

# POLICY UPDATE

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## Why the Durban outcome is not sufficient for staying below 2°C

Authors: Caroline De Vit, Niklas Höhne  
With contributions from Lina Li and Martina Jung

Despite the adoption of an impressive number of 36 decisions in Durban in December 2011, the substance of the Durban package does not yet offer promising prospects for limiting global temperature increase to 2°C or 1.5°C. The climate negotiations were saved from a diplomatic crisis with an agreement on a timeline for a new climate deal, but the price was high.

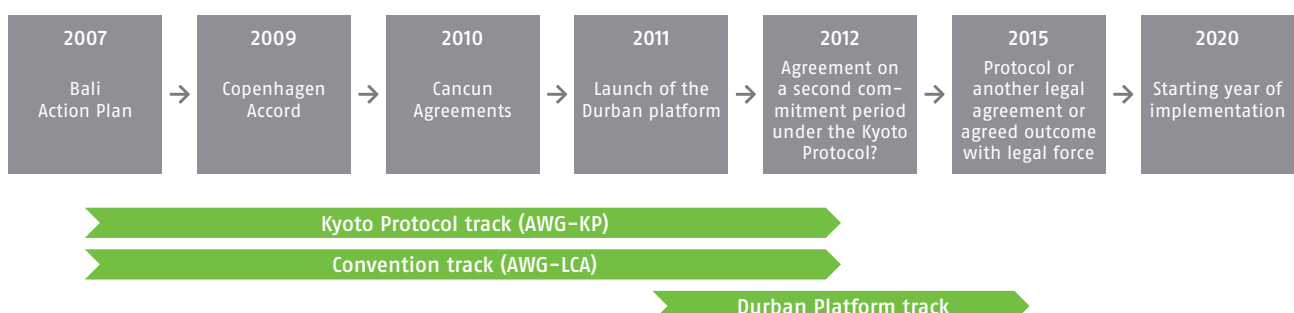
This paper examines the outcomes from Durban by analysing the new negotiating structure set up for the next decade, the prospects from securing a Kyoto arrangement and understanding why the Durban decisions are not sufficient to stay below the 2°C limit stated in the Copenhagen Accord and the Cancun Agreements.

### The Durban Platform for Enhanced Action

The Durban decisions provide a much needed response to the diplomatic dilemma of who from developed and developing countries should act first by setting up a new negotiating structure. "The Durban Platform for Enhanced Action" is a new negotiation track aiming to agree on a new climate regime applicable to all Parties. But it also risks additional delay to acting against climate change.

Negotiations under the auspices of the Durban Platform will start in 2012, with the aim to adopt a legal agreement by 2015 to be implemented from 2020. The Kyoto Protocol negotiation track (AWG-KP) and the Convention negotiating track (AWG-LCA) have been asked to finish their work by the end of 2012.

**FIGURE 1:**  
Timeline of UN climate change negotiations from 2007 to 2020



Following the Durban Platform's logic, the action required from Parties is to discuss an agreement on future action, a responsibility that already belonged to the Convention negotiating track. The difference with the Durban Platform is that there is some certainty that the agreement sought will be applicable to all countries and will have a "legal force". The Convention track has been missing this certainty on the legal form of the outcome, which led, amongst other factors, to the announcement of its closure by the end of 2012.

The extent of the "legal force" of the agreement will be determined in the coming years along with the ambition of the collective and individual emission reduction targets, if any. This will be accompanied by heated discussions among various interpretations of the three options that the Durban Platform text lays out – "a protocol, another legal instrument or an agreed outcome with legal force".

Emission reduction objectives are likely to be the core of this negotiating group although the issues of adaptation, capacity-building, technology and finance – which are expected to be dealt with under the Convention negotiating track until the end of 2012 as well – are part of the Platform's agenda. The distribution of work between the Durban Platform track and the Convention track for 2012 thus remains a pending issue. With delaying concrete mitigation action from Parties by 2020, it is unclear how the Durban Platform alone could ensure staying below 2°C (see below for details).

## Securing a Kyoto arrangement

Creativity that led to the establishment of the Durban Platform also helped to move from the unsolvable debate on a second commitment period of the Kyoto Protocol. In Durban, no country had shown any sign of moving from its pre-Copenhagen position. Even before the Durban negotiations started, it was clear that some developed countries, including Japan, Canada and Russia, were not going to commit to any subsequent period to the Kyoto Protocol as other major emitters such as the United States, China or India would not undertake legally binding targets. The United States would not be able to sign any legally binding treaty in the near future due to its "domestic situation". China and India wanted to see developed countries' actions first, through the implementation of a second commitment period of the Kyoto Protocol. Canada even rushed out of the Kyoto Protocol before the end of the

first commitment period, a premiere in international environmental law.

The position of the European Union for Durban was only to be willing to engage its members to a unilateral quantified target under the Kyoto Protocol second commitment period, if there is agreement on a roadmap towards an ambitious comprehensive and legally binding treaty. This strategy has worked: in return for saving the Protocol, the European Union obtained a process under which other big emitters would work towards a similarly legally binding treaty by 2015 under the Durban Platform. The European Union also pushed hard for the second commitment period to continue until 2020 instead of 2017, which still needs to be resolved in 2012.

The plan that Parties will adopt the second commitment period of the Kyoto Protocol in Qatar, with participating countries indicating the range of their respective targets (so far only Norway, Switzerland and the EU inscribed their respective ranges of conditional targets for 2020 below 1990 levels) then offers little prospect to achieve an ambitious mitigation effort in line with the 2°C limit.

## The new institutional context: the operation of the Cancun Agreements

In Durban, an undeniable enthusiasm rose from witnessing the four pillars of the Bali Action Plan (mitigation, adaptation, technology and finance) become concrete outcomes after four years of hard negotiations. This new institutional context comprises e.g. the registry of developing countries mitigation actions, the Adaptation Committee, the technology mechanism and the Green Climate Fund. Some elements do not have any direct mitigation benefit, but the agreements increase trust between Parties and hold the promise to developing countries to provide support to their mitigation actions.

On finance, unsurprisingly, the launch of the Green Climate Fund (GCF) is a key outcome. The Transitional Committee worked tirelessly in 2011 to make it operational, trying to solve as many institutional issues as possible before Durban. The decision gives more clarity on the role of the Standing Committee, such as the preparation of a biennial assessment on climate finance flows and making the operating entities of the financial mechanism more efficient. Its role regarding the measurement, reporting and verification (MRV) of support

provided to developing countries, which will ensure transparency, still needs to be defined. The decision also confers juridical personality and legal capacity to the GCF, a great step towards setting up a direct access to the fund, which is likely to increase mutual trust between developing countries and developed countries.

Although some countries have pledged some money to the fund – Germany has pledged € 40 million and Denmark € 15 million – there is still work to do on long-term finance sources. As Parties could not agree on the role and distribution of public and private sources in Durban, a work program has been set up to explore options for the mobilization of resources that is hoped to be based on the assessment of developing countries' needs. No specific measure was adopted on fast start finance, although greater transparency on developed countries' individual contributions was expected.

On technology, the Convention decision makes the Technology Mechanism a concrete entity. It is expected that the Technology Executive Committee and the Climate Technology Centre and Network will be fully operational in 2012 upon the selection of a host institution. Adequate sources of support will be crucial to ensure the successful operation of the mechanism that is expected to support mitigation actions in developing countries.

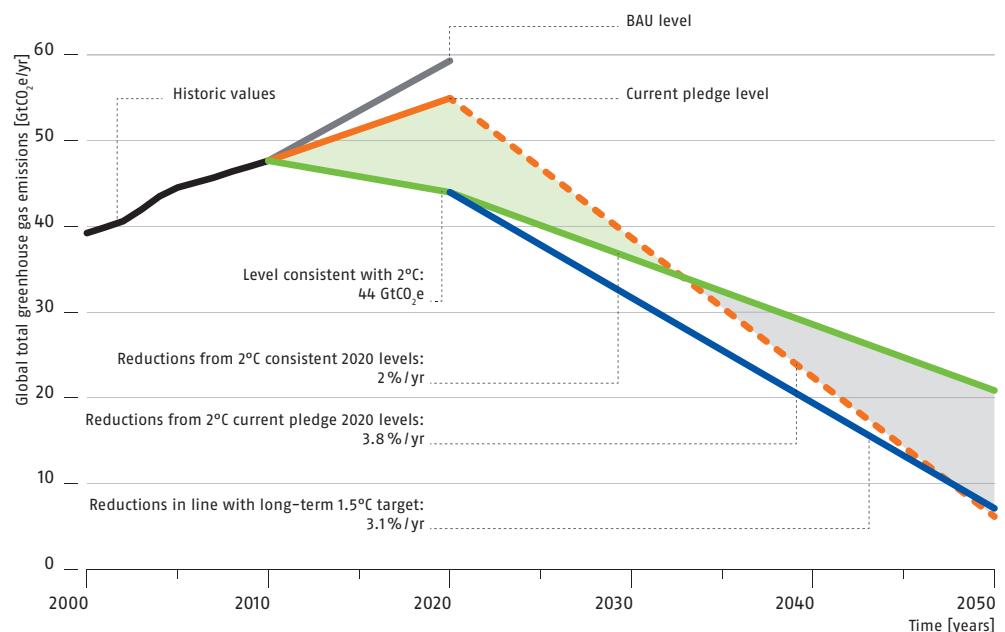
Regarding mitigation, a prototype of a Registry for Nationally Appropriate Mitigation Actions (NAMAs) by developing countries will be established with the view of finalizing it by the end of 2012 at COP-18. Such a registry will facilitate the matching of NAMAs with support from developed countries and other donating entities advertising the support available for both the preparation and implementation phases of NAMAs.

More frequent reports from both developed and developing countries have been agreed. On emissions and mitigation actions these reports are expected to provide information that will increase trust between Parties. On the support received and provided, the lack of common reporting tables or formats and of common reporting methodologies is likely to make information less transparent. This will make it difficult to assess whether the support is new and additional.

### Continuing on a pathway of over 3.5°C warming

Prior to the Durban conference, it was clear that the emissions reduction proposals by countries in aggregate by 2020 would not be sufficient to limit global temperature increase to 2°C (UNEP 2011, Climate Action Tracker 2011). Continuing with low ambition until 2020 and then suddenly increasing ambition would theoretically be possible, but most likely will not be technologically or economically feasible (Figure 2).

**FIGURE 2:**  
Total global greenhouse gas emissions and resulting reduction rates under current pledges and under a pathway consistent with 2°C



Source: Climate Action Tracker 2011

No one hoped for a breakthrough decision in Durban on the increase of pledges' ambition. The main expectation was to get a signal that countries were working towards raising the ambition of their pledges, which could have included the organisation of a high level/ministerial segment in 2012.

The Durban Platform decision however can be interpreted to postpone most of the new action to after 2020. It includes a process to increase ambition with submissions and a workshop in 2012, but it was not specified whether this process applies to before or after 2020.

The Convention decision did not get an agreement on a year when global greenhouse gas emissions should peak or on a level of global greenhouse gas emissions in 2050, two issues which were discussed since 2007. The decision notes "with grave concern" the ambition gap towards the 2°C goal in 2020. It urges developed countries to increase their ambition level to "the range indicated in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change". The Kyoto Protocol decision is more precise and, using the passive form, aims "to ensure that aggregate emissions of greenhouse gases by Parties included in Annex I are reduced by at least 25–40 % below 1990 levels by 2020". An encouragement to increase ambition is not included for developing countries.

The Convention decision also reaffirms a periodical review to assess the adequacy of the long-term global goal from 2013 to 2015, but only provides little detail on the scope and process of such a review. It sets up further exercises to clarify the 2020 pledges including their assumptions, methodologies, the use of carbon credits and the accounting approach of emissions and absorptions from the LULUCF sector (i.e. through submissions using common formats, workshops and the preparation of a technical paper). One year earlier, a similar process had been launched with the explicit objective to raise the ambition for developed countries. But during that exercise in 2011, no single country increased its ambition level. The text on the workshops of the new Convention decision of Durban no longer includes the objective to raise ambition, a considerable step backward.

Nevertheless, the process will constitute a small step towards the comparability of efforts through the understanding of the methodologies used, which is, however, unlikely to raise ambition. The issuance of a report written "in a structured manner", which opens the door to a minimum level of standardization for the presentation of the pledges, will also contribute to

provide some comparability. Through these exercises, countries may also progress towards the adoption of common accounting rules/frameworks, especially for the LULUCF sector.

Another option to increase ambition is through the adoption of stringent accounting rules. The Kyoto Protocol decision finally reflects some consensus amongst Parties on accounting rules for the LULUCF sector, but they have converged on one of the least ambitious accounting methods. Rules relating to carry-over of units from the first commitment period to the other periods are still not decided and would have a huge impact on the overall stringency of the targets.

We conclude that despite the Durban outcome, it is unlikely that countries will increase their pledges before 2015 without an external push. The mandate of the Durban Platform gives legitimacy to countries to postpone a new decision on emission reduction targets to 2015 and even later, when it will have little impact on 2020 emissions. The emissions outlook for 2020 could then remain pessimistic unless some countries are willing to implement ambitious unilateral targets. The temperature increase expected when analysing current pledges is 3.5°C (Climate Action Tracker 2011).

Not only do the chances of missing the 2°C pathway increase day by day but so do the costs for adaptation. Approximate estimates indicate that adaptation costs will double with a 3°C temperature rise (Climate Action Tracker 2011).

## Conclusion

The Durban outcome is a positive response to the climate diplomatic crisis in which we have been stuck for the past years. It has finally managed to get big emitters to agree to sit down on the same side of the table, or should we say, of the platform. Most of the institutional issues have been cleared up or are on their way to being finalized.

However, this was achieved at the cost of essentially postponing an increase in ambition until after 2020, far too late to limit global temperature increase to 2°C without significant interruptions. Limiting temperature increase to 2°C now relies on the political will of individual countries and can only be achieved with an external push from outside of the UNFCCC.

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For more information, please contact:

Dr. Niklas Höhne ([n.hoehne@ecofys.com](mailto:n.hoehne@ecofys.com)), Caroline de Vit ([c.devit@ecofys.com](mailto:c.devit@ecofys.com)), Dr. Martina Jung ([m.jung@ecofys.com](mailto:m.jung@ecofys.com))

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### ECOFYS Germany (Cologne)

Am Wassermann 36  
50829 Cologne | Germany  
T: +49 (0)221 27070-100  
F: +49 (0)221 27070-011  
E: [info@ecofys.com](mailto:info@ecofys.com)  
I: [www.ecofys.com](http://www.ecofys.com)

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