Towards the climate change Summit in Durban: the role of the South African government as an agent of change in Africa

“There are parts of the world where the challenge of climate change is very severe,” said South African President Jacob Zuma at the recent World Economic Forum. “For some, it is a question of life or death. The question that faces all of us is how we respond. Are we ready to have a legally-binding agreement that would try to accommodate all of us?”

Romy Chevallier

Abstract

South Africa will host and chair the UNFCCC climate change negotiations in December this year, talks that seek to shape the future of the climate change regime. Given that this is one of the most topical, politically divisive and contentious areas currently under discussion within the multilateral context, South Africa has an important role to play in moving the discussions forward in a fair and equitable manner. Although South Africa will be representing the interests of the global community, this event represents an opportune moment for Africa to shape the agenda and heighten its presence in the current multilateral system.

With six remaining before the Conference of Parties (COP) meeting, South Africa has a lot on its agenda: It needs to carefully consider the planning and logistics of such a mega-event, drawing on its experiences from the 2010 FIFA World Cup. As the host and chair of the event the South African government needs to have up-to-date understanding of the intricacies of the climate hurdles and technical difficulties with moving the negotiations forward. This is ever more complicated with the current international geo-political divisions threatening to upset the entire process. There is a growing gap between perspectives held by industrialised and developing economies that has to date hampered the attempt at a global agreement. This will require South Africa to play a bridge building role in terms of moving beyond the new North-South division over climate change and focusing on the substantive issues within the debate. South Africa must also remain true to its foreign policy priorities which stipulate that its immediate region is its first concern and that Africa and other vulnerable states need to be drawn into the centre of the discussions. This will mean that South Africa needs to consolidate its own competing national priorities and interests with that of the regions.

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With a backdrop of what was and wasn’t achieved in Copenhagen and Cancun, South Africa is also aware of past COP failures with regards to a lack of transparency, multilateralism and inclusiveness. As a result it needs to strategise in terms of an all-inclusive approach that, at its centre, addresses the needs and desires of the continent, and those most vulnerable to climate change.

South African Agency in promoting an African agenda:

While the African Group has existed in UN processes for over 50 years, it is only recently that it has gained prominence in international negotiations. A clear example of this is the significance of Africa’s participation at the UNFCCC climate change negotiations and the continents pro-active and consolidated positions towards an equitable outcome. This is partly due to an enlightened view of Africa’s common interests, but also because governments and non-state actors are responding to transnational challenges that are the reality of changing international circumstances in a more globalised world. These include, for example, the rise of competing emerging economies in Africa, a renewed interest in the continent for access to its natural resources, global economic and financial integration, common environmental and security threats. The strengthening of continental and regional integration has also given further impetus to this notion of concerted diplomacy by Africa. As a result of these realities the idea of a discernable, common African agenda is gaining currency in all global multilateral forums.

This paper will ask questions about how rising African activism in the international climate negotiations has impacted upon the international system? For example, has enhanced African agency moulded or shaped environmental policies and decision-making processes of international institutions and developed countries? Do these developments translate into an increasing influence for African states within a multipolar world, or do they merely represent a continued subversion of the sovereignty of small states by larger powers? Have African states been altering the geopolitical landscape and in so doing, recasting the relationship between the older industrialised and newly industrialising worlds? Does enhanced African agency limit western influence?

The African Union constitutes 53 (soon to be 54) member states, 28% of the UN membership. The G77 and China group now has 133 member countries in its grouping. Since Copenhagen in 2009 we have seen these developing states actively harmonising their negotiating positions in order to turn their numbers into real political clout in international negotiations. In many cases increased capacity and mobilisation of the developing countries has influenced the climate change negotiations – wherein they have demanded more equitable and fair structures of environmental governance. This is evident, for example, in their push to reform the institutions governing climate change, especially with regards to enhanced representation of developing countries. By sheer numbers developing countries hold the political clout and weight to change the course of the negotiations.
However, many argue that Africa and its member states are not using their collective bargaining weight to its full advantage to influence international processes and to force international relations to re-examine and rethink contemporary conceptual and theoretical frameworks. The Africa Group, for example, is a regional grouping that serves as a negotiating coalition and is paramount in providing a platform from which to pursue the continents priorities on climate change. The role of pivotal countries in the developing world, such as South Africa, will play an increasingly important role in championing for the developing world and enhancing African Agency, most notably encouraging a common voice on the impacts on Africa's development agenda. Closer attention needs to be paid to the role and actions taken by the South African government in climate change policy formulation and in consensus building that encompasses the continent and illustrates significant recognition of the urgency of climate change as the largest transnational security challenge to the continent.

South Africa, as an African Chair of the COP, can also play an essential role in championing developed countries to form a consensus. Albeit scarce, South Africa has the human and technical skills to do this, and also a good understanding of the UNFCCC working methods, systems and protocols. South Africa’s negotiating team is made up of a broad range of individuals possessing a variety of skills and professional backgrounds. It has the influence and prestige in the eyes of others to be involved in the negotiating process and to be listened to and respected. The challenge for the AU is that there are only a few countries in Africa that possess the capabilities and capacity to adopt this role – a reality that goes against the principle of rotating country and regional representation. South Africa is also aware that in many regards it also does not represent the characteristics of a typical African country and it treads very careful when it comes to flexing its muscles and speaking on behalf of the continent. Its level of development and economic growth are greater than other member states, and in terms of climate change, the makeup of its emissions profile is drastically different from that of its neighbours. As a result, South Africa welcomed the role that the Ethiopian President, Meles Zenawi, played at the Copenhagen Summit as chair of the Africa Group and champion of the continent’s interests. Unfortunately Ethiopia lacked the technical wherewithal, diplomatic clout and international prestige to do this successfully.

**Limitations of African Agency:**

This positive trend in African diplomacy is undermined by a number of weaknesses that prevent it from being fully active and changing the political discourse to favour that of the developing world. These constraints include a lack of negotiating capacity and a shortage of skilled people, insufficient financial resources, overburdened development agendas, weak leadership and political will, a weak AU-RECs interface and the exclusion of civil society in African diplomacy. These practical constraints make it difficult for African member states to fully participate in the various
thematic discussions at the COP – let alone have the technical knowledge to influence the international agenda.

The Africa Group has realised that if its member countries harmonise positions in the negotiations they will have a far more significant impact on a negotiated outcome. Individually, member states do not possess the sufficient political and economic clout to make drastic changes to the international process, nor do they have the adequate diplomatic capital to ensure favourable outcomes. The environment at the negotiations is far too complex, time-consuming and ruthless to ‘go it alone’. Therefore, in order to achieve their aims, African countries increasingly use multilateral institutions to build alliances, bilateral, regional or multilateral, with countries that have common international interests and objectives.

However, the power of having large numbers in multilateral diplomacy will be of no value if member states do not take coherent and concerted negotiating position. In order to clearly influence the system and move it further away from a dominant neo-liberal agenda, the African Group must have a clear definition of its collective and common interests. Member states have to move beyond narrow national and regional interests in pursuit of a common outcome for the continent, of which small and vulnerable states must be at the centre of this approach. The AU needs to do some soul-searching in terms of what binds its members. Is the alliance a pragmatic alliance based on geo-political considerations or it is a sentimental solidarity united by the countries’ colonial and neo-colonial experiences? Another interesting question arises with regards to the extent to which the AU is a supranational entity, driven by the pursuit of common interests of a whole, rather than the sovereign interests of nation states. This is apparent in the mandate often given to member countries to champion and manage its common positions instead of the AU Commission representing the common interests.

In the past there has been consensus within the Africa Group on thematic positions. As the most vulnerable continent to the impact of climate change, Africans are vocal in demanding climate equity, justice and fairness – and they often use emotive rhetoric to support this. In 2009, Africa constructed a Common Position of the Committee of African Heads of State/Government on Climate Change. The bloc set out various demands, including that the negotiations maintain a two-track approach, that common but differentiated responsibilities applied and that other countries assist those most vulnerable with financial and technical resources to adapt sufficiently. In the most recent climate change negotiations in Cancun, African countries have all shown ardent support of developing country access to the remaining ‘carbon-space’.

Another thematic point of common concern and key to their COP 17 approach is Africa’s vulnerability to climate change and its lack of adaptive capacity. It is therefore important to analyse what barriers South Africa is proposing to put in place to enhance Africa’s resilience to climate change and improve their voice and
The collective weight of the continent is an important component of its negotiating strength. In its decision to stage a walkout of the Barcelona climate meeting in 2009 – in defense of the maintaining the KP and ensuring the two track negotiating process continued with recognition of the principle of common but differentiated responsibilities.

Consolidating African member countries interests and positions: the unity of the African Group is not always secure. African countries, like all others, represent a variety of differing priorities and interests. Most of these are defined by their population sizes, the composition of their economies and the makeup of their emissions profiles. Climate change is perceived differently across the continent and countries respond according to their national priority and circumstances.

Within the Africa Group coalition there are International Organisations and interest groups that represent divergent interest and positions. For instance, Algeria, Angola, Libya and Nigeria, are both members of the AMCEN and of the Organisation of Petroleum Exporting Countries (OPEC). OPEC’s primary position is a focus on response measures that are ‘fair and realistic’, following from concern that the move towards using less petroleum products, and increasing investment in renewable energy sources by developed countries, will have a negative impact on the economies of oil exporting countries.²

As a significant producer of GHG emissions South Africa also faces additional pressure from African member countries that are part of the Least Developed Countries (LDC) and Alliance of Small Island States (AOSIS) who are part of the Africa Group. These two Groups are pushing for greater commitments not only from the industrialised countries but also from emerging economies in an effort to limit rising temperate to 1.5 degrees centigrade. Not only has South Africa’s position as a major emitter of GHG emissions set the country apart from the continent, but Pretoria’s position within the negotiations as part of the BASIC countries has raised concerns among members of the Africa Group. Despite South Africa’s rhetoric to the contrary, in 2009 there were accusations by the G77 Chair, Lumumba Di-Aping of Sudan, that South Africa was undermining the negotiating position of developing countries.

² Lesley Masters. IDG
The same is true for those countries that depend on agriculture and forestry for their livelihoods, and a very different set of issues applies to those countries who are land-locked or who are completely engulfed by water. And then there are also major regional concerns. AU member countries form part of Regional Economic Communities. These groups also differ in terms of their colonial history, geographic and natural make-up, linguistic composition etc. Given these divergent national interests it is not always easy to remain coordinated in its approach – especially in intense and pressurised international negotiations.

Before COP 17 it is important that the Chair for the Africa Group, Tosi Mpanu-Mpanu (from DRC), engages in formal consultations with other African countries to manage these fractions. It is also important that he has in depth conversations with Jorge Arguello, chair of the G77 and China (from Argentina).

**Forming alliances with emerging economies** – due to the developing status of other key countries like China, India and Brazil, Africa has befriended these countries as a means to pursue its own agenda for constructive change. Though fragmented in their individual outlooks, these leading developing countries share a common set of concerns around the developmental impact of climate change and, concurrently, a suspicion that the evolving regime on climate change is aimed at shifting an unfair burden of accountability for it on them.

South Africa is a member of the BASIC alliance and has been since its formation in 2009 in Copenhagen. Many analysts fear that the inclusion of South Africa in BASIC means that it will neglect its priorities of the African Group and further promote its interests as a middle power, emerging economy. However, South Africa is vocal and consistent with regards to maintaining that its objective within the BASIC alliance is to uphold and promote the interests of the African continent. It also believes that being involved and influencing the process from the inside, it far more advantageous that not being included. For example, the BASIC alliance helped to construct the Copenhagen Accord in December 2009 which encouraged member countries, both developed and developing, ‘to share and reflect responsibility, commitment and action’, as well as to ‘verify and ensure compliance with respective commitments’ and financial mechanisms to deliver adaptation financing. The Copenhagen Accord was the last attempt to salvage a political agreement to help sustain negotiations towards a legally binding outcome after failed talks at COP 15. It did not replace or endanger South Africa’s dedication to the Africa Group, but merely was an opportunity to create a political climate for continued talks. According to South Africa’s chief negotiator Alf Wills, South Africa consulted widely with the African Group about its intentions and was transparent from the start of discussions.³

**The lack of coordination of Africa’s external relations:** African member states go about pursuing their discussions with external actors on a bilateral basis – with no

attempt to coordinate these activities. This often weakens efforts to coordinate the continents negotiating positions. For example, both the RECs and the AU conduct international relations separately and often with the same partner – representing competing interests and uncoordinated approaches. For example, individual member countries, as well as the AU, have all signed strategic partners with China. It is important to question whether African member countries can use these enhanced partnerships with China as a means to further its voice on the international stage, or whether these partnerships are merely a useful way for China to further its national strategic objectives. The same is true for the AU’s strategic partnership with the EU and its discussions on climate change and energy security. The AU, with an already over-burdened foreign policy agenda, should discuss this internally and approach its external partners in a prioritised, coordinated manner with a common set of goals and requests.

South Africa, multilateralism key to its climate change diplomacy:

South Africa, as the host of COP 17, has appointed Maite Nkoana-Mashabane, Minister of International Relations and Cooperation (DIRCO) as the Chair of the COP. (South Africa’s Minister of Environment Affairs will lead the South African delegation). The selection of the Chair indicates an emphasis on climate change diplomacy and is significant in terms of the expectations it holds in influencing the agenda and pushing for an outcome for the future of the Kyoto Protocol that is inclusive and democratic. The role of COP chair in previous negotiations is traditionally played by the Minister of Environment, as in COP 15 in Copenhagen.

South Africa has been active at climate meetings to date and has a well respected negotiating team. Historically South Africa has developed a reputation for dealing with complicated negotiations and has played the role of bridge builder in many important political and security discussions in Africa. South Africa’s own historic success in reaching a political agreement and rejoining the international community sets the stage for these difficult negotiations and leads people to believe optimistically in the ability and integrity of South Africa as a climate negotiator. It also is a ‘middle power’ and analysts believe comes across as a non-threatening member state.

South Africa also possesses the willingness to champion for Africa and the developing world – willingness to lobby internally and externally about the content and concessions to be made. South Africa has sufficient political will to host a successful negotiation, as well as on the part of the decision-makers to work effectively. It also has a well respected international profile and holds weight to influence countries and the agenda.

Key to the South African position at COP 17 is the importance of upholding the democratic approach to multilateralism. If this fails or is questioned, like in Copenhagen, then the international system may revert back to bilateral processes
which may not work in Africa’s favour in terms of promoting an equitable framework in regard to country representation and the most effective regarding international effort coordination to overcome a global environmental problem. Within its multilateral approach, South Africa also forges relationships at the bilateral and regional levels. In classic ‘middle power’ fashion, South Africa increases its voice and visibility through institutions like the UN, the WTO, IBSA, BASIC, BRICS and the + 5 group within the G8, as these all offer platforms for such alliances, providing opportunities for grandstanding as well as devising positions based on shared interests, values and capabilities. In the opinion of Aaron Atteridge from the Stockholm Environment Institute he believes that in South Africa’s balancing act between partners and alliances, multilateralism helps soften any perceptions of working against its key foreign policy partners. Atteridge writes that multilateralism builds legitimacy for South Africa within the rest of Africa, where international political norms have been strongly influenced by a history of colonial intervention.

The South African delegation to the climate talks has been seen to form numerous alliances and strategic partnerships with both African countries, large emitters in the South and with countries in the North - trying to promote an inclusive and fair future climate change regime. The country’s role in burgeoning ‘club diplomacy’ groups raises interesting questions about how South Africa is perceived by its region and whether its diplomatic and political communities are really promoting the idea of an 'African COP' that is fair and equitable for the continent and more broadly for the developing world at large? Who and what is its priority, especially given South Africa’s already overburdened agenda and lack of capacity and human resources to deliver on all its promises. Clearly there is a need to use South Africa’s limited resources judiciously and strategically, to prioritise carefully, consult widely, build trust, be open to suggestions, respond flexibly and be firm in decision-making.

South Africans must also take advantage of other their involvement in other important positions. National Planning Commission Minister Trevor Manuel has been appointed co-chair of the 40-member transitional committee, which was established to get the Green Fund up and running by COP 17. The Fund must seek to mobilise funds from industrialised countries to be dispersed among poorer developing nations for climate mitigation and adaptation projects. At the World Economic Forum in May 2011, Manuel emphasized that a range of possibilities in climate change adaptation existed for Africa and that “climate proofing” economies was fundamentally important. For example, adaptation funding could address some of Africa’s infrastructure deficit. African decision makers would need to put forward the details of projects that could apply for funding from the Green Climate Fund.

4 However, within these fora, the concept of multilateralism is often a key principal around which cooperation is based. For example, multilateralism is central to the BASIC countries philosophy. On 29 May 2011, at the most recent BASIC meeting, the four countries stressed that unilateral approaches, such as the inclusion of emissions from the aviation sector in the EU Emissions Trading Scheme or establishing unilateral carbon accounting rules are inimical to multilateralism, and clearly not in line with the provisions and principles of the Convention, particularly the principles of equity and common but differentiated responsibilities and respective capabilities.
Manuel also said that cross-border projects, which stimulated regional development, would also likely be favoured by the Green Climate Fund.

“We [African countries] must do these things together,” Manuel reiterated, adding that he did not want to undermine the challenges of working across boundaries, but emphasised that the benefits of regional integration were widely known. “Better connections between us can be highly productive and profitable for all of us,” he reiterated.

Another influential position is held by Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia. He is currently the co-Chair of the High-Level Advisory Group of the UN Secretary-General on Climate Change Financing. This needs to be recognised and used to Africa’s advantage.

**COP 17 agenda: learning from the past COPs and acknowledging important and contentious agenda points**

It is important for South Africa to strategise and be fully prepared to play host to the COP in December. With only 6 months of preparation time remaining it is important for the South African government to come to grips with where we are at in terms of the international climate agenda and realistically assess where we want to get to and set ambitious yet realistic goals.

South Africa believes that a legally binding global agreement is the only means to deal with the scale of the climate change challenge. It promotes an equitable sharing of effort, albeit common efforts that are differentiated according to capacity and capabilities. South Africa is also pursuing an Agreement that binds all parties and an Agreement that has the poor at the centre of its intentions.

COP 15 in Copenhagen was followed by huge disappoint and a general lack of trust in the UN process, questioning of the relevance of multilateralism and a realization that the US was unable to deliver the necessary domestic legislation. All these factors set back momentum for a global Treaty. As a result the expectations for COP 16 were downplayed but importance was placed on ‘process’ issues to emphasis a process that is inclusive, transparent and democratic. The Cancun Conference made it possible to restore a degree of confidence in and reassure the international community as to the UN negotiation process. These elements are important for South Africa to recognise and to incorporate into its chairing strategy.

On the issue of climate finance, decisions at COP16 acknowledged the voluntary commitments of developed countries ($30 billion between 2010 and 2012, and $100 billion per year by 2020 for mitigation and adaptation actions in developing countries). The Cancun Conference created a Green Climate Fund to finance the fight against climate change in developing countries. However, no decision was reached on either the sources that would make it possible to mobilise the $100 billion
per year, or the amounts that will go through the Fund. South Africa will need to address this, as well as issues of institutional government and representation.  

According to Coordination Sud, Cancun created other institutional mechanisms for adaptation, forests and technology. This technical progress comes in response to certain demands from developing countries and marks a few steps forward in the consideration of international solidarity issues. The groundwork has been laid. However, the implementation of effective and equitable field actions is not guaranteed under the Cancun Agreements. The negotiations in 2011 should be devoted to making these mechanisms operational and defining their relationships.

A climate Adaptation Framework was established in Cancun. It will aim to ensure coherence and synergy among adaptation actions. This is an important step in the international talks. However, much work remains to be done to make this adaptation framework operational and turn the decisions made on the international level into equitable and effective actions in the field. In addition, the relationship between the Adaptation Framework, other existing systems, and those created in Cancun, including the Green Climate Fund, must still be clarified. A solution must also be found to the problem of defining country vulnerability as a criterion for access to adaptation finance. These questions should be addressed by South Africa in the lead up to COP 17.

After three years of talks, the Mechanism to Reduce Emissions from Deforestation and Forest Degradation, and enhance forest carbon stocks (REDD+) was finally launched in Cancun. A set of principles and safeguards was adopted, which countries should comply with, including respect for the rights of indigenous peoples, participation of local communities, biodiversity protection, etc. A safeguard monitoring system was decided, but remains fairly weak. No REDD+ quantified mitigation targets or deadlines were officially established in Cancun. Yet, such specific goals for 2020 and 2030 are needed to coordinate the actions of countries at the international level. The REDD+ talks did not lead to a compromise either on the question of how to finance this mechanism. In 2011 issues remain to be clarified in regard to making the REDD+ mechanism operational and transparent.

Another item of technical progress in Cancun was the creation of a Mechanism to improve the development and transfer of climate-related technology. It shall rely on an Executive Committee and a Network of regional and national technology centres. For the moment, the internal workings of this institutional system and its links with other institutions within and outside the Climate Convention remain to be defined. Greater national policy support to strengthen national enabling environment for technology transfer and absorption is also indispensable.

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5 Blavier, Cheron and sGautier. Climate change negotiations: time to fill the ambition deficit. Analysis of COP 16. Coordination Sud. Climate Action Network France
6 Blavier, Cheron and sGautier. Climate change negotiations: time to fill the ambition deficit. Analysis of COP 16. Coordination Sud. Climate Action Network France
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There was one conspicuous absence in this technical progress made in Cancun: agriculture – which accounts for 13.5% of global GHG emissions and it is crucial to climate adaptation, particularly in Africa. However, countries left it out of the final text adopted in Cancun with the hope that a compromise would be reached. As in Copenhagen, the agriculture discussions focused on the creation of a program to lower GHG emissions in the agricultural sector and promote carbon sequestration via agricultural activities. In Durban, during COP17, this item should be included in a decision of the COP. In addition, adaptation must be better taken into account in the agriculture talks. The discussions on agricultural sector emission mitigation, land use in developed countries, and fighting deforestation should also be better linked to each other in the negotiations. These subjects are interconnected, and compartmentalizing them does not allow for their overall appreciation

Despite technical progress made on the issue areas indicated above, Cancun confirmed a lack of political ambition in the international climate negotiations. Many countries slowed the adoption of decisions on key issues: the legal form of the future agreement, the raising of mitigation targets, and sources of funding. In addition, the Climate Convention will not be enough in the face of the much vaster trade, financial and legal issues. COP16 undoubtedly attests to the need to re-think the global governance of sustainable development and ensure the coherence of international commitments and public policy in developed and developing countries. Nevertheless, the Convention is still a crucial framework within this governance; it must be one of its foundations

COP16 also marked a clear step back in terms of countries’ climate ambition. The evolution that began in Copenhagen was confirmed in Cancun: the negotiations now rely on a bottom-up approach in which countries make unilateral commitments that are then verified at the international level. This is a move away from the Kyoto Protocol’s top-down, legally binding approach. Yet only such an approach can ensure coherence of international efforts against climate change. A bottom-up approach is insufficient: added together, countries’ current individual commitments would lead to an average overall temperature increase of at least 3.2°C at the end of the century (UNEP, 2010). The Intergovernmental Panel on Climate Change (IPCC) has determined that the maximum temperature rise by the end of the century that would make it possible to prevent runaway climate change is 1.5°C or 2°C.

From the above it is obvious that there are numerous sticking points that South Africa will have to address regarding the question of the legal form of a future global climate agreement. The Mexican Conference Presidency decided not to place this point at the heart of the negotiating process so as to avoid blocking the rest of the negotiations. However, this crucial question will need to be resolved in 2011. The countries must reach an agreement on setting up a legally-binding framework for beyond 2012. On one side were the partisans of a single, legally-binding agreement. On the other were those in favor of a “dual agreement” consisting of the adoption of
a second commitment period under the Kyoto Protocol and an agreement under the Climate Convention.

In 2010, the idea of obtaining two agreements rather than a single agreement made headway for two reasons. First, the recent changes in the political situation in the United States (notably the Democrat Party’s losing ground) made the adoption of a legally-binding agreement that would include the United States nearly impossible in the short term. Second, developing countries are now pressing for the Kyoto Protocol to be extended beyond 2012. The Protocol has a crucial symbolic nature for many developing countries given its legal form, its sanction mechanisms, and the related Adaptation Fund.

Preparing for COP 17: lessons from the Mexican Presidency

South Africa has a lot to learn from the successes and failures of the past COP Presidents. The Mexicans, for example, used numerous tactics and negotiating styles to improve the transparency of the talks and facilitate discussion among more difficult countries on more contentious issues. They were very conscious about all-inclusive approaches. In a lead up to COP 16, the Mexicans organised a series of preparatory meetings with approximately forty countries on various sticking points. The composition of these meetings depended on the country and/issue at stake. For example, some meetings were held on a bilateral basis or through extended consultations, and some were informal meetings with ministers or negotiators. During the Cancun Conference, the Mexican Presidency used stocktaking plenary sessions to provide regular updates on the progress made during the informal consultations. The observers, in particular civil society, could attend these sessions. In addition, the informal consultations were visible since they were included in the daily program. On the last night, the President made sure that no one was left out of the conference room despite the safety measure put in place. The Mexicans also employed a traditional UN approach called “Friends of the Presidency” to divide parties into smaller groups of countries, to facilitate and speed up the talks on particular issues. Unlike in Copenhagen, the Presidency made sure to open this group to all interested Parties. With the exception of Bolivia, there was very little criticism of how the Mexicans conducted the process.

In the past COP’s there has been a clear break and transition between the technical negotiations of the first week and the high-level, ministerial consultations of the second week. In Cancun, the Ministers were integrated into the process progressively. At the request of the Mexican Presidency, they formed pairs to facilitate the ministerial consultations on the various negotiation areas. These pairs, usually composed of one developing- and one developed-country minister, were then responsible for reporting the progress made within their group to the plenary session. Also, in an attempt to not repeat failures of the “Danish text debacle” the
COP President drafted a text that sought to represent all of the existing positions. The last day of COP16, this compromise text was submitted for adoption by the COP. With the exception of Bolivia, all the countries affirmed that, while this text was not perfect, it met at least some of their priority expectations.

The legitimacy of COP 17 will also be based on its openness and the dialogue that the South Africa government conducts with civil society. In particular, this helps to bring the talks closer to realities on the ground. 50,000 people protested in the streets of Copenhagen on 12 December 2009. In Cancun, civil society continued its mobilisation but was less visible. As a result, the dialogue between civil society and negotiators was more limited. South Africa is aware of the necessity to further include civil society and business in its COP outline. On a national front South Africa has actively engaged domestic stakeholders on the country’s own National Climate Change Response Green Paper (2010) through a process of consultation with the Department of Environmental Affairs.

The Challenges that South Africa needs to try and overcome

The question of the legal form of the agreement(s) could well determine all of the international discussions that will take place at COP17 in Durban. But less than two years from the end of the first commitment period under the Kyoto Protocol (end of December 2012), the negotiations on the legal form of the future agreement(s) have reached a stalemate. Very little political change is expected on this subject between now and 2012, which means that there is a risk that the UN negotiations may become obsolete.

There are also geo-political realities and opposing views that South Africa needs to highlight. These represent major challenges to a successful COP outcome. Japan, Russia, Canada, and New Zealand are all against a second commitment period under the Kyoto Protocol if comparable conditions are not applied by the United States (and China). Developing countries, on the other hand, do not want a global agreement without a second commitment period under the Kyoto Protocol. BASIC countries have reiterated this position confirming that they want a second commitment period to the Kyoto Protocol as central to a comprehensive outcome at COP 17. They added at the recent BASIC meeting in Durban May that the legally binding KP, which outlined GHG emission reduction targets for developed country signatories, was critical to the environmental integrity of the climate change regime. The European Union would agree to have two agreements as long as there is some degree of equivalence between the Protocol track and the Convention track. And in the United States, the political situation offers little hope of adopting, in the near future, a legally-binding agreement with verification and sanction mechanisms such as those under the Kyoto Protocol (at least until 2012 and the end of President Barack Obama’s first term of office).

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8 In Copenhagen many countries had staunchly rejected a text placed on the table by the Danish presidency, which mainly reflected the position of developed countries.
Role of COP Chair and Host: opportunity for South Africa

South Africa, as the COP 17 President will play a critical role in shaping discussions among the thousands of negotiators in attendance of the COP. The Chair nation must also be active in advance of the COP, outside the formal negotiations, to forge political consensus among governments and key stakeholders. The President’s main duties are to provide political leadership, to consult on issues and to chair meetings of the Bureau and the COP Plenary. The UNFCCC Executive Secretary, Christina Figueres, will also plays a key role in managing the negotiating process throughout the year, supported by the Secretariat staff.

South Africa – getting its house in order “practice what you preach”

South Africa has certain domestic challenges that it cannot ignore in the lead up to COP. For one, South Africa lacks adequate human and financial resources within the government institutions responsible for climate change. The Ministry of Environment and Water has recently seen some of its top Director positions vacant. This means that there is a lack of technical capacity within keys Department. South Africa’s official 2011/2012 Budget Vote for the Department of Environment produced the following figures: ‘Climate Change Management provides for the administration of the overall programme activities and is the focal point for South Africa’s international climate change interactions, including multilateral and bilateral engagements. This sub-programme has a staff complement of 13 and a total budget of R239.9 million, of which 89.7 per cent should be used for climate change projects including hosting of the 17th Conference of Parties to the UN Framework Convention on Climate Change’. Climate Change Mitigation coordinates and informs the development of policies, plans and programmes designed to achieve the mitigation of GHG and the a peak, plateau and decline trajectory for South Africa’s emissions. This sub-programme has a staff complement of 6 and a total budget of R24 million, of which 57.6 per cent is used for compensation of employees. Climate Change Adaptation coordinates and informs the development of policies, sector plans and programmes concerning the adaptation to the impacts of climate change. This sub-programme has a staff complement of 3 and a total budget of R9.7 million, of which 42.6 per cent is used for compensation employees.

COP 17 brings with it an expectation on the host nation to illustrate leadership and guide by demonstration. This will require South Africa to complete a lot of pending national processes of legislation, so that it has something solid to highlight in Durban. South Africa has set out ambitious national commitments to curb its greenhouse gas emissions. These commitments at the multilateral level reflect the will of South Africa to be seen as a leader in the climate field, and a country that willingly has taken unilateral action. South Africa has confirmed to commit to reducing emissions 34% below levels for ‘business as usual’ by 2020 and 42% by 2025 (with financial and technical support). However, these international commitments need to be supported by political will and leadership at the national level - showing domestic actions and long-term strategies that support its behaviour on the
international scene. Achieving these targets will be challenging especially because South Africa does not fare well in terms of its high overall emissions and its poor emissions per capita. South Africa produces about 500 million tonnes of carbon dioxide equivalents yearly and is currently the 11th largest polluter in the world. This is mainly because South Africa's economy is driven by burning low-grade coal to supply cheap electricity to an essentially inefficient domestic and industrial consumer base. South Africa's future development and growth plans also seem to be coupled with increasing emissions and coal use. This presents numerous challenges for a high-emitting, developing country whose number one priority is to ensure economic growth and job creation.

The 38-page National Climate Change Green Paper was released in late 2010, just before South Africa’s negotiating team went to Cancun. This process was delayed, following on from the issuing of South Africa’s National Climate Change Response Paper in early 2010. The original intention was to have the White Paper finalised and the legislation taking effect by the end of 2011. Given that this is not the case there is now urgency with respect to having a White Paper published by COP17.

South Africa’s Integrated Resource Plan (IRP II) process has also been delayed by uncertainty around the Renewable Energy Feed-In Tariff (REFIT) – annoying renewable energy investors and investment finance companies. There have been substantial delays in the issuing of PPA’s. There is also uncertainty about a reduction in REFIT targets and speculation that the REFIT process may be opened up for a tendering process. Although the IRP II has shown an increase in the share of electricity produced from renewable energies sources, critics believe that the 9% target is not ambitious enough given South Africa’s ambitious international pledges. This target will also not lend towards the buildup of local industries.

South Africa also intends to move ahead with its national climate tax. However the National Treasury is in the process of finalizing its design and modeling of the carbon tax options.

South Africa’s degree of commitment to climate change is often challenged and there have been some examples that questions South Africa’s dedication to the cause. If government aims to take these negotiations along the path towards an international agreement, considerable effort will need to be expended.

**Conclusion:**

All these variables need to be considered before understanding the role that South Africa will play in Durban. There are a complex mixture of dynamics that inform its actions and reactions at the climate change Summit in Durban.

By placing particular emphasis on the process and inclusion of developing economies, Mexico managed to avoid the same mistakes as COP 15. The Mexican government handled COP 16 much better, but much dissatisfaction was expressed at the inadequacy of overall agreement reached. The South African government’s
challenge will be to Chair a fair process, but still push the Conference to be ambitious in finding a solution that will make a meaningful impact on climate change.

While the foundations have been laid, they must still be consolidated. The institutional groundwork started in Cancun must not lead to empty shells or ineffective mechanisms, devoid of countries’ ambitions to tackle the climate threat. To make this emerging institutional architecture operational, it will be crucial to identify lasting, reliable sources of financing and ensure the coherence of the newly established systems. The future of existing mechanisms, programs and funds also needs to be determined.

\[1\] Aaron Atteridge, Stockholm Environment Institute. 2011