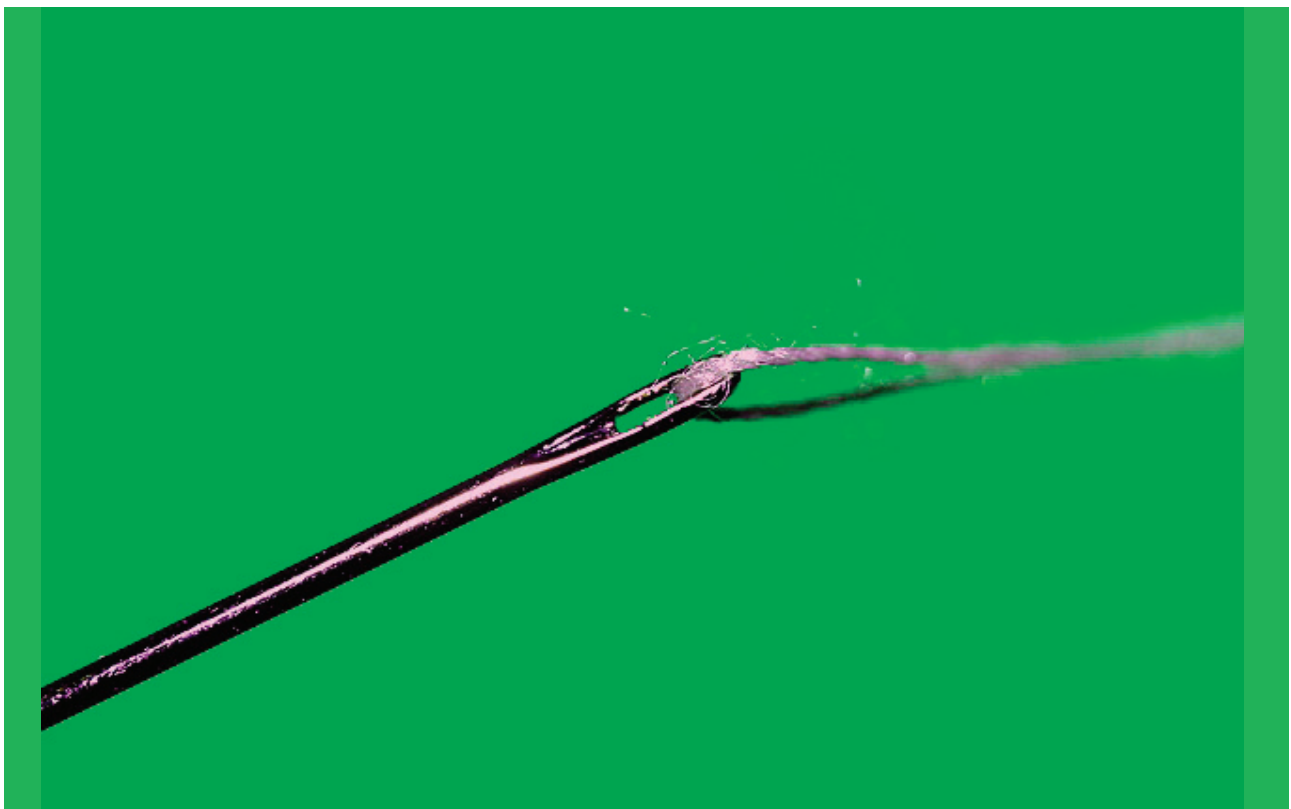


The “Doha Climate Gateway”: Will the camel go through the eye of the needle?

An analysis of the outcome of the UN Climate Change Conference (COP18) in Doha, Qatar

By Lili Fuhr and Liane Schalatek



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Expectations for the climate summit in Doha were so low that it is quite remarkable that the meager results still managed to fall short of them. Many NGOs condemned the conference as a failure. The EU and Germany called it an important step in the right direction. Ban Ki-moon congratulated the Qatari government for its successful role as the conference host, while the United States disassociated itself from important passages of the agreement, and Russia protested that it had been passed over in the final vote. Sounds familiar? Copenhagen, Cancun, Durban? The UN climate talks appear to have a recurring theme: The process was saved, unfortunately the climate wasn't. Did Doha move us even the tiniest step forward in international climate policy?

The deal was finalized on Saturday, December 8, 2012, 7:00 pm local time, almost a day later than planned. Seen from the outside, it contains roughly what was sought: the second commitment period of the Kyoto Protocol can begin as scheduled on January 1, 2013. The Bali Action Plan negotiation track was completed, and everyone will continue negotiating under the new ADP track (Durban Platform for Enhanced Action) to reach a new global agreement by 2015, which will take effect in 2020. For the president of the climate summit, the former Qatari Oil Minister Abdullah bin Hamad Al-Attiyah, these constitute the building blocks of the “Doha Climate Gateway”. The concept is actually quite apt when you imagine the gateway as the eye of the needle through which everyone was trying to squeeze in the two weeks of negotiations – while many important issues here and there were stripped off and fell by the wayside. And where this gateway will lead is also a legitimate, yet largely unanswered question.

Even late on that Saturday, not everyone was truly clear about the contents of the package that they had to accept or reject. The COP president drove the vote through in only a few minutes. Not that the participants would have stood it much longer in the Qatar National Convention Centre – a number of ministers were ready to leave, the restaurants were slowly running out of food, and complicated procedural requirements meant negotiators were running out the clock.

Specifically, the following decisions were made:

On the Kyoto Protocol: The second commitment period, which will start on January 1, 2013 for a duration of eight years, encompasses commitments for a total of 18% in emissions reductions compared to 1990 (minus the offsets and loopholes, of course). Only the EU, Australia, Norway, Switzerland, Iceland, Monaco, Liechtenstein, Belarus, Ukraine and Kazakhstan have targets, however. By 2014, they are expected to submit proposals on how they might increase ambition and improve on these targets. The U.S., Canada, Russia, Japan and New Zealand will not take part in the second period. They will also no longer have access to the CDM (which incidentally can now also support CCS projects).

A major stumbling block in Doha was the issue of “hot air” – excess emissions rights that countries like Russia, Poland and the Ukraine no longer need following their de-industrialization in the wake of the collapse of the USSR. The countries wanted to carry them over into the second commitment period, and they can now do so. A small consolation: potential buyer countries from the European Union and Australia made a political commitment not to buy this hot air. Not that such a commitment is likely to be necessary, considering the current weak demand.

Instead, the problem is that it cannot be ruled out that these roughly 14 gigatons of surplus CO₂ credits will ultimately end up as “zombie credits” and haunt the new agreement to be finalized in 2015 – which was ultimately the issue of contention in Doha. The negotiations on the rules for the second Kyoto commitment period are considered a precedent for a new global agreement. Some are still puzzling over how an obviously very good article (3.7 ter) that bases the calculation of new emissions rights on actual emissions of the years 2008 to 2010 – and thus effectively prevents the creation of new “hot air” – made it into the KP Amendment Text.

The EU was in an embarrassing position in Doha, as it was unable to resolve the hot-air issue in advance at the ministerial level with its troublesome member country Poland. Furthermore, Poland continues to veto an increase of the ambition of the emissions reduction goal from 20 to 30% by 2020. Then there is still the issue of climate finance – the EU as a community was not in a position to offer money in Doha. That is certainly not what you would call a pioneering let alone a leadership role.

A little incidental note: The Adaptation Fund, which has until now been funded by a 2% levy on CDM projects in addition to voluntary contributions (which largely didn’t materialize) and has been hit hard by slumping carbon prices, will now also profit from joint implementation projects and the transfer of emission rights at the country level (assigned amount units, AAUs).

Bali Action Plan (long-term cooperative action/LCA): This is the negotiating track that should already have been concluded in Copenhagen and was to have resulted in a comprehensive global agreement. Since Copenhagen, there has been a tenacious struggle

over every single sentence and comma of the LCA text in every meeting. In Doha, the LCA negotiating track was officially put to rest – but not without another bitter dispute over what “meaningful closure” of this track signifies, and thus virtually every key issue of international climate policy.

It was probably solely due to the frustration and impatience of all the delegates, and the fact that nobody actually traveled to Doha with the mandate to scupper the process, that the LCA negotiations are now history. The effort had almost not succeeded because the Qatari COP president had not dared to relieve the Saudi chairman of the working group – who was, to put it simply, doing a bad job – of his duties, and direct the unresolved questions to the ministers. This delay – arising from regional sensibilities – on Thursday evening and Friday morning for a moment threatened to sink the entire process!

The final text, as a closing salve for the LCA track and in an effort to keep some of the key issues on the level of a political, not just technical discourse in the climate negotiations, initiates a series of work programs on topics such as finance, market mechanisms and other approaches.

The new negotiating track – the Durban Platform for Enhanced Action (ADP): The text is short and to the point. Ultimately, it reaffirms the mandate of Durban. Negotiations will continue in two areas: firstly, the new agreement to be reached in 2015, slated to take effect in 2020, and secondly, the question of how to raise climate protection and financing ambitions in the crucial years between now and 2020. It was truly refreshing to see the issue of reducing fossil fuel subsidies established as an important component – not in the text, but at least in the minds – all thanks to a number of countries and NGOs, who kept bringing it up time and time again.

It was shocking but typical that the United States distanced itself from the following wording – *“Acknowledging that the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action shall be guided by the principles of the Convention”* – despite its approval of the overall package. Even the United States has ratified the Framework Convention on Climate Change. The principle at issue here is that of common but differentiated (historic) responsibilities and respective capabilities (CBDR RC) – in other words, that what is generally summarized as **“equity”** in UNFCCC parlance. What appears to drive US intransigence here is its fear worry that developing countries will take a hard line in the ADP negotiations and insist on the return of the so called “firewall” between the old industrialized world (Annex 1) and the rest of the world. Something, which in light fast changing economic and social circumstances, seems unlikely.

The world today is fundamentally different from that of 1992, and it is also clear that Qatar and Mali have as little in common as Canada and the Ukraine – there are not just developing and developed countries, but a wide variety of national circumstances and differentiations. The old world view is enshrined in the UNFCCC and the Kyoto Protocol, however. The United

States would like to get rid of the “firewall” altogether. Major and oil-rich developing countries would, however, like to keep it.

The subject is complex and multifaceted and cannot be summarized briefly here. Last year, at COP 17 in Durban, the negotiations almost broke down over it. An important point to understand about COP 18 is that it unfortunately did not succeed in firmly anchoring the much-needed dialog about how to quickly, significantly and in an equitable manner (!) increase emissions reduction goals for all (!) countries in the work program of the ADP.

It is perhaps also interesting to note that the negotiating text for the 2015 agreement should be finished by May 2015 at the latest.

The Doha deal also includes two other important elements:

a) Finance: Any deal is going to stand or fall with its financing, and in Doha, the lack of progress on concrete financing commitments for the post-2012 period certainly put the negotiations on the brink of failure (or threatening to put them over “the fiscal cliff” as a number of international NGOs pointed out). It’s not really clear why there was a deal in the first place. After all, substantial (meaning new, additional, adequate and predictable) financing for climate protection and adaptation in developing countries is still not in place. The fast-start finance expires at the end of 2012. And while developed countries claimed success in delivering some USD 33 billion over the three year fast start period in Doha, as observers have pointed out, at best a third of it can be considered “new and additional”, meaning delivered on top (not instead) already existing development finance commitments. In this context, the developed countries’ commitment in Doha to continue providing funds at least at the same level as fast-start finance for the years 2013 to 2015, rings hollow and feels disingenuous. How we will realize the financing commitment of USD 100 billion a year by 2020 made in Copenhagen still has not been clarified, however. The language in Doha provides no trajectory for the urgently needed scaling up of climate finance and no finance targets to be reached between 2012 and 2020. Ultimately, these funds are supposed to come from public, private, and “alternative” sources.

When listening closely to international financial institutions and the governments of industrialized countries, it becomes fairly clear that in their view the bulk of the money should come from private sources – with scarce public funds used to leverage those investments. Utilizing this view (and assuming the generous leverage rate that for example the multilateral development banks say they achieve), one could declare that we are already close to those USD 100 billion per year. Of course, this is not how developing countries would argue. They want the vast majority, if not all, of the USD 100 billion commitment – citing giant unmet needs – to come from developed countries’ budgetary contributions. As a minimal finance outcome from Doha, at least we continue with a working program on long-term finance that will submit results by the next COP and thus keep the finance issue in the political negotiation process, if still out of the reach of concrete, enforceable decisions. Could it be that negotiators really believe the financial crisis will be history by then?

It was seen as good news that that some countries (mostly from the EU, including Germany, the Netherlands, Denmark, Sweden, Finland, France, as well Norway) shortly before the end of Doha put specific financial commitments for the years 2013, 2014 and 2015 on the table, although most of them meant barely a continuation at 2010-2012 levels and not the needed scaling up. For Germany, the €1.8 billion were already in the budget and don't rate as big news, and besides, the amount only represents a drop in the bucket (not to mention the question of how much of the amount is new and additional, and delivered as credit or aid). Several of these countries also promised smaller amounts for the Green Climate Fund (GCF), mostly for administrative purposes. However, the hoped for political signal from industrialized countries making larger pledges in support of the GCF, which is to be operationalized by early 2014, was not forthcoming.

At any rate, the Green Climate Fund with an endorsement of its Board decision by the Doha COP can now officially take up residence in Songdo, South Korea, with its Board continuing to argue over the GCF's relationship with the COP and preparing to discuss its Business Model Framework – and above all the central role of a Private Sector Facility within it. Industrialized countries had signaled in prior GCF Board meetings that they would wait to for the outcome of these discussions (depending on whether its finds their approval) before making more significant financial pledges to the GCF.

b) **Loss and damage:** It was impossible to completely disregard the real world so soon after devastating storms Sandy and Bopha. The consequences of climate change are already destroying lives, livelihoods, towns and landscapes – and soon perhaps even entire nations? It is, therefore, only right that a crucial element of the political deal made in Doha was the expressed intent to establish a new international mechanism for loss and damage by the next COP. Surprisingly, even the United States agreed to this, albeit after pushing to have any reference to “compensation” stricken from the text. Whether such a mechanism will be put in place is just as unclear as the question of how it will be funded. Still, it is a breakthrough – a small but important one.

And then there was another surprise: The COP adopted a **target for “gender balance”** (watered-down from “gender equality” and excluding crucially necessary references to gender expertise). The decision pertains to the representation and participation of women in all aspects of the negotiations (committees, bodies, institutions and delegations) – and marks a crucial initial step (if only the first of many necessary ones) for a gender-responsive climate convention. To this end, all countries (as well as observer organizations) are to submit proposals by September 2, 2013, and commit to hold a workshop at the next COP. The UNFCCC Secretariat and its Executive Secretary Christiana Figueres personally commit themselves to also institutionalize a “gender day” at each COP, following the successful premier of such a designated day at COP 18 in Doha.

Women's and gender groups, and the Women and Gender Constituency at the UNFCCC, which was only formally recognized last year in Durban, have been fighting to imbue international climate policy with gender awareness and through their long, intensive and

persistent preparatory lobbying work prepared the ground for such a move. This accomplishment was to no small degree thanks to the political cloud that a small group led by Mary Robinson, the former Irish President, could marshal, who succeeded in putting this issue on the agenda in Doha in defiance of the practice and the protocol and with high-level help by Figueres in shepherding it through.

While it is without a doubt a sign that the time has come for the issue of gender equality to make inroads into the climate negotiations, it is a pity that this took place without much coordination with the dedicated gender equality champions of the Women and Gender Constituency of the UNFCCC. It remains to be seen if going forward, for example in preparing the workshop in September, the alliance can be broadened beyond high level voices such as Mary Robinson’s to be more reflective of women’s civil society voices on the ground who have been tireless advocates for a long time for women’s rights and gender equality in climate policy. In any case, it would be desirable for the breakthrough in Doha to open the door for a transformation from within. The process can use it just as urgently as the climate!

And that brings us to our last point, the **Qatari hosts**. No, they did not really manage to emancipate themselves from their big brother, Saudi Arabia. The calculations of some in awarding the COP 18 to Qatar did not work out as hoped. The long-awaited announcement of concrete climate protection goals – not only by Qatar but all Gulf States (as the proverbial cherry on top of the Doha deal) – did not happen. While Qatar, Saudi Arabia, Bahrain and the UAE submitted plans for “economic diversification” and had them enshrined as nationally appropriate mitigation actions (NAMA, voluntary climate protection goals of developing countries) in the final document, climate protection and adaptation are stated only as “co-benefits”.

And that is also typical for the country of Qatar and the region. The Qataris clearly overestimated their diplomatic skills in matters of climate policy (the COP is not an OPEC conference on oil production, after all) and failed to find good advisers (the American advisers they selected in advance were conspicuously absent during the two weeks – perhaps they remembered their role in Copenhagen in time?). And to be quite frank, it is hard to imagine how an authoritarian regime – one in which a handful of natives amass their wealth through the sale of fossil fuels, while a plurality of foreigners do the dirty work under quasi-feudal conditions – can develop a vision for a modern economy that takes climate protection and resource conservation for the benefit of all into account.

One bright spot was the strong presence of the Arab Youth Climate Movement (of which two members were deported in the wake of a surprise action). We can only hope that these dedicated young activists succeed in making what is at stake clear to the governments and elites of the Arab world.

Another note on **NGOs**: The new regime of “paper smart” UN conferences is significantly complicating the status of many observers in Doha – and that in an environment in which procedural rules (size of delegations, closed negotiations, time limits for speeches etc.) are already making active participation increasingly difficult. Anyone without a smart phone or

notebook was effectively excluded, and distributing newspapers or papers in the corridors of the conference center has become an offense.

Where will things go from here?

COP 19 will take place in Warsaw next year. In 2014, the climate conference will be going to Peru or Venezuela. And François Hollande has extended an invitation to Paris for the big summit in 2015 that coincides with the SDG/MDG process. Ban Ki-moon also wants to invite the heads of state and government to a summit in 2014 to prepare the 2015 deal.

So much for the content. But what does this tell us? Will it move us forward? Was saving the process worth the fudge? That is truly hard to judge at this point. In terms of substance (leaving fossil fuels in the ground, providing finance for developing countries and climate change victims), we have hardly progressed a single step since Bali (2007). There is reason to fear that we will experience quite a few more Sandys and Bophas between now and 2015 – and that many people will not survive them.

We still think and hope that we can succeed in keeping this multilateral UN process as a place where all governments take a seat at the table and have to answer to us as citizens, and where we from civil society as a group can pressure the fossil fuel lobby into accepting regulations that it doesn't like. But no one is going to change their positions in the negotiation settings at the UNFCCC. We know that by now. The real battles do not take place in the corridors of the UNFCCC conference rooms. Perhaps we have not sufficiently internalized that fact. We can only address the democratic deficit reflected in the fact that a very small number of “carbon billionaires” and an all-powerful fossil fuel lobby dictate our policies at national and international levels (the “OPECization of the UNFCCC”) by making new alliances and taking control of the true levers of power which are mostly outside of the UNFCCC process. And for that, we have precious little time!