is closer to 10%, Mech told IPS.

A tar sands excavation site in Canada. The tar sands oil production facilities are one of the country's biggest and fastest-growing sources of greenhouse gases.

'Dirty oil'

Getting oil out of the tar sands requires extraordinary efforts, including enormous amounts of energy, and the commodity has been labelled 'dirty oil' as a result.

'Average emissions for oil sands production and upgrading (well-to-pump) are estimated to be 3.2 to 4.5 times as carbon-intensive as conventional crude produced in North America,' concluded Mech's report, 'A Comprehensive Guide to the Alberta Oil Sands'.

'The tar sands are huge in terms of their impact on the environment but also on Canadian democracy. Oil is starting to run the country now,' she said.

As if to prove that assertion, the Canadian government informed nearly 200 countries participating in the United Nations Framework Convention on Climate Change (UNFCCC) negotiating session in Bonn that it would not sign on to a new Kyoto agreement to reduce carbon emissions.

Canada signed the original Kyoto treaty in 1997, committing it to reduce the country's emissions 6% below its emission levels in 1990. In 2008, Canadian emissions were at least 24% greater than in 1990. The latest reporting year is 2009, but that data is in dispute as the Canadian government has admitted omitting a 20% rise in emissions from the tar sands.

Civil society attending the Bonn negotiations gave Canada a 'fossil of the day' award on 9 June for doing 'its best to block negotiations' to create an international binding agreement to reduce climate-damaging emissions.

'Canada's track record of climate inaction shows that they need a binding target more than anyone,' the Climate Action Network (CAN), a worldwide network of roughly 700 non-governmental organisations (NGOs), said in a release.

Canada has the dubious honour of receiving more 'fossil awards' than any other country in the last few years.

'Oil companies are in the driver's seat when it comes to Canadian federal energy policy, and as a result Canada is trailing other industrialised countries when it comes to taking action on climate change,' said Graham

Saul of Climate Action Network Canada.

'Prime Minister [Stephen] Harper has made it clear that he will go to great lengths to ensure no door is closed to the Alberta tar sands, including lobby efforts to insulate them from more stringent regulations imposed by other countries,' Saul said in a statement.

Yvonne Miller

Activists protest tar sands mining in Canada during the UN climate conference in Cancun last December. Oil from the tar sands has been labelled 'dirty oil' due to the enormous effort and amounts of energy required in its extraction.

Limit

'Governments are acting as if they are oblivious to the fact that there is a limit on how much fossil fuel carbon we can put into the air,' warned world-renowned climate scientist James Hansen. Hansen told IPS that fully exploiting the tar sands will make it impossible to stabilise the climate.

Burning just one-quarter of the proven reserves of oil, gas and coal will push the global climate beyond 2°C of global warming, scientists have previously reported. Hansen said the international target to limit global warming to 2°C is 'a recipe for global climate disasters' and should be changed to 1.5°C.

Billions of dollars are being invested in Canada's tar sands by major oil companies from around the world pushing to expand beyond the current production of 2.7 million barrels a day. Meanwhile, most of Canada's emission reduction programmes have or will expire this year.

The negotiations in Bonn nearly expired themselves after delegates spent days debating the agenda.

'Taxpayers in developed countries must be outraged that their bureaucrats are coming here and playing tricks,' said Meena Raman, a negotiations analyst with Friends of the Earth Malaysia.

The Bonn negotiations were supposed to work out the details for an agreement that will be presented to government ministers at the 17th Conference of the Parties to the UNFCCC in Durban, South Africa in late November. Earlier talks in Bangkok in April made little progress except to make clear that current emission reduction pledges from developed and developing nations were far too low to achieve the 2°C target.

What's utterly absent is any sense of urgency from any of the developed nations, said Mohamed Adow, senior adviser for Global Climate Advocacy at Christian Aid in East Africa. 'Some nation needs to raise the alarm and push everyone hard towards meeting their emission reduction targets,' Adow said at a press conference on 10 June.

'We can't keep taking carbon out of the ground and putting it in the atmosphere if we want to leave our children with a stable climate,' stressed David Keith, Canada Research Chair in Energy and the Environment at the University of Calgary, who reviewed and commented on Mech's tar sands report.

Referencing the tar sands, Keith concluded: 'This means there is no such thing as sustainable production of this resource. In the long run, it must be shut down.' – *IPS* ◆

Photo courtesy of IISD/Earth Negotiations Bulletin

Civil society attending the Bonn talks gave Canada a 'fossil of the day' award for doing 'its best to block negotiations' for an international binding agreement on emission reductions.

North insists on post-Kyoto Protocol market mechanisms

The rich countries made it clear at Bonn that they are intent on replacing the Kyoto Protocol with a new agreement based on market mechanisms which will commit developing countries such as India and China to emission cuts.

Lim Li Lin

DEVELOPING countries continue to firmly insist that developed countries must commit to a second commitment period under the Kyoto Protocol to reduce greenhouse gas emissions, while developed countries are trying to replace the Protocol by laying the foundations for a new agreement that would include all 'major emitters'.

Developed countries are attempting to forge a new agreement as the outcome of the Ad Hoc Working Group on Long-term Cooperative Action under the UN Framework Convention on Climate Change (AWG-LCA), which is negotiating in parallel with the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP). Of primary interest to developed countries is the set of market mechanisms established by the Kyoto Protocol that they seek to maintain.

[There are two distinct mandates in the climate talks, with the AWG-LCA tasked to enhance implementation of the UNFCCC and the AWG-KP to agree on legally binding emission reduction targets for Annex I (developed country) Parties.]

The contact group of the AWG-KP reconvened in Bonn on 13 June after agreement at the close of the previous week that the contact group would continue to discuss political issues, while spin-off groups on technical issues would be convened in parallel.

This agreement was reached after developing countries sought, and were given, assurances that the work on the technical issues would be conducted within the mandate of the AWG-KP, which is to agree on further greenhouse gas emission reduction commitments for Annex I Parties under the Kyoto Protocol for the period beyond 2012. The first commitment period is from 2008-2012.

The contact group meeting on 11 June agreed that spin-off groups would begin to meet on the following technical issues: amendment to the Kyoto Protocol for the subsequent commitment periods; land use, land use change and forestry (LULUCF); emissions trading and the project-based mechanisms; methodological issues; and potential consequences.

This resolved the impasse that began at the previous session in Bangkok in April and which continued during the first week of the talks in Bonn. Developing countries did not agree to convening small spin-off groups to discuss technical issues until the bigger political context was understood. This is because three countries – Canada, Russia and Japan – have declared that they will not agree to a second period of emission reduction commitments under the Kyoto Protocol, while other developed countries have placed conditions on their further commitments.

Political discussion

The contact group meeting on 13 June continued the political discussion that began in Bangkok, with Parties posing and answering questions. The discussion centred around whether or not the flexible (or market) mechanisms of the Kyoto Protocol would continue without a second commitment period, and whether multilateral rules or individual domestic rules with regard to accounting and the market mechanisms would be preferable. (The Kyoto Protocol and its implementing decisions already contain such rules.)

Developed countries expressed their preference for multilateral rules and their intention to continue using market mechanisms, in particular, the Clean Development Mechanism (CDM), beyond the Kyoto Protocol.

Developing countries, on the other hand, insisted that the Kyoto Protocol was a package, and that developed countries cannot pick parts that they like, such as the market mechanisms, without a second commitment period of the Protocol. (Developing countries have also been insisting on multilateral rules, but for emission reduction commitments, in the form of the Kyoto Protocol and its second commitment period.)

Tuvalu began by asking Annex I Parties what the appropriate legal form would be (for their emission reduction commitments), and whether they were expecting to see a legally binding agreement as the outcome of the AWG-LCA, in time for Durban. If not, it asked, what are the elements for such a legal agreement coming out from Durban that would give Annex I Parties enough satisfaction for adopting a second commitment period?

The European Union asked according to which rules would Annex I Parties see themselves taking commitments.

China said that the conditionalities that Annex I Parties have attached to their further emission reduction commitments need to be further clarified, and agreed with the question by Tuvalu as it was relevant to whether the preconditions by Annex I Parties are of a technical or political nature. If they relate to the (accounting) rules or technical issues, this needs further discussion, but not if their intention is not to accept a second commitment period under the Kyoto Protocol.

New Zealand repeated that its long-term preference is for a single treaty. It can only consider taking a second commitment period (and no further commitment periods beyond that) under the Kyoto Protocol. It would like a comprehensive global agreement which puts the world on track to achieving the 2°C goal, in which all major emitters and advanced developing countries take mitigation commitments.

With regard to what might be sufficient for Durban, it said that ministers will look at what is on the table in terms of legal form, and at the mitigation pledges and how they are inscribed. It is a question of form and content, and has to convince the public that everyone is doing their fair share. It said it was hard to tell if it was possible to get there by Durban.

It considers the second commitment period as a transition, and that there is not likely to be a third commitment period as we know it. The second commitment period would be a transition to a single treaty, it said. It asked what is the 'docking mechanism' in which the Kyoto Protocol joins up with that treaty and brings it into a single cohesive global agreement.

It asked whether developing countries would accept a second commitment period if too few (Annex I) countries were willing to commit, or if the level of ambition was too low.

Saint Lucia echoed the EU's question about which rules Annex I Parties anticipate taking their commitments under. It also asked about the eligibility (of Annex I Parties) for the market mechanisms going forward, and how to address the issue of surplus assigned amount units (AAUs) as a technical matter.

Algeria said that a second commitment period is crucial and should be addressed in order to avoid a gap between the commitment periods. It said that the commitment of Annex I Parties is very important, and this needs to be done first. Only then could there be consideration of how to engage the other emitters through a new framework, it said. Without legally binding targets, Annex I Parties would not be obliged to buy carbon credits, and the CDM would not be efficient without the second commitment period, it said.

The Chair commented that there are existing rules under the Kyoto Protocol and that there were various proposals in the AWG-KP negotiations to amend and improve them. However, some Kyoto Protocol Parties will not be taking their commitments under the Protocol, but there are no other negotiations for accounting rules, and this could be useful to explore, he said.

Australia said that it was committed to a legally binding climate change regime covering mitigation by all major emitters. This means that it is linked to the negotiations under the AWG-LCA, which should help but not hinder the legally binding outcome, towards an eventual treaty. It said that in terms of a legally binding outcome, it helps to have a single agreement bringing in all major economies. It said that it took a holistic approach to the rules. Some of them it likes, and some can be improved. It said that the rules discussion should be taken forward and linked with the AWG-LCA.

Saint Lucia then asked the three countries that have expressed their lack of enthusiasm for taking on a second commitment period whether they see their targets converting to AAUs, which is the accounting framework of the Kyoto Protocol which allows for comparability of efforts. If not, it would be difficult in terms of allowing access to the CDM, joint implementation (JI) and emissions trading (the flexible or market mechanisms of the Kyoto Protocol). It asked how these countries see the accounting in the new treaty that they want, and whether the targets are merely domestic.

New Zealand said that if there is no second commitment period, this does not mean that Kyoto Protocol Parties will stop their mitigation. They will keep on doing them, just without international commitments until there is an agreement. It said that it will not be dismantling its emissions trading scheme, nor stopping its research on agriculture mitigation. It said that the CDM will continue, and that there will be demand for it from Annex I Parties. It said that the outcome from Cancun has acknowledged clearly that the CDM will continue.

Tuvalu expressed its discomfort that it was not getting a response to its questions. Without some clarity and assurances, it is very difficult to understand the context of the rules, it said. It said that New Zealand's view of the second commitment period as a docking mechanism would have implications for the length of the commitment period, among other things. It said that it is not clear how much of a legally binding outcome is required by Durban.

It said that the Parties that have domestic emissions trading schemes would face problems. The international system was now bound under the Kyoto Protocol with its rules. Credits can be generated from outside this system, but their fungibility would be in question. There could be a CDM-like system, but its certified emission reductions (CERs) would not be eligible under the current international system.

It asked Canada, Japan and Russia how they see their efforts in JI and CDM, noting that their continued participation is in question. It asked whether they have alternative and CDM-like approaches.

Australia said that its 2020 target is irrespective of any international agreement. It intends to continue its mitigation action, and is prepared to be more ambitious. The higher end of its pledge is conditional on access to deeper and global markets. It said that the continuation of the CDM is part of the global agreement. It said that by Durban there should be some certainty with regard to the global agreement, and that the legally binding commitments should be internationalised.

Zambia asked Annex I Parties

how they foresee the legal form and regime to which they refer.

Brazil said that the CDM is the flexibility in the Kyoto Protocol for Annex I Parties to fulfil their emission reduction targets. If there are no targets and no second commitment period, then there is no CDM, it said.

Japan said that the CDM will continue in the new framework. It said that there is room for improving the CDM, and this perception is also shared by developing countries. It said that it would like to contribute to such a discussion with a view to better utilisation in the new framework.

The EU said it would like to continue the rules-based system in the Kyoto Protocol. Its legislation for 2012 and the European Trading System are in place, it said. It expected the CDM to continue post-2012 as there would be demand by the companies that have targets and are included in the ETS. Post-2012, it wants a multilateral set of rules, otherwise countries will be forced to choose what to do themselves and will make up their own rules when the rules disappear, and this would result in a proliferation of rules.

With regard to the conditionalities for agreeing to a second commitment period, it said that some are within the context of the Kyoto Protocol rules. There are also political conditionalities that sit outside, and the more clarity there is on the future, shape and timetable, the more the political case can be made to finalise the agreement here, it said. For political clarity in Durban, the outcome should reflect that all are equally serious, it said.

Canada said that its target is not simply a domestic target; it is a political commitment in an international context. The legal outcome and the rules-based framework is what is being discussed in the AWG-LCA, it said. If there is effective measurement, reporting and verification (MRV) and systems of review, it will provide the framework for comparability of effort for a rules-based system in the context of all major emitters. It said that it is looking at the global markets options, and contemplating how the CDM fits in is important. There are things it likes, and things to improve, and it is important to have the discussion in a wider context, it said.

Russia said that its pledges are under the AWG-LCA track, and it depends on whether legal agreement is reached there or not. It spoke about a global carbon market and access to the market by all countries in a new legal agreement. It said it has already overachieved all its obligations under the first commitment period.

Papua New Guinea said that it wanted a second commitment period, and there is a need to increase the level of ambition. It said that a REDD (reducing emissions from deforestation and forest degradation in developing countries)-plus mechanism can help countries reach higher levels of ambition. It said that LULUCF rules should respect environmental integrity, and it supported the continuation of the current Kyoto Protocol system.

New Zealand said that the CDM is not only for Annex I Parties to fulfil their commitments. It is also to assist sustainable development in developing countries. It said that legally, there is no end date to the CDM, and it was not anticipated that it stands or falls under the Kyoto Protocol. As a matter of policy, it has been an important conduit of billions of dollars and new technology to developing countries. It said that developing countries want to extend the geographical spread of the CDM, which means that they think it is a good thing too. It asked: why undo something with so much potential and win-win for all? It said that New Zealand intends to continue using the CDM and trading schemes. Multilateral rules are better than the 'wild west', it said.

Bolivia said that the objective of the Kyoto Protocol is for developed countries to reduce their emissions. The CDM is far from the objective of the Kyoto Protocol, it said. Without a second commitment period, there is no purpose for and no possibility of the CDM. It said that the AWG-KP and AWG-LCA negotiating tracks must be kept separate as they have different objectives. It reminded that the agreement to start the spin-off groups on technical issues was subject to the understanding that the work is under the framework of the second commitment period. It emphasised increasing the level of ambition for emission reductions, and said that developing countries are doing even more than developed countries to reduce their emissions.

Brazil said that it was very keen to have the CDM continue and expand and this is one of the most important parts of the second commitment period. The CDM is part of the Kyoto Protocol, and countries cannot just pick what they want from it as it is a package, it said.

China agreed that the flexible mechanisms are only part of the second commitment period of the Kyoto Protocol.

The EU agreed that the CDM is part of a broader package. Its strong preference is to have a decision on it in the context of the completion of the work within its mandate. It said that the gap between the commitment periods may happen and there is a need to think about that. In a transitional situation, it fears losing the rules-based multilateral system. It asked what would then happen with the share of proceeds for adaptation, as it has been very important to the Adaptation Fund so far. It stressed the need to keep in mind political will rather than any legal impediments to continuing the CDM.

India said that the Kyoto Protocol is a balanced package, and that it supports the CDM. It said that the two negotiating tracks of the AWG-KP and the AWG-LCA should be kept separate, and reminded Annex I countries that as far as the AWG-LCA track is concerned, progress was already agreed in Cancun, and the focus should be on the ambition levels of developed countries.

Brazil said that there are two different gaps to keep in mind. One is provoked by the lack of time for ratification and entry into force of the second commitment period, even though it is adopted in Durban. Another is if agreement is not reached in Durban. It said that it was only considering the first scenario for Durban.

The Chair summarised the discussion by saying that there was convergence around a multilateral rules-based system, and for the continuation of the flexible mechanisms. ◆

South warns against trade protectionism to 'mitigate' climate change

At the Bonn talks, developing countries warned rich countries against taking trade protectionist moves masquerading as climate change mitigation measures.

Hilary Chiew

DEVELOPING countries at the United Nations climate talks in Bonn highlighted the distortion of international trade caused by some climate mitigation efforts of developed countries, cautioning that the impacts of the use of unilateral trade measures that are incompatible with World Trade Organisation (WTO) rules are already being felt and these could potentially diminish the development prospects of developing countries.

These concerns were raised at a 13 June Special Event on the impact of the implementation of response measures to mitigate climate change undertaken by Annex I (developed country) Parties of the UN Framework Convention on Climate Change (UNFCCC). The Event was convened by the Chairs of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), bodies under the UNFCCC.

The Special Event was in the form of a kind of workshop held on the side of the Bonn talks. It was linked to, and was to provide inputs to, a forum on the impact of the implementation of response measures on developing countries. This was mandated by the 2010 Cancun decision of the UNFCCC Conference of the Parties, paragraph 93.

The forum (which took place on 14 and 15 June) is mandated to discuss a work programme to address the issue, and also discuss a 'possible forum on response measures'.

Several developing countries called for the forum to be turned into a permanent one to address the serious economic and social consequences arising from response measures of developed countries.

(Paragraph 93 refers to the decision by the Conference of the Parties in Cancun 'to provide a forum on the impact of the implementation of response measures, and to that end requests the Chairs of the [SBSTA] and [SBI] to convene such a forum at the [Bonn] sessions of these bodies, with the objective of developing a work programme under the subsidiary bodies to address these impacts, with a view to adopting, at the seventeenth session of the Conference of the Parties [in Durban], modalities for the operationalisation of the work programme and a possible forum on response measures'.)

Argentina, on behalf of the Group of 77 and China, said all developing countries face economic and social consequences in different ways.

Julia Hoppstock of Argentina said the forum should serve as a platform to promote understanding of the nature and magnitude of the consequences of response measures, help developing countries identify and address impacts, and share information and ways to minimise the negative consequences. She further said the forum should respect the principles and provisions of the Convention, respect the Bali Action Plan, implement paragraph 93 of the Cancun decision and take account of developing countries' needs and concerns.

Hoppstock also cited paragraph 89 of the Cancun decision, which urges 'developed country Parties to strive to implement policies and measures to respond to climate change in such a way as to avoid negative social and economic consequences for developing country Parties and to assist them by providing support, including financial resources, transfer of technology and capacity-building, to build up the resilience of societies and economies negatively affected by response measures'.

On the modalities of the forum, she said it should be open to all, and should meet twice a year with the Subsidiary Bodies (SBI and SBSTA) which report back to the Conference of the Parties on future work.

India, in its presentation, said trade measures can have a distorting effect on developing countries' economies. It pointed out that use of unilateral trade measures (UTMs) or border measures in the guise of environmental cases, such as those encouraged by the US Clean Energy and Security Act, is to keep foreign competition out of their markets. It further noted that the use of UTMs violates provisions under Articles 4.3, 4.5 and 4.7 of the UNFCCC.

India said the distorted effect on international trade and restriction on market access of developing countries can have adverse impacts on the economy and social development and poverty eradication programmes. Such efforts to address climate change through UTMs will lead to tit-for-tat trade restrictions, spark trade wars and lead to retaliation by affected countries.

It also said WTO rules were created when climate change was not yet a big issue and that addressing climate change should not be an excuse for distortion, adding that, therefore, addressing technology transfer and financial assistance cannot be delinked from the discussion on response measures.

The Democratic Republic of Congo, representing the African Group, said it supported the need to further engage in discussion about the impact of response measures particularly on trade in the same light as the impact of climate change in the context of adaptation.

It said there is no forum now to discuss this matter, especially the impact on Africa, and was sceptical that the matter could be brought to the WTO. It pointed out that the Doha Round (of ongoing WTO negotiations) has stalled and this issue will not be discussed by the WTO, adding that the WTO rules do not take account of measures in climate-related trade disputes. It said Parties should begin to talk of these risks to prevent the UNFCCC's outcome from clashing with trade rules.

The Alliance of Small Island States (AOSIS), citing the example of the air passenger duty imposed by the United Kingdom, said a study by the Caribbean tourism organisation in December 2010 showed a decline in tourist arrivals from the UK as a result of the policy.

It said the forum is the central space to discuss impacts of response measures, adding that small island developing states are already faced with high adaptation costs and they are highly dependent on imports of fossil fuels and have constraints in switching to alternative energy sources. Further, their economies are also dependent on food imports, tourism and international transportation for connectivity. It said the work programme on response measures needs to assess the magnitude of the problem, and actions to minimise impacts through technology transfer and financing.

The Organisation of Petroleum Exporting Countries (OPEC) said its members are very vulnerable to response measures, as most of them are dependent on oil exports.

(OPEC has 12 members: Algeria, Angola, Ecuador, Iran, Iraq, Kuwait, Libya, Nigeria, Qatar, Saudi Arabia, United Arab Emirates and Venezuela.)

Its environment coordinator M. Taeb listed several transmission channels of the impact, namely, loss in export revenues, loss from shifting economies towards industries where they have less comparative advantage, reduced domestic demand for goods and services, and higher costs of imports.

Other impacts include trade barriers, higher financing costs and social spillover effects, and he highlighted that 45% of the populations are below 19 years old.

A recent study showed that in an under-550-ppm (parts per million of CO_2-equivalent concentration in the atmosphere) scenario, the group's export revenue per capita will be halved and GDP will be 23% lower in 2050. Under a 450-ppm scenario, the effects will be even more pronounced.

He pointed out that the issue of adverse effects from response measures to environmental problems has a 40-year-long history, from the United Nations Conference on the Human Environment in Stockholm in 1972 to the UNFCCC, but lamented the lack of progress in implementation.

He hoped the Cancun decision will lead to operationalisation of the Convention provisions under Articles 4.8, 4.9 and 4.10. He said the work programme, among others, should have a dialogue where Annex I countries present their reports and allow for exchange of views and experiences. He also stressed the need for a permanent forum on this matter.

Saudi Arabia outlined its request for a structural approach to the issue and that the mandate for the forum should include an interim forum, work programme, operationalising the programme and a permanent forum.

Its presenter and negotiator, Aysar Tayeb, said elements to be included in the work include examination of the policies, examination of the impacts, reduction of impacts and building resilience. He called for bilateral and multilateral dialogues on findings by comparing the modelling results, if different assumptions and baselines are used, and reporting on the dialogue and opportunity for exchange of views, because otherwise the findings are just hearsay.

He said economic and social impacts need to be examined and reminded developed-country Parties that it is an obligation to ensure that the policies are providing positive solutions and avoid bias. He stressed the short-term and long-term plans to build resilience of developing countries for adaptation and addressing the shock of loss and damage.

To take the work forward, Saudi Arabia would like a permanent forum to carry out the detailed work programme, produce COP decisions, assign specific tasks to the subsidiary bodies, and review progress of implementation and follow-up and updates. It would also like the forum to meet four times a year and hold other events in providing a continuous venue for dialogue which should include the participation of experts, civil society and intergovernmental organisations.

Kuwait pointed out that 90% of its revenue is derived from oil and it accounts for 50% of the country's GDP. It faces limited options for economic diversification.

It said developing countries' oil producers are disproportionately affected and these vulnerabilities must be taken into consideration by developed countries when designing their mitigation action plans and that they should apply real effort in trying to reduce the negative effects.

It further said developed countries need to assist developing countries that are highly dependent on fossil fuels to diversify their economies and must demonstrate the results of this assistance.

Qatar said the policy choices of developed countries must be those with win-win impacts. It expressed doubt that the European Union aviation directive could lead to emission reductions, saying that it has a clear negative impact on all developing countries.

Venezuela underlined that balance is the key word and that fossil fuels will remain a basic source of energy and Parties have to tackle this issue and not cherry-pick the issue.

The European Union said for all its new policies, there were impact assessments on third countries and stakeholders' consultations which included third parties, with the double objective of maximising positive effects and minimising negative ones. It said that, for example, its directive on renewable energy takes into account the risk of adverse impacts of biofuels by development of sustainability criteria.

Regarding aviation emissions, it said that under the EU law, airlines must reduce their emissions by 5% below 2005 levels by 2020 but about 100 aviation companies of developing countries are exempted from this law. On the inclusion of aviation into the EU Emission Trading Scheme, it said aviation is a significant sector and it is developing performance standards for the industry and if third countries implement equivalent measures, they too can be excluded.

In response to the EU's presentation that underscored that there are both positive and negative effects of the response measures, Saudi Arabia and China said the understanding of the forum is to deal with the negative aspects and to help developing countries.

China also questioned the extent of the EU stakeholders' consultation when implementing policies. It asked if the EU can improve on its consultation when it implements policies with impact on trade and aviation where developing countries are the stakeholders.

It noted that it is unfair to impose the same carbon duty on Chinese air passengers, whose emission per capita is far below that of the Americans and the Europeans. It said China is very concerned about the trade measures, especially border trade adjustment, as many factories will be forced to shut down and workers will lose their jobs.

Singapore shared similar concerns on the use of trade measures. It said that Parties should not do anything under the UNFCCC that unbalances the WTO, as it cannot rewrite or reinterpret WTO rules.

Saudi Arabia questioned if the EU aviation directive is just another source of government revenue. Referring to International Civil Aviation Organisation (ICAO) numbers, it said if all routes are added up, it could amount to hundreds of millions of euros per airline collected by the EU governments.

Addressing impacts of response measures

South Centre Executive Director Martin Khor touched on the measures that can be taken to assist developing countries affected by response measures. He clarified that developing countries are not asking Annex I Parties to restrain themselves in the volume of their response. Instead, they want high ambition in response measures because lower response measures would mean lesser carbon space for developing countries, he said.

Khor further said if response measures cannot ensure minimal consequences, then Parties have to address this problem. For example, if response measures affect the many advantages of free trade, the losses have to be dealt with. Already, the United States is talking about protecting its citizenry who will lose their jobs.

He pointed out that an action such as removal of subsidies on fossil fuels is a major response measure, as it will have vast implications for the economies of developing countries.

Khor said subsidy changes in favour of climate-friendly products and technologies should be designed in a way that also benefits developing countries, such as avoiding monopoly effects while sharing the lower costs through affordability and assisting developing countries in subsidising their farmers and firms to go 'climate-friendly'.

He also cautioned against the use of standards and labels as trade protection measures and underscored the need to assist developing countries to upgrade standards so that they can diversify into new products and technologies.

He further said that developed countries should avoid unilateral trade measures as far as possible and such measures should be discussed and agreed to internationally before they are implemented.

He also pointed out that public campaigns such as 'food miles' may have good intentions but create negative social effects unless a just transition is implemented for farmers or workers in developing countries.

Among measures to assist developing countries to avoid or minimise the impacts of response measures, Khor said there should be compensatory financing schemes for countries facing external shocks or adjustment problems and provision of affordable technologies for diversification in adding value to commodities and in upgrading their goods and services. Some of these financing schemes can be done through aid for trade and through the UNFCCC finance and technology mechanisms.

He also suggested review of relevant international regimes to make them supportive of assisting developing countries to diversify and meet the challenges towards a climate-friendly world environment.

The International Labour Organisation, in its presentation, stressed on a just transition to address the risks of job and skill losses in greening economies.

It said 38% of the world workforce are in high-carbon sectors and they are relatively lower-skilled workers. Badly managed transition will lead to prolonged unemployment, permanent wage cuts and income inequality, as green employment tends to have higher skill content.

It noted that policies for a just transition are available via well-designed labour markets and social policies, skill adaptation and upgrading, and social dialogue.

It also said it is inevitable that trade and climate change have to be discussed together, as they are intimately linked, and coherence should be found on both fronts. If the sectoral policies are appropriately linked, a positive outcome can be achieved, it said. ◆

Hilary Chiew is a senior researcher with the Third World Network.

A divergent wish list for the Durban climate conference

The wish list submitted by developed and developing countries at Bonn for the Durban climate conference only served to highlight the wide gulf that still exists between them.

Meena Raman

Photo courtesy of IISD/Earth Negotiations Bulletin

South African Ambassador Nozipho Joyce Mxakato-Diseko at the informal consultation to gauge UNFCCC Parties' expectations for the coming Durban conference.

DEVELOPING and developed countries have presented their wish list of expectations for the meeting of the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol to be held in Durban, South Africa on 28 November-9 December.

While all Parties stressed the need for a balanced outcome, there were divergences among developed and developing countries on what the meaning of balance was and on how to address the issue of mitigation under the UNFCCC and the Kyoto Protocol (KP) tracks.

Developing countries want to see developed countries commit to targets for emission reductions in the second commitment period under the KP, with some stressing this as an essential pre-condition for outcomes under the UNFCCC. On the other hand, most developed countries predicate their commitments under the KP on there being a new legally binding agreement for all 'major emitters' under the UNFCCC process, in an apparent reference to the United States and China as well as other 'advanced developing countries'.

South Africa is the incoming President of the 17th meeting of the COP (COP17) and the 7th meeting of the KP Parties (CMP7), and its Ambassador Nozipho Joyce Mxakato-Diseko held an open-ended informal consultation with Parties in Bonn on 11 June on their expectations for Durban. Ambassador Diseko sought the advice of Parties on what issues required technical work and what required political guidance.

Argentina, for the Group of 77 and China, said that for the Group, there must be balanced outcomes in the two tracks of the KP and the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA). Under the AWG-LCA, the outcome is for the full, effective and sustained implementation of the Convention now, up to and beyond 2012 under the Bali Action Plan (BAP) adopted by COP13. In the Ad Hoc Working Group on Further Commitments for Annex I Parties under the KP (AWG-KP), the primary objective is to ensure the second commitment period of the KP and to avoid a gap between the first and the second commitment periods, said Argentina. (The first commitment period ends in 2012.)

The Democratic Republic of Congo, for the African Group, echoed the G77 and China on outcomes on the two tracks – one to implement the KP and another to ensure the implementation of the Convention – and a balanced outcome under both tracks of the negotiations. On the KP, it reiterated that developed countries should understand that without the second commitment period, there is no legally binding instrument for the reduction of emissions of Annex I Parties.

Referring to the recent UNEP Emissions Gap Report, it said that there is a growing gulf between what Parties have pledged to do and what must be done to create a safe world for our children. The pledges by developed countries are a mere 3 to 3.7 gigatonnes of reductions by 2020 (based on 1990 levels), when the world faces a gap of more than 14 gigatonnes. Inadequate ambition, and the absence of legally binding targets, are together an unacceptable result for the future of the multilateral climate change process. It reiterated the call from African heads of state and government for developed countries to take on an ambitious and binding second commitment period commencing in 2013.

On the negotiations under the AWG-LCA, on the mitigation commitments by developed countries, the (2010) Cancun decision agreed on MRV (measurement, reporting and verification) and added international assessment and review, but was very weak on comparability (between developed-country Parties and non-Parties, i.e., the US) and silent on compliance. International assessment and review must be fully defined at COP17, said the African Group.

On finance, Africa emphasised the importance of the operationalisation of the Standing Committee on finance to provide regular support to the COP in exercising its functions with respect to the financial mechanism of the UNFCCC, and also proposed the addition of an agenda item on long-term sources of finance. It is of crucial importance that sources of finance are addressed in Durban, it stressed.

On technology, there has to be a decision to make the Technology Mechanism fully operational in 2012, according to the African Group. On adaptation, it expected a Durban decision that 'kick-starts' the effective implementation of adaptation actions through the Cancun Adaptation Framework with the required financial, technical and capacity-building support from developed-country Parties.

Cape Verde, for the Alliance of Small Island States (AOSIS), also stressed the importance of having agreement on a second commitment period of the KP and avoiding a gap between the first and second commitment periods. The KP, it said, was the only legal framework to address greenhouse gases. It also wanted the operationalisation of the Cancun decisions which include: raising the ambition level in mitigation to limit temperature rise to below 1.5°C; agreement on a work programme for loss and damage; developing and agreeing to a robust review of the long-term global goal to keep temperature increase below 1.5°C; institutionalising the Green Climate Fund and agreeing on long-term sources of funding by 2020; institutionalising the Adaptation Committee and a legally binding agreement under the AWG-LCA that will provide balance to the KP.

Balanced package

Saudi Arabia, speaking for the Arab Group, also stressed the need for a balanced package on all the elements of the BAP and for a second commitment period under the KP, and called for setting targets for emission reductions now. The second commitment period under the KP is a precondition for any outcome in Durban. It also wanted the operationalisation of many decisions as in the Adaptation Committee; forum on the impact of response measures; the Green Climate Fund and the Standing Committee on finance; and a clear decision for carbon capture and storage (CCS) to be eligible for support under the Clean Development Mechanism.

It cautioned against some Parties redefining the Convention for some developing countries to 'graduate' in taking emission reduction commitments and in not providing finance to all developing countries, saying this undermined the principle of common but differentiated responsibilities. Parties should not be changing the rules of the game for this was a recipe for failure. On the legal form under the AWG-LCA, this will follow after the content is known.

India recalled Durban as a special place where Mahatma Gandhi started his journey as a young lawyer who went on to become the leader of his nation. India recalled the Bali Road Map and the Bali Action Plan and focused on the concept of balance, which it said is at the heart of any successful outcome in Durban.

For India, there are four specific elements for the balance: balance in the progress on the AWG-KP and AWG-LCA tracks; balance in the KP track between political decisions and technical decisions; balance within the AWG-LCA track with equal emphasis on the four Bali Pillars; and balance in the operationalisation of the Cancun Agreement. In addition, it said that Parties had to be mindful that other issues which are of interest to many of the Parties are not allowed to fall off the table.

(The four Bali Pillars are: enhanced national/international action on mitigation of climate change; enhanced action on adaptation; enhanced action on technology development and transfer to support action on mitigation and adaptation; and enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation.)

On India's doable wish list for Durban, India stressed the following: the second commitment period of the KP must be concluded; operationalisation of the Adaptation Framework under the Cancun Agreements; constituting the Board of the Green Climate Fund and Standing Committee on finance; concluding the work on the Technology Executive Committee; and concerning mitigation, putting in place transparency arrangements, clear accounting rules for the developed-country Parties and the registry for the developing countries.

On process, it said there is a need to make sure that the consultations are conducted in an atmosphere of trust, and be free of preconditions. The consultations have to be transparent and inclusive and need to be held both at the political as well as negotiator levels.

China wanted decisions for a comprehensive and balanced outcome referring to the Bali Road Map with a two-track approach. One key deliverable was to have targets for the Annex I Parties for the second commitment period of the KP. As part of the balanced approach under the BAP, developed countries which are not party to the KP (referring to the US) must undertake comparable efforts including MRV and ensure compliance. Developing countries' mitigation actions are in the context of sustainable development and have to be supported with finance, technology and capacity-building.

On adaptation, it said that institutional arrangements must be in place for the Adaptation Committee, as must be the case for the Green Climate Fund, the Standing Committee on finance and the Technology Mechanism. The purpose is not only to establish the structures but to ensure technology transfer, including to address the issue of intellectual property rights.

Bolivia supported the European Union in its call for closing the mitigation gap (see below) and said that this was a central issue for Durban. The gap must be closed in the KP negotiations. The legal group under the AWG-KP must also address what legal action can be taken against those who do not comply with their legal obligations under the KP. (Canada, Japan and Russia have said that they will not make any commitments under the second commitment period of the KP.)

On the issue of new market mechanisms, Bolivia said there is a need for clarity as to what has been the value of existing mechanisms and how they have reduced greenhouse gas emissions. Bolivia added that it did not support market mechanisms in forests and oceans. It said that South Africa is the place to fight against the new apartheid against Mother Earth and its vital systems.

Venezuela said that there was a need to ensure a balanced package. There must be agreement on the long-term global goal by 2050 for emission reductions. The KP gap must be avoided and a decision is needed on the second commitment period with no time to lose. Operationalisation of the Cancun decision is needed, it also said. Referring to the huge tasks ahead in Durban, Venezuela reminded Parties of what South Africa's former President Nelson Mandela said: 'it looks impossible until it is done'.

Singapore wanted progress on the institutional frameworks as regards the Adaptation Committee, the Green Climate Fund, the Standing Committee on finance and the Technology Mechanism. On mitigation, it wanted a decision to operationalise MRV for both developed and developing countries. On the legal options under the AWG-LCA, it said a decision on a legally binding treaty was not possible in Durban. The second commitment period of the KP was essential for a rules-based multilateral system, stressed Singapore.

Colombia, speaking also for Costa Rica, Chile and Panama, wanted an outcome under the AWG-LCA on the legal form with rules for mitigation, with reporting guidelines for biennial reports, rules for international consultations and analysis (ICA) and international assessment and review (IAR). It wanted new market mechanisms and non-market mechanisms. For the second commitment period under the KP, it said there is a need to address the legal issues for the developed countries to meet their ambition.

Switzerland, for the Environmental Integrity Group, wanted an agreement under the AWG-LCA process and the continuation of the KP to avoid a gap between the first and second commitment periods, and clarity on the rules on land use, land use change and forestry (LULUCF) and the use of markets. It wanted a regime on MRV with guidelines and ICA and IAR. It also wanted progress on long-term finance. On the process, it wanted technical- and political-level meetings for a good balance.

Japan wanted the operationalisation of the Cancun Agreement and called for concentration on the practical and technical work needed.

The United States also stressed the need for technical discussions to progress work. Building off from the Cancun decision, it wanted decisions on the Green Climate Fund and Standing Committee on finance, the Technology Executive Committee and the Climate Technology Centre and Network; elaboration of the Adaptation Committee; and the anchoring of the mitigation pledges with a robust transparency regime. It stressed that no individual element can move without all elements moving together. The transparency element needed more time with detailed technical components.

The European Union raised the following issues: (1) Raising the ambition gap in mitigation as the overall ambition was not sufficient to limit temperature rise to 2°C but could lead to a rise of 4-6°C. There must be agreement on the peaking of emissions and the long-term global goal, and comparable mitigation efforts by all major economies with a legally binding framework for all major emitters with compliance for a post-2012 framework; (2) Mitigation pledges and a robust MRV system; (3) On the future of the KP, the EU is prepared for the second commitment period only in the context of a balanced package for Durban (referring to outcomes in the AWG-LCA for a legally binding framework for all major emitters).

Australia wanted a decision on the legal form for a legally binding outcome for all major emitters which would not yet be a treaty but a step towards one. Having just a second commitment period under the KP would not do. It also wanted an MRV programme in mitigation, and progress on the Adaptation Framework to also address agriculture, food security, land and water use. It also wanted outcomes on the Green Climate Fund, REDD-plus, new market mechanisms and the Technology Mechanism.

New Zealand wanted the Green Climate Fund launched, mitigation pledges discussed and assumptions negotiated in a common format and a process converting the pledges to commitments, describing this as to 'bank-and-build'. It wanted the MRV guidelines to be elaborated including the ICA and IAR and a timetable for biennial reports. It also wanted an international carbon market and progress for new market mechanisms.

It said that under the KP, for the second commitment period, rules have to be advanced and if the rules were not 'cooked', there could be no possibility for amendments to the KP (the second commitment period targets). For progress on the KP second commitment period, it needed to see all major emitters undertaking binding commitments under a comprehensive and legally binding outcome.

Russia said that no one should be under the illusion that Durban is only about the second commitment period of the KP. It wanted a comprehensive and single treaty outcome with ambition.

Following the comments from Parties, Alf Wills of South Africa made some remarks on the way forward. He said that the mandate of the Ad Hoc Working Groups and the subsidiary bodies (Subsidiary Body on Implementation and Subsidiary Body on Scientific and Technological Advice) was to conduct technical work under their control so that the political elements can be removed from the technical work.

He proposed consultations at three levels with stakeholders, negotiators and experts feeding into the political level. The consultations will be held with one meeting per month, with the meeting in June focusing on mitigation, MRV and the second commitment period of the KP (the mitigation package); the July meeting will follow up with the mitigation package; the August session will be on finance issues; the September meeting will deal with technology transfer and capacity-building; the October meeting on provision for political-level engagement; and in November, the focus will be on shared vision and legal options. The stakeholder and experts' sessions will be conducted together with Mexico (as the current COP16 President).

The consultations will feed into a ministerial process with three meetings under the topic on the 'Durban Package' to get the ministers to know each other and to find compromise solutions. The first ministerial meeting will be in Germany on 2-3 July, with a September ministerial and a pre-COP session in November. There could be a possible meeting of heads of state in September during the session of the United Nations General Assembly (in New York) with the collaboration of Mexico, said Wills. ◆

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India's proposal on neglected issues for Durban talks sparks controversy

An Indian submission that the Durban climate talks consider the neglected issues of 'unilateral trade measures', 'intellectual property rights' and 'equitable access to sustainable development' received a frosty response from the developed countries. *Meena Raman* reports.

'Measures taken to combat climate change... should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.'

THE Indian Government has submitted a proposal to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) to include three contentious but very important issues on 'unilateral trade measures', 'intellectual property rights' and 'equitable access to sustainable development' in the provisional agenda of the 17th meeting of the Conference of the Parties (COP17) to be held in Durban, South Africa in late November this year.

These issues have been neglected and not properly addressed in the 2010 Cancun decision on the outcome of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (decision 1/CP 16) despite being raised by India and a large number of developing countries prior to and in Cancun.

Developed countries, especially the United States, are of the view that these issues have been settled in Cancun.

However, most developing countries are of the view that not all the issues were addressed in Cancun. The still unresolved issues are therefore legitimate to be brought up as they are part of the Bali Action Plan elements. It was in this context that India submitted the proposal on the three issues to the Secretariat, in accordance with rule 10 of the UNFCCC's draft rules of procedure.

(The Bali Action Plan was adopted by COP13 in 2007 and is the mandate for the Working Group negotiations.)

The Indian proposal is for the inclusion of these issues as follows: (i) under the agenda item 'Development and transfer of technologies', a sub-item on 'Mitigation and adaptation actions and technology related Intellectual Property Rights'; (ii) under the agenda item 'Review of implementation of commitments and other provisions of the Convention', to include 'Equitable access to sustainable development' and 'Unilateral trade measures'.

Explanatory notes

The Indian submission provided the explanatory notes in respect of each additional agenda item as proposed.

On the intellectual property rights (IPRs) issue, the Indian explanatory note states that 'at Cancun, Parties to UNFCCC agreed to set up a Technology Mechanism and Networks of Climate Technology Centres with a view to promote cooperation amongst Parties for development and transfer of technologies. While the Technology Mechanism will help build capacity for deployment of existing technologies and dissemination of environmentally sound technologies, there is a need to augment this arrangement in form of removal of constraints at the global level on the development and availability of climate friendly technologies. An effective and efficient global regime for management of [IPRs] of climate friendly technologies is critical to the global efforts for development, deployment, dissemination and transfer of such technologies. In the absence of such an arrangement, the objective of advancing the nationally appropriate mitigation and adaptation actions at the scale and speed warranted by the Convention cannot be met effectively and adequately. Such a regime should promote access to [IPRs] as global public good while rewarding the innovator and enhance the capacity of developing countries to take effective mitigation and adaptation actions at the national level. Conference of Parties should urgently decide on addressing the issue of treating and delivering climate technologies and their IPRs as public good in the interest of the global goal of early stabilisation of climate and advancing developing country efforts aimed at social and economic development and poverty eradication.'

On the issue of 'equitable access to sustainable development', the explanatory note states that 'at Cancun, Parties agreed to a global goal for climate stabilisation with a view to hold the increase in global average temperature below 2 degrees C above pre-industrial levels and decided that urgent actions be taken to meet this long-term goal consistent with science and on the basis of equity. Parties also decided to work towards identifying a timeframe for global peaking of greenhouse gas emissions based on the best available scientific knowledge and equitable access to sustainable development. The decisions at Cancun imply that the global goal of climate stabilisation in terms of limiting the temperature rise to 2 degrees Celsius above pre-industrial levels should be preceded by a paradigm for equitable access to sustainable development. The achievement of the global goal must not compromise the sustainable development imperatives of developing countries and must fully take into account the overriding priority of social and economic development and poverty eradication in such countries. Keeping in mind the objective of identifying the suitable timeframe for reducing the global emissions on the basis of equitable access to sustainable development, the principle of equity must be defined so as to recognise that the global atmospheric resource is the common property of all mankind and each human being has equal entitlement to use of this resource in the interest of meeting the overriding priorities of developing countries.'

On the issue of 'unilateral trade measures', the note states that, 'at Cancun, Parties agreed to promote a supportive and open international economic system. Parties decided, inter-alia, that measures taken to combat climate change including unilateral ones should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral Trade Measures (UTMs) include tariff, non-tariff, and other fiscal and non-fiscal border trade measures that may be taken by developed country Parties, against goods and services from developing country Parties. Recourse to UTMs on any grounds related to climate change, including protection and stabilisation of climate, emissions leakage and/or cost of environment compliance would be tantamount to passing mitigation burden onto developing countries, and would clearly contravene the fundamental principles and provisions of equity, common but differentiated responsibility and respective capabilities, and the principle enshrined in Article 3 of the Convention. Parties should expressly prohibit use of unilateral trade measures on such grounds, as they will have negative environmental, social and economic consequences for developing countries and compromise the principles and provisions of the Convention.'

SBI mandate (or lack thereof)

India requested that the three issues be included in the COP17 provisional agenda. Developing countries in the Bonn talks that ended on 17 June objected to attempts to have these items addressed by the Subsidiary Body for Implementation (SBI) that has no mandate to provide guidance on (thereby influencing) the COP agenda.

Attempts were made to negotiate and amend the elements of the provisional agenda for COP17 that included the new issues proposed by India, under the discussions on 'arrangements for intergovernmental meetings' (AIMs) in a contact group of the SBI. This was thwarted following strong reactions from the G77 and China and several developing countries which saw the move as being contrary to the mandate of the SBI.

On 15 June, a non-paper was produced by the Secretariat on the 'possible elements' for the provisional agenda of COP17, for discussion in the contact group on AIMs, which met on 15 and 16 June. In a footnote, the non-paper said that 'these elements will be amended as appropriate to reflect guidance from the SBI at its 34th session, through discussions ...'

Developing countries, led by the G77 and China, questioned the Chair, Robert Owen Jones (Australia), on the footnote as it implied making amendments to the elements of the agenda when this, they said, was not the mandate of the SBI. They thus asked the Chair to follow the rules of procedure.

The Chair responded that there was not going to be a negotiation of the elements for the agenda, but only an exchange of views. Following strong reactions from developing countries, the footnote was deleted and the possible elements of the provisional agenda for COP17 (which included the issues from the Indian proposal) were put in an addendum to the background note by the UNFCCC Executive Secretary on arrangements for intergovernmental meetings.

Developed countries including Australia, the US, the European Union, Canada and Mexico all said that it was good to have an exchange of views on the elements of the COP17 agenda and were opposed to the issues raised by India to be included in the Durban agenda.

The US said it was opposed to the issues on the agenda which 'have been contentious in the process' and had been discussed in Copenhagen and Cancun; there has been no agreement, and no prospects for any agreement, on these issues.

It said that the trade issue was a matter for the World Trade Organisation and the UNFCCC had no competence over this. On the issue of intellectual property rights, the US said that there was a mistaken impression that strong IPRs are a barrier for clean technologies when IPRs are a foundation for technology transfer.

China said that it was clear from the rules of procedure that the normal practice was for the elements of the agenda to be attached to the background document (for the AIMs) as was done last year. It said that it was clear that the agenda would be drafted by the Secretariat in agreement with the COP President and it was not the role of the SBI to provide guidance.◆

A CDM misadventure in waste management

Developed countries have been pushing the case for market mechanisms to regulate carbon emissions. But as the following account of India's experience with the market-driven Clean Development Mechanism (CDM) under the Kyoto Protocol reveals, there are serious inadequacies in such an approach.

Neil Tangri and Dharmesh Shah

THE Clean Development Mechanism (CDM)'s[1] flagship waste management project in India is turning into a multi-faceted disaster, revealing flaws in both the carbon credit mechanism as well as the corporate-driven, technology-focused approach to climate change mitigation.

Delhi's waste management challenges

Municipal solid waste management is a challenge in most urban areas of the developing world: rapidly growing urban populations, increased consumerism and a shift in consumption patterns are resulting in rapidly rising levels of waste generation. The nature of municipal waste is also changing, with increasing quantities of plastics and composite materials such as electronics.

In India's capital state of Delhi, which produces more than 7,000 metric tons of waste per day,[2] investment in public infrastructure has not kept pace with the quantity or the increasingly complex nature of municipal waste, and significant quantities go uncollected. The situation would be far worse without the informal sector: Delhi's waste supports a population of approximately 100,000 waste pickers,[3] who recover usable materials such as metal, paper, cardboard and plastic from the waste. These materials are cleaned, sorted and sold back to industry as raw material for new products. Altogether, Delhi's recycling economy recovers 1,600 tons of waste per day, or approximately 15-20% of the total generation, and saves $14,000 per day in operational costs for the city municipality.[4]

However, the informal recycling sector has little use for the largest part of the waste stream – food waste and other organic materials. These are usually collected by the municipality and taken to one of three open dumps (euphemistically called landfills). The presence of organic waste in landfills has long been associated with a variety of problems – odours, pests, landfill fires and toxic leachate. Organic waste in landfills is also one of the primary global sources of methane, a greenhouse gas 25 times as potent as carbon dioxide.[5]

With the threat of a climate tipping point looming, measures such as the Clean Development Mechanism and the Global Methane Initiative are increasing efforts on eliminating methane emissions – but the experience of Delhi shows that corporate initiatives reliant on high technology can easily backfire.

The Timarpur-Okhla waste-to-energy project[6]

In November 2007, the CDM Executive Board registered a project by the Timarpur-Okhla Waste Management Company to build two facilities to handle 2,050 tons per day of municipal waste, or about a quarter of Delhi's total. In Okhla, the waste would be dried and shredded into a fluff called 'Refuse-Derived Fuel' (RDF), then burned in a boiler to produce electricity. The Timarpur facility would also produce the same RDF pellets but truck them to Okhla for incineration. The project immediately raised flags among local residents, waste pickers and environmentalists: this is not the first incineration project to be built in Timarpur.

In 1987, the Ministry of New and Renewable Energy (MNRE) commissioned the Timarpur Refuse Incineration-cum-Power Generation Station at a capital cost of INR 250 million[7] ($19.3 million[8]). The plant was built by the Danish firm Volund Miljotecknik and designed to incinerate 300 tons of municipal waste per day to generate 3.77 MW of electricity. The plant initiated trial operations and ran for 21 days, using auxiliary fuel, before shutting down due to the poor quality of incoming waste. Essentially, Indian waste contained too much organic material and insufficient paper, plastic and cardboard to sustain combustion. Unlike residents of wealthier countries, Indians generate smaller quantities of these materials, and an efficient informal sector ensures that most of what is thrown away is recycled rather than left for disposal. However, these lessons appear not to have been learned by government officials.

Sustainable development does not apply to the poor

According to its charter, the CDM is required to only support projects which contribute to sustainable development, but the responsibility for ensuring this – unlike the monitoring of additionality[9] – is entrusted to national governments. With a single, pro-forma line, 'This project contributes to sustainable development in India,'[10] the Ministry of Environment and Forests discharged its responsibility. However, no evidence or analysis has been made public to back this assertion.

On the contrary, if the project really burns a quarter of Delhi's waste, it will directly threaten the livelihoods of a large part of the city's informal recycling workers. Incinerators cannot burn only food waste, which is high in moisture and low in calorific value. A high proportion of plastics, paper and cardboard must be included for the incinerators to function, but these are precisely the materials which the informal sector recycles. Recognising this threat to their livelihoods, Delhi's waste pickers have begun agitating against the project, holding multiple rallies and demanding that local and national authorities halt the project. For the first time, several waste picker rights groups have joined forces with environmental groups to challenge the project.

On the other side, many of India's corporate heavyweights have invested in the project, which stands to earn \$37 million from the sale of carbon credits alone. The project proponent has a complex corporate structure enmeshing major Indian conglomerates such as IL&FS and Jindal with public bodies such as the Andhra Pradesh Technology Development Center. Clearly, these entities will profit from the waste pickers' loss.

Carbon credits to increase emissions

By its own calculations, the Timarpur-Okhla project will reduce emissions by an average of 262,791 tons of carbon dioxide equivalent (tCO_2e) per year. In comparison, Delhi's waste pickers are responsible for annual emission reductions of approximately 962,133 tCO_2e through recycling.[11] If the project burns even one-quarter of Delhi's recyclables, it will effectively wipe out its own emission savings, resulting in no net emission reductions. But because the CDM has not calculated the project's impact on recycling, it will continue to award the company hundreds of thousands of spurious carbon credits – credits which do not represent real emission reductions. The primary market for these emission credits is Europe, where companies meet their own greenhouse gas emission targets by using such reductions. The Timarpur-Okhla project will therefore contribute to an increase in European emissions. If the project captures a larger percentage of recyclables, or uses auxiliary fuel,[12] the situation will be even worse.

Climate accounting tricks

The emissions picture worsens when biogenic emissions are taken into account. Under the CDM, it has become standard practice for companies to claim that burning biomass[13] has no net effect on the climate. Scientists have pointed out that this rule does not reflect reality – all CO_2 has the same effect on the atmosphere, regardless of source – and its widespread application would have disastrous consequences, including the complete deforestation of the planet.[14] Nevertheless, the CDM continues to allow companies to undercount their emissions, issuing carbon credits for emissions that were not in fact reduced. In the case of the Timarpur incinerator, only 16% of its CO_2 emissions from burning waste are reported, since the other 84% are assumed to be biogenic in origin.[15]

Toxic emissions not appreciated by neighbours

In its submission to the CDM, the company claimed, 'the role of the local population will be as beneficiary of the project, (...) providing both direct and indirect employment opportunities to the local people. The project does not propose to displace any community, it does not have any direct conflict with the people of the region.'[16] In fact, the project will not only displace waste pickers, but is also facing stiff resistance from local communities which object to the siting of a waste incinerator in residential neighbourhoods, within 100 metres of residences and close to three major hospitals.

Residents are right to be concerned; incinerators are a major source of toxic air emissions, including dioxins, mercury, heavy metals (such as lead, arsenic, etc.), particulates (including ultrafine particulates that escape filters), acid gases (hydrochloric acid and sulphur oxides) and others.[17] Even the best of modern incinerators struggle to keep emissions under control, as recent incidents in the UK, the US and Iceland indicate. In December 2010, a waste incinerator in Crymlyn Burrows in Wales, UK, was shut down for repeatedly breaching dioxin emission limits.[18] Incinerator operators in the US are currently paying millions of dollars in fines and court settlements for breaches of emissions law.[19] In Iceland, incinerators have been identified as the source of widespread contamination of meat and dairy products.[20]

The project will not only displace waste pickers, but is also facing stiff resistance from local communities.

In Delhi's case, there is suspicion that the Okhla facility will not even have any modern emissions-control technology installed: its total price tag of INR 2 billion (\$45 million) is a fraction that of an RDF incinerator one-third as large in Rostock, Germany (\$140 million).[21]

In 2009, local residents filed a lawsuit to stop the construction of the plants, based on numerous violations of national environmental laws. The public hearing was so poorly announced that not a single person attended; the Environmental Impact Assessment has been lost, or perhaps was never filed; and the project has grown from a 15 MW plant to 21 MW after approval. Perhaps most ominously, the company claimed in its Detailed Project Report (DPR) to generate RDF with a calorific value of 2,000 kcal but later revised the figure to 800-1,300 kcal in its bid documents. This is slightly above the value of the waste that was supplied to the old plant, which failed to burn. Based on this crucial revelation, the MNRE noted on 29 May 2008 that 'this will necessitate that a fresh DPR is prepared as not only will the actual quantity of MSW [municipal solid waste] required to be processed be different but also the basic parameters of all the equipment will change.' However, no new DPR has been released.

Gaming two systems

Despite these flagrant violations of national law, the project is moving forward with the full support of the state government. In a recent public meeting, the Chief Minister of Delhi dismissed the environmental concerns raised by the residents of Okhla, citing assurances given by her bureaucrats and the project proponents. Finally, the national Ministry of Environment and Forests stepped in, flagging the project for review and appointing a special committee to investigate. But as the Minister himself observed, the company has already sunk too much money into the project to risk cancellation. In this manner, national laws are voided by the *fait accompli* of simply constructing a plant.

Similarly, the CDM is on track to award carbon credits to a project that meets none of the requirements – because failing to do so would endanger 'investor confidence' in the carbon market mechanism.[22] The Timarpur-Okhla RDF incinerator is an example of how major corporate firms are pushing technology-driven approaches to climate mitigation that harm the poor, increase emissions and undermine the rule of law – but result in handsome profits for the private sector.

Alternatives

Fortunately, alternatives to waste sector privatisation do exist. Waste picker groups in other parts of India, notably Mumbai and Pune, have had success in establishing source-separation schemes for municipal waste with the cooperation and support of local government. The organics, which comprise 70% or more of the waste,[23] are composted or processed into biogas, avoiding the methane emission problem while creating a second income stream, and the recyclables are returned to industry for re-manufacture. Such models are win-win situations for local residents, municipal authorities and the urban poor, but leave little room for participation by major multinational firms.◆

Neil Tangri works on GAIA (Global Alliance for Incinerator Alternatives/Global Anti-Incinerator Alliance)'s global Waste and Climate Change Campaign. Dharmesh Shah is GAIA's Climate and Waste Picker Coordinator in India.

Endnotes

1 The Clean Development Mechanism was established under the international Kyoto Protocol on cutting carbon emissions responsible for climate change. The CDM allows a country with an emission reduction commitment under the Kyoto Protocol to implement an emission reduction project in developing countries. Such projects can earn carbon credits which can then be traded and sold, and used by industrialised countries to meet part of their reduction targets under the Protocol.

2 Delhi Pollution Control Committee, http://dpcc.delhigovt.nic.in/waste-msw.html

3 Kaul, 'A Study of Ragpicker Children in Delhi', ILO, 2003.

4 Chintan Environmental Research and Action Group, 'Factsheet: Wastepickers,' Delhi. http://www.chintan-india.org/images/WastepickersFactSheet.pdf

5 The Global Warming Potential of methane (CH_4) is 25 on a 100-year timeline but 72 on a 20-year timeline, according to the Intergovernmental Panel on Climate Change's 4th Assessment Review (2007).

6 CDM documents available at http://cdm.unfccc.int/Projects/DB/SGS-UKL1185291186.52/view

7 Case Study by Ministry of Urban Development, India, http://urbanindia.nic.in/publicinfo/swm/annex15.pdf

8 Using the 1987 exchange rate of $1 = INR 12.959; http://fx.sauder.ubc.ca/etc/USDpages.pdf

9 A CDM project must provide emission reductions that are additional to what would otherwise have occurred.

10 Host Party authorisation and approval letters, available from the CDM website.

11 Chintan, 'Cooling Agents: An Examination of the Role of the Informal Recycling Sector in Mitigating Climate Change,' 2009.

12 Under the CDM, waste incineration proejcts are allowed to burn up to 50% of fossil fuel (diesel, coal, etc) and still claim carbon credits for emission reductions. Effectively, they are using fossil fuel to boil off the water in food waste. The practice is common in India and China, where the waste has insufficient calorific value to burn on its own.

13 Including wood, paper, food waste and plant material.

14 For example, Searchinger et al, 'Fixing a Critical Climate Accounting Error,' *Science* Vol. 326, pp 527-8, October 2009.

15 Calculations based on the Project Design Document, Annex 3.

16 From the Project Design Document.

17 Allsopp et al, 'Incineration and Human Health,' Greenpeace Research Laboratories, March 2001.

18 http://www.thisissouthwales.co.uk/news/Incinerator-stay-closed-breach-emissions-levels/article-3134378-detail/article.html

19 http://www.baltimoresun.com/news/opinion/oped/bs-ed-waste-incineration-20110510,0,4310562.story

20 http://www.grapevine.is/Home/ReadArticle/Dioxin-Poisoning-In-Meat

21 http://www.industcards.com/wte-germany.htm

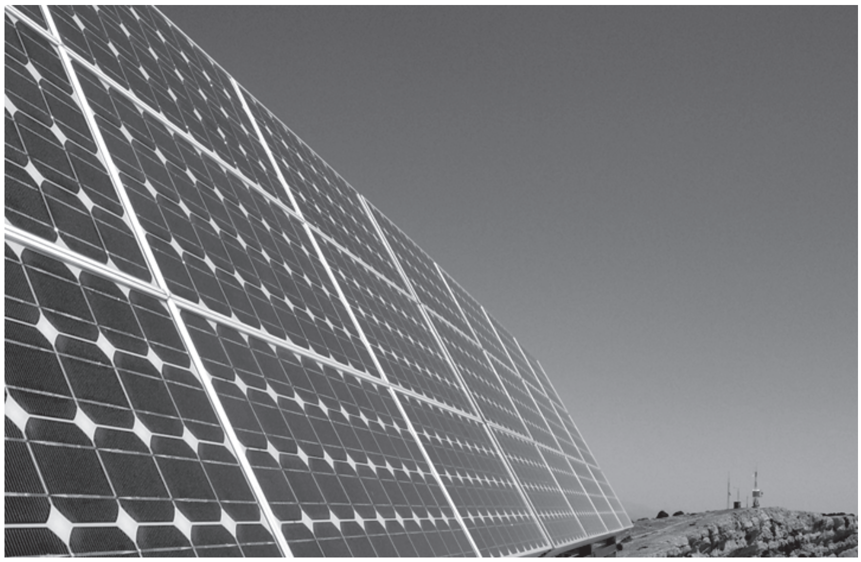
22 Remarks made in the context of awarding credits to non-additional HFC projects.

23 From the Project Design Document.

Carbon-free by 2050?

Replacing carbon fuels with renewable energy sources is clearly a necessary goal for a sustainable future. A recently released report by the Intergovernmental Panel on Climate Change has examined the prospects of attaining this goal by 2050. While the report has much to commend it, as the following commentaries show, it is also seriously flawed in some respects.

Payal Parekh



A solar power panel. Global renewable energy capacity grew rapidly in 2009.

THE Summary for Policy Makers of the long-awaited Intergovernmental Panel on Climate Change (IPCC) *Special Report on Renewable Energy Sources and Climate Change Mitigation* was recently released. The scientists analysed over 160 scenarios to calculate the potential of renewable energy to meet the world's energy needs in 2050. The most optimistic scenario predicts that renewables will constitute 80% of our energy matrix given that certain conditions are met. Renewable energies considered are bioenergy, solar energy, geothermal energy, hydropower energy, ocean energy and wind energy.

Renewables accounted for 12.9% of primary energy supply in 2008, although a vast majority of this was biomass. But this is changing quickly. Despite the global financial crisis, renewable energy capacity grew rapidly in 2009 relative to the cumulative installed capacity from the previous year. For example, wind power capacity increased by almost one-third, while solar power capacity increased by over 50%. Furthermore, the technical potential of renewable energy is not limiting; it exceeds projected future energy demand. Developing countries host over half of current global renewable energy capacity.

Renewable energy technologies are at different stages of maturity and can also have adverse impacts. For example, hydropower is a mature technology with limited capacity to grow in the coming years. Large dams have resulted in the displacement of millions of people across the world and have also irreversibly fragmented over half of the world's rivers. Hydropower clearly reflects the importance of weighing all of the impacts of a renewable energy source.

Other technologies such as using the potential, kinetic, thermal and chemical energy of seawater are at the demonstration and the pilot phase and require additional research and development.

Renewable energy is generally still more expensive than conventional technologies, but under certain circumstances renewable energy is price-competitive. Furthermore, if costs related to emission of greenhouse gases during the burning of fossil fuels were internalised, renewable energy technologies would likely be much more competitive than they currently are.

How do we get there?

Given that we are expecting nothing less than a paradigm shift in how we produce energy, it is no surprise that there will be some hurdles to jump over, but they are manageable.

The IPCC report estimates that investments in the order of \$1.2-5.1 trillion are needed in the current decade and \$1.4-7.2 trillion in the next. While this is no small amount, the annual averages of these investments are smaller than 1% of the world GDP.

Proactive policy measures will be essential to level the playing field between renewable energy and conventional energy sources. Feed-in tariffs, quotas and priority grid access are measures that subsidise renewable energy so that it can compete. As the price of renewables drops, the size of the subsidy also decreases. Fiscal incentives also play an essential role. These include carbon taxes and rebates and grants to end-users for choosing renewable energy sources.

Policy measures will be more successful if they are paired with substantial public investment in research and development (R&D), as this often also results in investment by the private sector. In effect, the public policies and investment create a favourable environment for investment by the private sector, getting more bang for the buck.

Eradicating energy poverty

Fortunately the IPCC took on the 'double challenge' of simultaneously ensuring that energy is produced without greenhouse gas emissions and that the world's poor have a right to sustainable development. The relationship between the level of poverty and (lack of) access to energy is well established (United Nations, *World Economic and Social Survey,2009*). Over two billion people have little or no access to electricity, which relegates them to a life of poverty. Renewable energy can play an important role in breaking this cycle, since it lends itself well to decentralised energy distribution.

But as the excellent report *Promoting Development, Saving the Planet* by the United Nations' Department of Economic and Social Affairs (2009) very clearly showed, accessibility is also linked to affordability. Poor people spend a higher percentage of their income on energy. Therefore it is not enough to make renewables more competitive with fossil fuels. The price of renewables must drop significantly in order to become the choice of the poor.

Bioenergy: the complicated renewable

Currently the poor primarily burn firewood for cooking and heating. Unfortunately biomass burning is very inefficient and is a major cause of indoor air pollution in the world's poorest rural households.

Biomass burning is classified as renewable energy because a tree that is cut down and burned for fuel can be replaced by planting a new tree. Yet this practice is one of the leading causes of deforestation and habitat loss for endangered species.

Bioenergy is not limited to the burning of biomass. Some technologies are already available and others are at the development stage. For example, ethanol production from sugar and starch is commercially viable, whereas technologies such as production of fuels from ligno-cellulosis and algae are at the pre-commercial and research and development stage, respectively.

Unfortunately there are a number of potentially adverse environmental and social implications associated with bioenergy. Some studies suggest that the energy inputs to produce bioenergy are larger than the amount of energy produced, meaning that bioenergy does not reduce greenhouse gas emissions. Carrying out a lifecycle analysis of bioenergy requires taking into account the carbon stock of land that is cleared for growing bioenergy crops, emissions from fertiliser use, and emissions from transport and processing.

The social impact of bioenergy has proved to be even more devastating. Converting land to grow crops for fuel means that less land is available for growing food, resulting in higher food prices. In fact an internal World Bank report from 2008 estimated that bioenergy drove food prices up 75%.

Caveats

While the results of the IPCC report are generally positive and give hope that the pathway toward a low-carbon future exists, it is not enough. The report focused on scenarios that would keep greenhouse gas concentrations at 450 parts per million (ppm) and limit temperature rise to 2°C, rather than the more stringent demand from over 100 countries of 350 ppm and 1.5°C. To reach the more ambitious goal, we need to be carbon-free by 2050. To be that ambitious, we need rigorous global cooperation that is based on fairness and equity to ensure the types of financing and technology sharing that can mainstream renewable energy.

Other ways of lowering greenhouse gas emissions and simultaneously meeting global demand for energy include energy conservation and efficiency, as well as changes in lifestyle. Other, more controversial solutions include fossil fuel switch, nuclear power, and carbon capture and storage (CCS). A study recently published by WWF and Ecofys (*The Energy Report*, 2011) looks at the whole suite of options and the various challenges and choices that society is faced with.

The IPCC report gets us started in the right direction. Now society must use this challenge of meeting people's energy needs in a fair and just way as an opportunity to find new paths forward. The energy revolution has taken off and is gaining speed. ◆

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Don't sacrifice the planet's arteries to save her lungs

Peter Bosshard

ACCORDING to a new report by the Intergovernmental Panel on Climate Change (IPCC), the sky is the limit for the expansion of renewable energy. With an investment of slightly less than 1% of global GDP, renewable energy could contribute up to 43% of the world's energy supply by 2030, and 77% by 2050. Such an increase could stabilise the CO_2 concentration in the atmosphere at 450 ppm and may be just enough to avoid catastrophic climate change. It would also boost energy access for the 1.4 billion people who currently live without access to electricity.

The IPCC report presents a menu of actions such as feed-in tariffs for renewable energy that can be implemented immediately. It is cause for hope. From an environmental and human rights perspective, the new report has only one problem: against standard practice, it includes large hydropower projects among the technologies to be promoted. With this approach, the IPCC report ignores several key factors:

• Ecological impacts: While water is a renewable resource, the ecosystems that are destroyed by hydropower projects are not. Not least due to dam building, rivers, lakes and wetlands suffer from a higher rate of species extinction than any other major ecosystem. According to the Millennium Ecosystem Assessment, freshwater ecosystems lost 50% of their populations between 1970 and 2000. The International Union for Conservation of Nature (IUCN)'s Red List warns that 37% of all freshwater fish species are under threat of extinction. Large hydropower projects also have much more serious social impacts than the truly renewable sources of energy.

• Greenhouse gas emissions: Because of decomposing organic matter in reservoirs, dams emit greenhouse gases such as methane and CO_2. In the case of shallow tropical reservoirs, the emissions from hydropower projects can be higher than those of thermal power projects with the same electricity output. Ivan Lima of Brazil's National Institute for Space Research estimated the total methane emissions from large dams at 104 million tons per year. Methane is a particularly potent greenhouse gas, and Lima's figure amounts to more than 4% of the total warming impact of human activities – roughly equal to the climate impact of the global aviation sector. (The figure includes reservoirs that were built for other purposes than hydropower, but not the emissions generated by the construction of dams.)

• Vulnerability to climate change: Countries need to diversify and decentralise their water and energy infrastructure in order to strengthen their resilience to the vagaries of climate change. In contrast, building big, clunky dams will make water and energy sectors more vulnerable. As a World Bank report found earlier this year, 'long-lifespan infrastructure, such as hydropower plants, is generally less adaptable to changes whereas short-lifespan infrastructure can be replaced in the long term as the climate changes.' The report warns that 'heavy reliance on hydropower creates significant vulnerability to climate change', and suggests that 'an adaptation response may require a policy decision to diversify away from hydropower.'

The hydropower section of the IPCC report at times reads like a marketing brochure of the dam industry.

• Limited growth potential: Hydropower is a mature technology which has not seen major breakthroughs in past decades. The new IPCC report confirms that the technical potential of hydropower is vastly lower than the potential of wind, geothermal, solar and biomass energy. It also recognises that 'further cost reductions for hydropower are expected to be less significant than some of the other [renewable energy] technologies.' Because of large hydropower's serious impacts and limited growth potential, limited financial resources should not be squandered on subsidies for further dam building.

By listing large hydropower among the technologies that deserve support, the IPCC contravenes international standard practice. Across the world, policy tools – for example, portfolio standards, feed-in tariffs and tax credits – only tend to consider *small* hydropower projects as a form of renewable energy. Small hydropower is generally defined as projects of less than 10 megawatts.

Why has the IPCC downplayed the ecological impacts of large dams, including their contribution to climate change, and included large hydropower among the technologies that deserve public support? The sad truth is that in addition to several independent scientists, the IPCC selected a number of authors who have a vested interest in the outcome of the hydropower chapter. The nine lead authors of this chapter include representatives of two of the world's largest hydropower developers, a hydropower consultancy, and three agencies promoting hydropower at the national level.

I highly value the IPCC's difficult work, and have no sympathy for the climate change deniers who will probably attack the new report for their own motives. I do not question the personal integrity of the report's authors, and personally respect the one industry representative among them whom I know. Yet it is not appropriate for the IPCC to commission individuals with a business or institutional interest to prepare a report that is supposed to be unbiased and independent.

The authors' conflict of interest is reflected throughout the hydropower section of the report, which at times reads like a marketing brochure of the dam industry. The report ignores or downplays the evidence regarding the social and environmental impacts of dams that has been produced by the independent World Commission on Dams, and naively assumes that these impacts can essentially be mitigated. It further highlights the global changes of precipitation under climate change, but neglects the uncertainties regarding future rainfalls on the local level, which are much more relevant for hydropower projects.

Combating climate change must be part of a holistic effort to save the world's ecosystems. We cannot afford to sacrifice the planet's arteries to save her lungs. The new IPCC report demonstrates that there is a vast potential for energy technologies that have much lower environmental and social impacts than large dams. These are the solutions that deserve our full support. ◆

Peter Bosshard is the policy director of International Rivers, a non-governmental organisation which works to protect rivers, defend the rights of communities that depend on them, and promote water and energy solutions for a just and sustainable world. The above is reproduced from his blog at www.internationalrivers.org/en/blog/peter-bosshard.

The green revolution backfires: Sweden's lesson for real sustainability

Sweden has a valuable lesson to offer: for a sustainable world, green and clean technologies are not sufficient without a change in lifestyle.

Firmin DeBrabander

A designated parking spot for electric cars in Stockholm. While Sweden leads the world in per capita sales of 'green cars', greenhouse gas emissions from the country's transportation sector are up.

WHAT if electric cars made pollution worse, not better? What if they increased greenhouse gas emissions instead of decreasing them? Preposterous, you say? Well, consider what's happened in Sweden.

Through generous subsidies, Sweden aggressively pushed its citizens to trade in their cars for energy-efficient replacements (hybrids, clean diesel vehicles, cars that run on ethanol). Sweden has been so successful in this initiative that it leads the world in per capita sales of 'green cars.' To everyone's surprise, however, greenhouse gas emissions from Sweden's transportation sector are up.

Or perhaps we should not be so surprised after all. What do you expect when you put people in cars they feel good about driving (or at least less guilty), which are also cheap to buy and run? Naturally, they drive them more. So much more, in fact, that they obliterate energy gains made by increased fuel efficiency.

We need to pay attention to this as GM and Nissan roll out their new green cars to great fanfare. The Chevy Volt, a hybrid with a lithium-ion battery, can go 35 miles on electric power alone (after charging overnight, for example), and GM brags on its website that if you limit your daily driving to that distance, you can 'commute gas-free for an average of $1.50 a day.' The Volt's price is listed at a very reasonable $33K (if you qualify for the maximum $7,500 in tax credits). The fully electric Nissan Leaf is advertised for an even more reasonable $26K (with qualifying tax credits, naturally). What a deal – and it's good for you, too, the carmakers want you to know. As GM helpfully points out on its website, 'Electricity is a cleaner source of power.'

Sweden is a model of sustainability innovation, while the US is the most voracious consumer on the planet. Based on Sweden's experience with green cars, it's daunting to imagine their possible impact here. Who can doubt that they'll likely inspire Americans to make longer commutes to work, live even further out in the exurbs, bringing development, blacktop and increased emissions with them?

In its current state, the green revolution is largely devoted to the effort to provide consumers with the products they have always loved, but now in affordable energy-efficient versions. The thinking seems to be that through this gradual exchange, we can reduce our collective carbon footprint. Clearly, however, this approach is doomed if we don't reform our absurd consumption habits, which are so out-of-whack that they risk undoing any environmental gains we might make. Indeed, we are such ardent, addicted consumers that we take efficiency gains as licence to consume even more!

We need to address consumption fast because – news alert – the current consumer class on earth barely amounts to 1 billion people (if that), but 2 billion and counting eagerly wait in the wings.

American industry hungrily targets the rising Chinese consumer

Achieving environmental sustainability demands, among others, that Americans rethink their voracious consumption habits.

The traffic in Beijing. If China achieves car ownership rates comparable to the US, that would put an additional 800 million cars on the road.

Will 'green cars' like the Chevy Volt *(pic)* **really help to save the environment?**

class. For the sake of the planet, we better hope it doesn't get its way. Consider: China currently has a car ownership rate approximately one-sixth that of the US. If China achieves car ownership rates comparable to the US, that would put an additional 800 million cars on the road. And that's just China. Even if we somehow succeeded in making China's fleet super-efficient, it would still be more than the planet can handle.

Of course, cars are only the tip of the iceberg when it comes to Chinese consumer dreams. They will also want more electronics, clothes, meat, processed foods, bigger houses. In short, we can bet that the rising Chinese middle class will want something close to what we have. And why shouldn't they? We have been showcasing our middle-class comfort worldwide for years through our vast media exports. Everyone is betting, hoping – assuming? – that technology will eventually help us deliver the American dream worldwide with no environmental impact. But clearly, we may run out of planet by the time that day comes. Even the American dream in an 'energy-efficient format' is likely too much for the earth to handle.

If this is chilling – and it should be – you might wonder, what are our options? Justice demands that we cannot prevent, much less discourage, the growing global consumer class from having the consumer goods we currently enjoy. Real change starts with us then, and I'm afraid to say, radical change is in order. We must figure out a way to consume less, which means driving less, shopping less, eating less meat (which the UN estimates is responsible for a fifth of all greenhouse gases), and conserving food and energy. This means essentially rethinking our suburban-sprawling, fast-food-gorging, shopaholic society. We must model for the world the changes we hope everyone will make to ensure a sustainable future.

It's time to be courageous and think big about altering our lifestyle, values and future. The powers that be are reluctant to rock the boat with consumers, and have decided that leaving consumption habits intact as much as possible is the preferable option. They'd rather get us into electric cars, than out of our cars altogether. Well, we need more than half-measures at this point. As Sweden proves, unless other, more fundamental changes are made to our engrained consumption habits, half-measures only dig us deeper in the hole. ◆

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The most bombed country on earth

The scale and nature of the bombing which the US carried out in Laos during its 1964-73 'Secret War' have no precedent. The cluster bombs it dropped still continue to kill and maim men, women and children of this impoverished country. And yet, observes *Tom Fawthrop*, men like Dr Henry Kissinger who were behind these war crimes have never been brought to book and the US still refuses to sign the Convention on Cluster Munitions.

LAOS, a small landlocked country in South-East Asia known as 'the most bombed country on earth', fittingly hosted an international disarmament conference in November 2010.

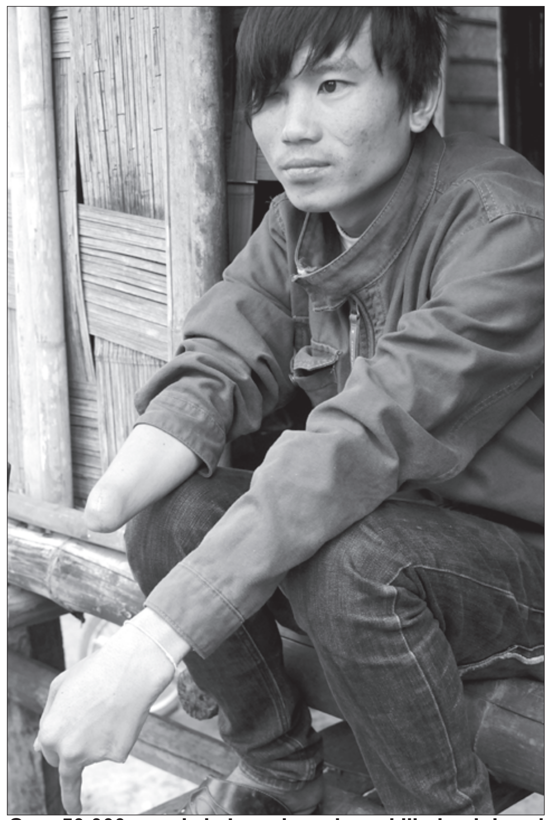
This was a follow-up to an Oslo conference in 2008 when 94 nations signed the Convention on Cluster Munitions (CCM), an international treaty to ban all cluster weapons (see box on p.42) following in the footsteps of the global campaign to ban landmines which came into force in 1999.

'This convention is a humanitarian instrument in nature that aims to liberate ourselves from fear and threat of cluster bombs,' Saleumxay Kommasith, director general of the department of international organisations at the Lao foreign ministry, told IPS news agency. 'We view our role in the cluster ban treaty as a contributor to the global effort to ban cluster munitions.'

During the 'Secret War' waged by the US Central Intelligence Agency (CIA) from 1964 to 1973 against communist and nationalist forces in Laos, more bombs were dropped on this rural nation of poor farmers than all the explosives dropped on Germany and Japan in the Second World War. Over two million tons of ordnance was dropped over Laos during the 580,000 bombing missions – this equates to approximately a planeload of bombs every eight minutes, 24 hours a day, for nine years.

A Secret War? The war was no secret to the poor farmers and their families, terrorised by the US air force. It was not a secret war in the minds of a multitude of refugees who fled their farmland to seek refuge in caves, or the tens of thousands who flocked to the safety of the capital Vientiane and its camps for displaced persons.

But this CIA-run war was deliberately kept hidden from the US Congress and the US media. A succession of US presidents lied to their people and denied any US military involvement in Laos. The nation's attention was focused on neighbouring Vietnam where there were half a million US soldiers on the ground.



Tracie Williams/Cluster Munition Coalition

Over 50,000 people in Laos have been killed or injured as a result of accidents involving unexploded cluster bombs. Picture shows a young victim who lost his right eye, right hand and three fingers.

Victims' account

Fred Branfman was shocked to discover, when interviewing refugees from the Plain of Jars in 1969, that his government had been secretly bombing this area of Xieng Khouang province for five years and he, a US citizen living in Laos, knew nothing about it.

Several books have been published about the various aspects of the war. Some of these books, such as *The Ravens*, have glorified Air America, the CIA airline that supplied food and arms to a mercenary army composed of Hmong tribespeople and people of Thai and other nationalities on the CIA payroll, recruited to fight the Pathet Lao, a communist-led force with strong rural support.

Branfman's book, *Voices from the Plain of Jars*, is the only account from the perspective of the victims of the aerial bombardment. The poor rice farmers had no idea why some mighty alien force wished to exterminate them. They did not know how innocent civilians had become targets, even less could they understand why their homeland was being pulverised.

First published in 1972 and reprinted in 2010 on the occasion of the CCM conference in Laos, Branfman's book reproduces a collection of interviews with refugees and their children's drawings of the war.

In 1971 the Royal Lao government, which was totally dependent on US aid for its survival, expelled Branfman for publicising information about the US bombings.

On 22 April 1971 he testified before a US Senate committee hearing on the bombing of Laos and told them, 'The evidence is clear that the US is conducting the most protracted bombing of civilian targets in history.'

In the introduction to the 2010 edition of his book, Branfman writes, 'The US bombing and its deadly legacy of cluster bombs has tormented and tortured the innocent people of Laos for nearly 50 years now … If there is any justice in this world, the international community will at least now find a way to clean up the unexploded ordnance still destroying the lives of the innocent, and offer assistance to the victims.'

Scanning for unexploded ordnance. Thirteen out of Laos' 15 provinces remain contaminated by unexploded bombs and the debris of war.

After the shooting stops

Landmines and unexploded cluster bombs do not observe peace treaties and ceasefires. Lurking just beneath the ground or concealed by vegetation, they continue to kill people long after the shooting stops and the war is over.

Farmers tilling their land are often maimed or killed when striking 'bombies' that settle below ground. Children are frequent victims because they are attracted to the bombies' bright colours and odd shapes.

In Laos at least 250 million cluster sub-munitions were dropped. Using a minimum failure rate (failure to explode) of 5% and a maximum of 30%, it is estimated that at least 78 million sub-munitions remain unexploded after impact. Forty years later, 13 out of Laos' 15 provinces remain contaminated by unexploded bombs and the debris of war.

Cluster munitions account for well over 50% of all the explosive remnants of war (ERW) casualties in Laos, according to official estimates. In some areas the cluster munitions threat has actually increased due to a high demand for new agricultural land and growing numbers of people collecting unexploded ordnance (UXO) as scrap metal.

The civilian toll makes for grim reading. Over 50,000 people have been killed or injured as a result of UXO accidents between 1968 and 2008, according to the UXO regulatory body in Laos.

Cluster bomb convention

In a world still plagued by cluster bombs, 94 countries came together in Oslo in December 2008 to sign up to a global ban. At present, 108 countries have joined the CCM, including 57 which have ratified the treaty, which came into force on 1 August 2010.

The US is not one of them. Its military is the largest manufacturer and user of cluster munitions and has deployed them in the Gulf War, Iraq and Afghanistan. These weapons are normal parts of their arsenal, with the US possessing a very large stockpile of cluster munitions. US Defence Secretary Robert Gates has said cluster munitions are regarded by the US as 'legitimate weapons with clear military utility'.

Richard Kidd, the Director of the Office of Weapons Removal and Abatement in the US State Department, wrote in 'Is There a Strategy for Responsible US Engagement on Cluster Munitions?' (28 April 2008): 'Cluster munitions are available for use by every combat aircraft in the US inventory, they are integral to every Army or Marine manoeuvre element and in some cases constitute up to 50% of tactical indirect fire support.'

Israel also liberally deployed cluster weapons as part of its 2006 bombing campaign in Lebanon.

Russia is another major country that has resisted the overwhelming humanitarian arguments that have convinced most governments that cluster bombs must be outlawed. Regrettably, many developing countries, including China, India, Pakistan and Brazil, are also yet to sign on to the CCM.

Among Asian countries, only Japan, Laos and Lebanon have ratified the convention. Thailand recently deployed cluster bombs in its border dispute with Cambodia.

The US empire and its denial of responsibility

The US government in its public relations has always claimed to be a world leader in the disbursement of humanitarian aid for the developing world.

However, the victims of the 'Secret War' 40 years ago and new victims who suffer from bombs being accidentally detonated today, have received zero compensation and minimal medical aid for the terrible injuries inflicted by cluster bombs and other weapons.

The US government spent $10 billion on bombing Laos back into the Stone Age, but only a paltry $5 million was allocated in 2010 to cleaning up the vast swathes of valuable farmland still infested with the deadly legacy of the war.

But when it comes to searches for bones of American soldiers classified as 'missing in action', the budget for Laos, Cambodia and Vietnam has already run into the hundreds of millions.

What Washington has done to Laos, to Vietnam and its own indigenous people could readily qualify as crimes against humanity.

Alfred McCoy, Professor of History at the University of Wisconsin-Madison in the US, says towards the end of the film *The Most Secret Place on Earth* (directed by Marc Eberle): 'We destroyed a whole civilisation, we wiped it off the map. We incinerated, atomised human remains in this air war.'

However, by its refusal to sign up to the International Criminal Court (ICC), the US exempts itself from any global jurisdiction and proclaims its impunity from prosecution and accountability.

What is a cluster bomb?

THE tennis-ball-sized cluster bombs, also known as 'bombies', are designed to kill individuals. Hundreds of bombies are packed into a single canister. These canisters are dropped from a plane and then open in mid-air, dispersing bombies over an area the size of several football fields.

Each bombie contains some 300 metal fragments, and if all the bombies in a canister detonate, approximately 200,000 metal fragments are propelled in every direction. Cluster bombs release their fragments at high velocity. When they strike human flesh, they create pressure waves that do massive damage to tissues and organs. A single fragment can explode the intestines or rupture the spleen even when that fragment enters the body some distance from these organs.

Cluster bombs fail to detonate 10-30% of the time and can stay hidden in the landscape for decades. In Laos, an estimated 78 million or more unexploded bombies remain as a deadly legacy of the US war. ◆

A US aircraft dropping cluster bombs. The US military is the largest manufacturer and user of cluster munitions.

War criminal?

Henry Kissinger, President Nixon's Secretary of State, directly authorised the bombing of Laos, and also supervised the 'secret bombing' of Cambodia during the same period.

Various private prosecutions have accused him of being a war criminal for his involvement in carpet bombing of Laos, Cambodia and Vietnam. In addition, human rights groups also hold him responsible for the brutal invasion of East Timor (1975) and the Pinochet coup in Chile (1973).

But inside the US, Kissinger is anything but a wanted man. He is toasted by high society, and CNN frequently invites him to appear on screen as a respected commentator on world affairs.

Viewed through the prism of the US ideology that they send troops around the world for a benevolent purpose, the blood on Kissinger's hands is invisible. His intimate connection to cluster bombs and murder by fragmentation has been either erased from memory or never recorded by most US media networks.

The ICC is now knocking at Colonel Gaddafi's door. And yet the alleged war crimes of Gaddafi pale in comparison with the destruction inflicted on Laos, Cambodia and Vietnam. ◆

Tom Fawthrop is a journalist and filmmaker who has been based in South-East Asia for 30 years. His latest documentary is Where Have All the Fish Gone?: Killing the Mekong Dam by Dam *(Eureka Films).*

ILO adopts 'historic' convention on domestic workers

In what was viewed as a historic moment, the International Labour Organisation (ILO) in June adopted a landmark convention aimed at protecting tens of millions of domestic workers worldwide. *Kanaga Raja* reports.

AT the 100th session of the ILO's annual International Labour Conference in Geneva on 1-17 June, government, worker and employer delegates adopted the Convention Concerning Decent Work for Domestic Workers (2011) and an accompanying Recommendation by an overwhelming margin of votes.

Under the ILO's tripartite structure, each of the organisation's 183 member states is represented by two government delegates, and one employer and one worker delegate.

The Convention was adopted by a vote of 396 for and 16 against, with 63 abstentions. Only one government voted against the Convention, this being Swaziland.

The Convention, becoming the ILO's 189th Convention, will come into force after two countries have ratified it.

The Recommendation, which provides detailed guidance on how to apply the Convention, was adopted by a vote of 434 to 8, with 42 abstentions.

The Convention and Recommendation, after it comes into force, will apply to those ratifying it, and be subject to the periodic examination and reports on implementation by the ILO Committee of Experts.

According to an ILO press release, the new standards set out that domestic workers worldwide who care for families and households, must have the same basic labour rights as those available to other workers, namely, reasonable hours of work, weekly rest of at least 24 consecutive hours, a limit on in-kind payment, clear information on terms and conditions of employment, as well as respect for fundamental principles and rights at work including freedom of association and the rights to collective bargaining.

The ILO said that its recent estimates based on national surveys and/or censuses of 117 countries place the number of domestic workers at a minimum of 53 million, but experts say that there could be 100 million in the world, considering that this kind of work is often hidden and unregistered.

In developing countries, according to the ILO, they make up at least 4-12% of wage employment. Around 83% of these workers are women or girls and many are migrant workers.

© International Labour Organisation/pool photo ILC

Delegates at the International Labour Conference voting on the Domestic Workers Convention. The adopted Convention sets out that domestic workers worldwide must have the same basic labour rights as those available to other workers.

According to an ILO policy brief on the issue of domestic workers, the two regions with the largest number of domestic workers are Asia and Latin America and the Caribbean.

In Asia, at least 21.5 million women and men work in private households (or 40.8% of all domestic workers worldwide), while 19.6 million domestic workers live in Latin America and the Caribbean (some 37.3% of the global total.)

At a media briefing on 16 June after the adoption of the Convention and Recommendation, ILO Director-General Juan Somavia said: 'This is a historical moment for domestic workers worldwide. Today, we have taken a significant step by overwhelming majority towards making domestic work, decent work – in fact it's the name of the convention; making what is too often invisible work, visible.'

The ILO head mentioned what he said were two very important reasons why it is a significant step.

The first, he said, was the sheer number of workers involved. There are at least 53 million domestic workers across the globe and some calculations bring it up to about 100 million. The great majority of them are women and many of them are migrant workers.

And their numbers keep rising, he added, noting that in Mexico, for example, the number of domestic workers increased by 89% between 1991 and 2008.

The second reason, Somavia said, is that this is a convention that goes into the heart of the informal economy.

'Consequently, it's very much ground-breaking in that sense. As we all know, decent work deficits in the informal economy are huge. Domestic workers are no exception. For example, for over 56% of all domestic workers, there isn't a law setting a limit to how long they can work per week. And about 45% of all domestic workers are not entitled to at least one day off per week.'

The ILO head said that the Convention offers guidance on limiting the practice of payment in kind, it addresses food and accommodation for live-in domestic workers, and it calls upon member states to ensure reasonable hours and sufficient hours of rest, and a number of other specific issues.

'But above all, and this is absolutely essential,' he said, 'this convention states that domestic workers are workers and that they are neither servants nor members of the family.'

'This might sound obvious, but it is not,' he further said, adding that being a worker means having rights, a voice and access to a decent life, and many domestic workers today are closer to being forced labourers than workers.

The ILO head also rendered homage to the struggle of domestic workers' organisations, many of which were at the conference.

Myrtle Witbooi, the Chair of the International Domestic Workers Network (IDWN), which is made up of domestic workers' unions and associations worldwide, said in a press release: 'Today, we celebrate a great victory for domestic workers. Until now, we have been treated as "invisible", not respected for the huge contribution we make in society and the economy and denied our rights as workers. It is an injustice that has lasted too long.'

According to IDWN, this is truly a historic event and a step forward for an estimated 50 to 100 million men, women and children worldwide working in the homes of their employers.

It said that domestic workers from around the world will continue their organising with efforts at the national level to ensure that governments put the contents of the Convention into the law of each country.

According to IDWN, the Convention affirms that domestic workers have the same fundamental rights that all workers have: the rights to freedom of association and collective bargaining; the elimination of all forms of forced labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.

In a separate press release, the International Trade Union Confederation (ITUC), while welcoming the historic adoption of the Convention and Recommendation, called on the ILO to ensure that governments around the world were put on notice about protecting the millions of people in the domestic work sphere.

It said that with many millions of migrant workers in domestic labour around the world, without proper monitoring, these workers would continue to suffer violent and oppressive employment conditions, exploitative recruitment agencies, remuneration below legal minimums, non-payment of wages, exclusion from social security schemes, excessive working hours and the worst forms of child domestic labour.

'The adoption of this Convention is a great victory, and we call upon all governments to ratify and implement it and upon the ILO to provide clear guidance to these countries that need to improve their laws to protect domestic workers' rights in their economies,' said ITUC General Secretary Sharan Burrow.

The ITUC said that it has reported on widespread oppression and violence against migrant domestic workers in the Gulf. 'The international union movement will continue to shed light on the working conditions of migrant domestic workers in the Gulf countries, in particular Saudi Arabia, the UAE, Qatar and Bahrain,' said Burrow.

'It is not acceptable that in countries with strong economies and a lot of personal wealth, we have an underclass of domestic slaves, whose passports are taken when they arrive, and who have no one to turn to if their employer treats them with violence or harassment,' Burrow added.

She called on the ILO to develop an action plan specifically for the monitoring of the implementation of the Convention in the Gulf.

There are an estimated 2.1 million migrant domestic workers, 83% of whom are women, and it is further estimated that in total, domestic work accounts for no less than 7.5% of female wage employment worldwide, said the ITUC.

According to the ITUC, once ratified, the Convention has the potential to take millions of workers out of the shadow economy and formalise their employment.

'Finally, domestic workers are recognised as "workers". Their longstanding demands for equal treatment with other workers are now embedded in the Convention and Recommendation. It is not a day too early...,' said Ron Oswald, General Secretary of the IUF, a global union federation for food, hotel and allied workers.

Peter Waldorff, General Secretary of Public Services International, said: 'Millions of workers, mainly women, provide care services daily to vulnerable people in their homes – services which should be provided by the State. These workers are often part of an invisible workforce with little or no legal protections. This Convention should help rectify this appalling situation and we call on Governments to ratify and implement it without delay.'

In the preamble, the Domestic Workers Convention 2011 recognises ‘the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries’.

The Convention says that ‘domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights.’

It defines the term ‘domestic work’ to mean ‘work performed in or for a household or households’, and the term ‘domestic worker’ to mean ‘any person engaged in domestic work within an employment relationship’. It also states that a person who performs domestic work ‘only occasionally or sporadically and not on an occupational basis’ is not a domestic worker.

According to the ILO, while the new instruments cover all domestic workers, they provide for special measures to protect those workers who, because of their young age or nationality or live-in status, may be exposed to additional risks relative to their peers, amongst others.

‘This is a truly major achievement,’ said Manuela Tomei, Director of the ILO’s Conditions of Work and Employment Programme. She called the new standards ‘robust, yet flexible’.

She said that the new standards make clear that ‘domestic workers are neither servants nor “members of the family”, but workers. And after today, they can no longer be considered second-class workers.’ ◆

Kanaga Raja is the Editor of the South-North Development Monitor (SUNS)*, which is published by the Third World Network. This article is reproduced from* SUNS *(No. 7172, 20 June 2011).*

Women *panchayat* leaders: Breaking stereotypes, bringing hope

A two-day workshop organised to consider the experience of recently elected women representatives to village local councils (*panchayats*) in the Indian state of Rajasthan heard some stirring accounts of the dynamic role they are playing to bring about social change in their constituencies. *Bharat Dogra* and *Reena Mehta* report.

WHO said that elected women representatives at the grassroots level in India are merely meek followers of dominant male family members? This frequently presented image of women *panchayat*[1] representatives was sharply challenged by women *panchayat* leaders at a workshop held recently in Tilonia village in India's Rajasthan state.

The two-day workshop was organised jointly by Barefoot College and the Association of Local Governance of India (ALGI). The participants at this workshop were mainly those women *panchayat* representatives who have taken some important initiatives in their respective *panchayats*. The main purpose of the workshop was to learn from their experiences.

In Rajasthan, *panchayat* elections were held only last year and many present in the workshop were elected for the first time and have completed only one year in office. But their performance so far gives hope for the future.

According to Ram Kanwar, a ward *panch*[2] of Kardha *panchayat* in Ajmer district of Rajasthan, 'during the time of election a rich and powerful contestant offered me 5,000 rupees to withdraw my name from the contestants list, which I refused. All the women in the ward voted for me and made me the winner. I feel obliged towards these women and I'm working for their welfare. After becoming *panch*, the first thing I did was to provide widow's pension to four women in the ward which was long pending. Also during the monsoon season my village faced the problem of floods as one of the influential families in the village had encroached upon the area of the natural flow of rain water. Nobody in the village was ready to remove the encroachment as they were afraid of the influential family. I single-handedly went inside the waist-deep water and, with the help of a spade, cleared the water path.'

'All the women in the ward voted for me and made me the winner. I feel obliged towards these women and I'm working for their welfare.'

Somewhat similar sentiments were shared by the *sarpanch*[3] of the Harmara *panchayat* of Ajmer district, Naurati Devi. According to her, when she started a drive against encroachment after taking office, she faced threats from vested interests but these threats didn't deter her. She narrated another incident in which she took action against a mate of MGNREGS.[4] She exposed his corrupt practices and this exposure finally led to a jail sentence for this corrupt mate. According to her, this has sent the right message to all mates that they are not above the law. She faced problems because of this as several vested interests ganged up against her family and branded her daughter-in-law a witch. Not to be cowed, Naurati initiated legal action against her tormentors and some of them are now in jail.

Maina Devi, *sarpanch* of Tikawara *panchayat,* said that when she became *sarpanch,* the secretary of the *panchayat* didn't provide any records to her for almost two months and used to come into the office drunk. She put her foot down and told the senior officials that she would not come to the office until the secretary was changed. Her protest showed results and a new secretary was provided to the *panchayat*.

Voicing similar concerns was ward *panch* of Dhindwara *panchayat*, Pusi Devi. According to her, the *sarpanch* of her *panchayat* was involved in corrupt practices and, fearing protests from the ward *panches,* did not call for meetings with them. 'When we threatened him, he agreed to mend his ways and now we have started regular meetings of the *panchayat*'. According to her, after becoming ward *panch,* she took the initiative of regularly organising ward *sabha* (assembly) and has selected a five-member committee of voters of the ward to monitor the work done in the ward.

She commented very aptly, '200-250 houses in the ward have controlling power over the *panch,* and several *panches* have controlling power over the *sarpanch*. Neither *panch* nor *sarpanch* can work against their wishes.'

Committed to the trust of the villagers is the *sarpanch* of Vijaypura *panchayat* in Rajsamand district, Rukmani Devi Salvi. Before Rukmani, her husband Kalu Salvi was the *sarpanch* of the *panchayat* and during his tenure Vijaypura became a model *panchayat* of transparent practices. It was the first *panchayat* to have a transparency board and open all the information of the *panchayat* to all. Both husband and wife are widely discussed examples of honesty and transparency. Although they are *dalits*, both became *sarpanch* on the general seat because of the broad-based support for them. During election time last year some of the contestants spent hundreds of thousands of rupees on campaigning whereas Rukmani spent only 2,200 rupees and won. According to her, mostly women voted for her as they had seen the honest work done by her husband in the previous tenure and were sure that Rukmani would do the same. Rukmani has not disappointed those who put their faith in her. Recently she also won the Women's Political Empowerment Day Award.

Kamla Bai is *sarpanch* of Tilonia *panchayat* of Kishengarh block of Ajmer district. Her achievement is that she dethroned the 55-year rule of one family in the *panchayat*. She is illiterate but has full confidence in herself and her abilities. Although she continually faces problems from those she dethroned, she is undeterred by it and wants to show to all that a woman can do a lot if given the opportunity.

Listening to their inspiring stories, one can say that it is not only these grassroots women representatives who are marching towards a brighter future but, as a result of their contributions, so is the society at large. ◆

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Endnotes

1. The *panchayat* is an elected village council in India.
2. An elected member from a smaller settlement within a *panchayat*.
3. The elected head person of a *panchayat*.
4. A village-level official who supervises the Mahatma Gandhi National Rural Employment Guarantee Scheme.

A pre-eminent figure in Philippine modern literary history, *Amado V Hernandez* (1903-1970) was also a freedom fighter, labour leader and, above all, a political and social activist dedicated to social justice.

Sodom

Amado V Hernandez

A society of phony sophistication and artifice –
that's the Hesperides
of the fortunate – an oasis
in the misery that surrounds it:
In the king's house,
a ladder climbing to the rainbow
is planted in the gutter;
in the priest's house,
up and down go the pale, smooth legs;
an iron hand gloved in silk,
muddy feet shod in gold;
a niche, bright and flowery,
guards skull and skeleton;
eyes and mouth electrical
dominate the earth and sky;
but in the Tower of Babel
of one who flees from himself,
there is a new Sanhedrin,
the judge himself – the perfect criminal.
This social set is given to drunkenness,
blood is the wine of its amusement.
Ah, this is Society,
a fig tree whose root is rotted;
silver is the skin
of the tiny mullet,
with progress learned from the crab,
with the watchfulness of the blind;
a golden watch in the bracelet
does not tell the time of the vanished nights and days;
these humans are drunk under their glittering facades,
unaware of their soul's gaping wounds;
seduced by the fanfare proclaiming
their supreme condition,
they are deaf to the sobs and cries
of the hungry, the victims;
they indulge in flights to the clouds,
but are unable to read the handwriting –
the hands of lightning
pointing to the last hour!

Translated from the Tagalog by E San Juan, Jr