



By Robert N. Stavins

Climate Policy: A Breath of Fresh Air

A key outcome of the 17th Conference of the Parties of the UN Framework Convention on Climate Change in 2011 was the Durban Platform for Enhanced Action, which has opened an important window. To understand why, a review of twenty years of international climate negotiations is necessary.

The UNFCCC, adopted at the U.N. Conference on Environment and Development — the first Earth Summit — in Rio de Janeiro, Brazil, in 1992, contains a crucial passage: “The parties should protect the climate system . . . in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country parties should take the lead.” The countries considered to be “developed country Parties” were listed in an appendix, Annex I.

The principle of “common but differentiated responsibilities” was given a very specific interpretation three years later by the first Conference of the Parties of the UNFCCC, in Berlin, Germany, in 1995. The Berlin Mandate interpreted the principle as, first, launching a process to commit the Annex I countries to quantified greenhouse gas emissions reductions within specified time periods and, second, stating unambiguously that the process should “not introduce any new commitments for par-

ties not included in Annex I.” Thus, the Berlin Mandate established the dichotomous distinction whereby the Annex I countries take on emissions-reductions responsibilities and the non-Annex I countries have no responsibilities whatsoever. This was made operational with numerical targets for the Annex I countries in the 1997 Kyoto Protocol.

The Berlin Mandate became the anchor that subsequently prevented real progress in international climate negotiations. With 50 non-Annex I countries having greater per capita income than the poorest of the Annex I countries, the distinction is clearly out of whack. But, more important than that, this dichotomous distinction means that half of global emissions soon will be from nations without constraints; the world’s largest emitter — China — is unconstrained; aggregate compliance costs are driven up to be four times their cost-effective level, because many opportunities for low-cost emissions abatement in emerging economies are taken off the table; and an institutional structure is perpetuated that makes change and progress virtually impossible.

Fast forward to the December 2011 talks in Durban, South Africa. The Durban Platform finally moves beyond the Annex I/non-Annex I distinction. The delegates reached a non-binding agreement to reach an agreement by 2015 that will bring all countries under the same legal regime by 2020. That’s a strange sentence, but it’s what happened, and it’s potentially important.

The Durban Platform constitutes a pledge to create a system of greenhouse gas reductions including all key countries by 2015. Nowhere in the text does one find phrases such as “Annex I,” “common but differentiated responsibilities,” “distributional equity,” or “historical responsibility.” In a dramatic departure from 17 years of U.N.-hosted international nego-

tations on climate change, the 17th Conference of the Parties in Durban turned away from the distinction.

This is of vast potential importance, but — of course — only “potential” importance, because just as it was the Kyoto Protocol’s numerical targets and timetables that fulfilled the Berlin Mandate’s promise, it remains for the delegates to the UNFCCC to meet this Durban mandate with a new post-Kyoto agreement in 2015.

But we can observe unambiguously that the Durban Platform, by replacing the Berlin Mandate, has created an important opportunity. The national delegations from around the world now have a challenging task: to identify a new international climate policy architecture that is consistent with the process, pathway, and principles laid out in the Durban Platform, namely to find a way to include all key countries (such as the 20 largest national and regional economies that together account for upwards of 80 percent of

global carbon dioxide emissions) in a structure that brings about meaningful emissions reductions on an appropriate timetable at acceptable cost, while remaining within the

structure of the UNFCCC and principles of equity among nations.

Having broken the old mold, a new one must be forged. Governments around the world now need fresh, outside-of-the-box ideas from the best thinkers, and they need those ideas over the next few years. This is a time for new proposals for future international climate policy architecture, not for incremental adjustments to the old pathway. I hope to reflect on such proposals in future columns.

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