



Where was united Africa in the climate change negotiations?

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A political commitment was reached in Copenhagen between five countries: US, China, India Brazil and South Africa. The rest of the conference simply “took note of it”, most with resignation, many with anger. This policy brief will have a closer look at the climate change negotiations from an African perspective. It will try to answer three questions to see whether the outcome of the negotiations was as unacceptable as South Africa said it was.. First, what was the African Common Position and what were some of their demands? Second, how did the negotiating strategy to defend the African Common Position on climate change evolve? Third, why did South Africa call the agreement it negotiated with the US, China and India unacceptable but did it not decline to be part of that deal?

social resources that have been lost and the historical responsibility of developed countries on climate change in that respect. According to the African Group the financial commitment of developed countries should be at least 1.5% of their global GDP. The second request was that the United Nations Framework Convention on Climate Change (UNFCCC) principle of *common but differentiated responsibilities* should be respected. This principle recognises the historical differences in contributions of developed and developing States to global environmental problems, and differences in their respective economic and technical capacity to tackle these problems. The principle of common but differentiated responsibility includes two fundamental elements. The first concerns the common responsibility of States for the protection of the environment, or parts of it, at the national, regional and global levels. The second concerns the need to take into account the different circumstances, particularly each State’s contribution to the evolution of a particular problem and its ability to prevent, reduce and control the threat.³

What was the African Common Position?¹

In the following paragraphs a selection was made of the key demands of the African Group based on the Common Position of the Committee of the African Heads of State on Climate Change (CAHOSCC)². The first demand stipulated was financial compensation for natural, economic and

The third demand from the African negotiators was methodological: they wanted to keep the two track negotiations. This meant they wanted to keep the distinction between the Kyoto Protocol and the Convention. The main reason behind this demand was the fact that the Protocol legally commits 37 industrialised countries and the European community to the reduction of greenhouse gas (GHG) emissions to an average of five per cent against 1990 levels over the five-year period 2008-2012. The Convention can only encourage industrialised countries to stabilise

1 The process of the African position started in 2006. The common position was initiated in November 2008 in Algiers followed by the Nairobi Declaration in May 2009 which resulted in the common position of October 2009 http://www.issafrica.org/dynamic/administration/file_manager/file_links/30CT09.PDF?link_id=4056&slink_id=8937&link_type=12&slink_type=13&tmpl_id=3

2 Conference of African Heads of State and Governments on Climate Change (CAHOSCC) comprising: Algeria; the Republic of Congo; Ethiopia; Kenya; Mauritius; Mozambique; Nigeria; Uganda; Chairperson of the AU; Chairperson of AUC; and Chairperson of AMCEN.

3 Centre for International Sustainable Development Law - CSIDL Legal Brief The Principle of Common But Differentiated Responsibilities: Origins and Scope 26 August 2002

GHG emissions and consequently only works on a voluntary basis. Another important reason to keep the distinction between the Protocol and the Convention is the above mentioned principle of common but differentiated responsibility which allows emerging economies like China, India and South Africa to benefit from the status of a development country and thus avoid the commitments imposed on developed countries under the Kyoto Protocol. The Common Position of the African Group states that Copenhagen must produce a 2-track outcome. One track should stipulate the future commitments by developed countries party to the Kyoto Protocol (excluding the US).⁴ This track should be amended to specify the commitments beyond 2012 of the developed countries that are bound by the Kyoto Protocol. The second track should provide a legal instrument for the outcome of the negotiations under the Convention which includes all Parties to the UNFCCC (including the US).⁵

The fourth crucial issue in the Africa Common Position concerns the Bali Action Plan⁶. This roadmap launched a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action from 2007 to 2012 and beyond. The Bali Action Plan is centred on four main building blocks – adaptation, mitigation, technology and financing. Parties also agreed that the negotiations on a long-term agreement should address a shared vision for long-term cooperative action, including a long-term global goal for emission reductions. The reason for insisting on the importance of the Bali Action Plan by the Africa Group reinforces the position already taken in their previous demands: developing countries are exempt from obligations under the Kyoto Protocol and insist that developed countries fulfil their commitments including adaptation, mitigation and technology transfer. Adaptation for Africa is of paramount importance because it will suffer greatly from the consequences of climate change but contributed the least to the

emissions of GHG. Capacity building, financing and technology are crucial for the Africa Group to confront the effects of climate change. Furthermore, the discussion that was foreseen by the Bali Action Plan on measurable, verifiable and reportable mitigation actions was right at the core of the discussions between developed and developing nations in Copenhagen.

The fifth demand of the African Common Position was that developed countries needed to reduce their greenhouse gas emissions by at least 40% below 1990 levels by 2020. By 2050 the GHG-emissions of developed countries should be at least 80% to 95% below 1990 levels, in order to achieve the lowest level of stabilisation assessed by the IPCC's Fourth Assessment Report. That is why the African Common Position explicitly stipulated that they will not accept any delay by developed countries to deeply cut their GHG emissions and asked for support for Africa to adapt to the negative impacts of climate change.⁷

The African Common Position negotiation strategy

The second question this policy brief will elaborate is the evolution of the negotiating strategy to defend the African Common Position on climate change. The fact that the Committee of the African Heads of State on Climate Change (CAHOSCC) came forward with a Common Position on 30 October 2009 is noteworthy since it is the first time the African Union (AU) was able to present a clear signal to the world that it had reached an African consensus on this issue. An illustration of the difficulty of reaching such a Common Position is the intervention by South Africa on behalf of the African Group last August in Bonn. During a session on financing, South Africa insisted that there be no differentiation in access to climate-change-related development funds among developing countries.⁸ This statement came as a surprise to several observers but has to be seen as an attempt by South Africa to secure its economic development. If the negotiations on financing would bear fruit South Africa wanted

4 This Group is also known as the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP).

5 These second track negotiations were created in Montreal in 2005 to find a way forward whilst respecting the UNFCCC principle of "common but differentiated responsibilities". In December 2007 the Ad hoc Working Group on Long-term Cooperative Action (AWG-LCA) was created as a part of the Bali Action Plan. This working group aims to enhance the implementation of the UNFCCC.

6 For the complete text on the Bali Action Plan <http://unfccc.int/resource/docs/2007/cop13/eng/06a01.pdf#page=3>

7 Africa's common position: key political messages agreed by African negotiators AU/AMCEN 30 October 2009 http://www.issafrika.org/index.php?link_id=5&slink_id=8936&link_type=12&slink_type=12&tmpl_id=3

8 John Drexhage Sobering Days in Bonn IISD Commentary 21 August 2009

to secure its share of the money to develop its economy like India and China have done, and not lose possible funds to its poorer neighbours. As a consequence this statement had nothing to do with the common interests of the African Group. Shortly after South African President Jacob Zuma confirmed South Africa was fully behind the UN on climate change and repeated this in his statement to the UN Secretary-General.⁹ The reason for this change of strategy has not been elucidated by the government but might be associated with the foreign investment tour of the AU in which South Africa was a prominent participant amongst others.

The tone of the AU and the African negotiators has gone from aggressive over evasive to cooperative in the course of the last few months and weeks before the Copenhagen conference. On the 24th of August 2009 Jean Ping chairman of the AU Commission stated: “This is the time for Africa to aggressively engage to ensure that climate change is effectively addressed.”¹⁰ In a draft resolution the AU called for rich countries to pay at least \$67 billion annually to counter the impact of global warming in Africa. At the beginning of the Barcelona-round of negotiations the African Group walked out of the negotiations because their demand of a 40% reduction of Green House Gasses (GHG) by developed countries was not met. They only returned after a deal was brokered by the EU promising to use 60% of the remaining time in the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) to discuss the targets that should be reached by the developed countries that are bound by the Kyoto Protocol.¹¹ Although this rather aggressive method of acting had the desired effect in Barcelona it might not be the weapon it seems to be in the negotiations for the developing countries.¹² The walkout as a part of the negotiation strategy was actually considered by President Zuma at Copenhagen up until the very last minute when he, together with other African leaders, considered it wiser to remain part of the process.¹³

After the aggressive tone of the chairperson of the African Union Jean Ping, came the more moderate an evasive attitude of Ethiopian Prime Minister Meles Zenawi, who led the African delegation in Copenhagen. He was much more vague in his remarks on the amount of compensation African nations were asking in Copenhagen. On 17 November after the CAHOSCC meeting there was no more mentioning of the \$67 billion annually in compensations: “We have set a minimum beyond which we will not go, but I am not in a position to tell you what that minimum figure will be.”¹⁴

Once the African leaders agreed on their common position and a strategy they went on an international tour to gather support and financing for their position. Just after the Barcelona negotiations there was a two-day China-Africa Summit in Egypt on which China pledged \$10 billion in concessional loans to African nations over the next three years. That is double of what they promised at the China-Africa Summit in 2006 in Beijing. To counter the critique that China was only after natural resources Beijing stated it would cancel the public debts of some of the poorest countries. China would also build energy projects that cover solar power, biogas and small hydro plants. The caveat of what the Chinese Prime Minister Wen called “mutually beneficial cooperation”, China’s aid and voice on international forms for Africa is a condition of Africa’s adherence to China’s global policies.¹⁵ On 23 November 2009 the South Korea-Africa Forum was concluded. The main agenda of the Korea-Africa Forum dealt with how to achieve economic development while protecting nature. South Korea promised to triple its aid to Africa and develop green business initiatives under the Clean Development Mechanism (CDM). South Korea and Africa will collaborate on projects for the creation of biomass energy, greenhouse gas mitigation and share policies and technologies for adaptation to climate change. The two sides also promised a joint response to the major global issue of climate change.¹⁶ On 25 November 2009 Norway and South Africa

9 Message by South African President Jacob Zuma to the UN Secretary General’s High Level Summit on Climate Change, 22 September 2009

10 Reuters 24 August 2009: Africa wants \$67 bln a year in global warming funds <http://www.reuters.com/article/latestCrisis/idUSL0569667>

11 John Drexhage The Barcelona Negotiations on Climate Change: Where the spirit is willing? IISD Commentary November 2009

12 Summit’s weaker participants weigh power of a walkout International Herald Tribune 9 December 2009

13 South Africa blasts Copenhagen failure Associated Press 22 December ‘09

14 Reuters 17 November 2009 Africa agrees on secret climate damages demand http://www.reuters.com/article/homepageCrisis/id-USLH624029_CH_2400

15 China promises billions in aid, loans to Africa Associated Press 8 November 2009 http://www.msnbc.msn.com/id/33767221/ns/world_news-africa/ Pascal C. 2010. Global Warring how environment, economic and political crises will redraw the world map. Palgrave Macmillan:199.

16 Korea, Africa Share ‘Green Growth’ Vision Korean Times 24 November 2009 http://www.koreatimes.co.kr/www/news-nation/2009/11/113_56038.html

announced that they would collaborate on carbon capture and storage. This technology involves capturing carbon dioxide (CO₂) and storing it safely in geological structures. Norway will support the Carbon Capture and Storage Centre that has recently been established at the South African National Energy Research Institute.¹⁷ This is very important for South Africa's mitigation efforts because it is one of the top CO₂ emitters in the world. On 15 December 2009 Prime Minister Zenawi of Ethiopia was received as the head of the Africa Group delegation by the French President Sarkozy to discuss the forthcoming Summit in Copenhagen. They subsequently launched a joint appeal for an ambitious accord in Copenhagen¹⁸. This appeal was a new proposal for the negotiations with five key points: first, *halving CO₂-emissions by 2050 compared 1990*. The interesting evolution on this particular point is that Mr. Zenawi as the representative of the Africa Group, agreed that the most advanced developing countries needed to adopt ambitious low-carbon growth plans and actions aimed at yielding a significant deviation of CO₂-emissions, while maintaining the principle of common but differentiated responsibilities. This is remarkable because the very same principle is used by developing countries to argue that they have to be exempt from serious CO₂-emission cuts to not hinder their economic development. Second key point, *full transparency of commitments taken by developed countries and actions taken by developing countries*. This point in the appeal is noteworthy because China has been against such transparency from the very beginning and in order to receive the financial and political support of China the African Group was supposed to adhere to the objectives of the Chinese diplomacy. Third position is *the adoption of a "fast-start" fund of 10 billions a year, 2010, 2011 and 2012*. The fourth issue is *a strong commitment on long-term public financing based on developing countries needs beyond 2012*. One of the mechanisms put forward by President Sarkozy to finance this long-term commitment was a carbon border tax. However, the EU-commissioner-designate for trade Karel De Gucht clearly stated during his hearing in the European Parliament that he is against the idea of such a tax because it could start a trade war.¹⁹ If the European Commission

is not willing to take the lead on this initiative, it is very doubtful that it will ever see the light of day. Fifth and last point was *an ambitious reform of global governance* including the establishment of a World Environment Organisation to ensure that the environment, sustainable development and the fight against climate change remain high on the international agenda.

The result of this African international tour for financial and political support might seem positive for the AU, the African Group and individual African countries, but the African leaders have sent out mixed, if not conflicting signals. They accept China's financial and political support while issuing a joint appeal with France asking full transparency on actions of CO₂ reduction by developed countries and actions adopted by developing countries. This is surprising because transparency on actions taken by developing countries is a major issue for China because they see it as an intrusion of their sovereignty. Another example of a mixed signal of the African Group is asking developing countries to commit to ambitious low carbon growth plans and actions and at the same time asking for the recognition of the principle of common but differentiated responsibilities to argue that developing countries don't have to commit to CO₂ reduction targets. The sum of all obligations that come with these multilateral and bilateral agreements has weakened the Africa Group's position and that is exactly the opposite of what they set out to achieve according to the African Common Position.

On 16 December 2009 Ethiopian Prime Minister Meles Zenawi announced at a press conference alongside European Commission President Jose Manuel Barroso and Swedish Prime Minister Frederik Reinfeldt, that he would agree on a mix of both public and private cash amounting to \$100 billion annually to pay for adaptation to the effects of climate change and help countries move toward a green development path. Sudan's chief negotiator Lumumba Di-Aping, the chair of the G77 + China accused Mr. Zenawi of capitulating to rich country pressure and savaged the European Union, who he blamed for this latest development.²⁰ This was the end of the African Common Position negotiation strategy.

17 Jonas Gahr Støre, Norway, SA Need to Pool Climate Efforts 25 November 2009 <http://allafrica.com/stories/200911250214.html>

18 Joint appeal of France and Ethiopia, representing Africa, for an ambitious Copenhagen Accord Présidence de la République Service de Presse 15 December 2009

19 Brussels nominee warns on carbon border tax The Financial Times 13

January 2010

20 Africa lowers climate cash demands to boost Copenhagen deal chances EU-Observer 17 December 2009

Why did South Africa sign the Copenhagen Accord?

The third and final question this policy brief will address is why South Africa called the agreement it negotiated with the US, China and India unacceptable, but did not decline to be part of that deal. The UN suggested this agreement should be the basis for further negotiations that should result in a legally binding treaty in Mexico at the end of 2010. However, the new alliance between the BASIC countries – Brazil, South Africa, India and China – seems fragile. Only days after their agreement was reached they seem to have very different appreciations of their accomplishment. According to the Indian Minister for Environment Jairam Ramesh the major outcome of the conference was for the negotiations under the United Nations Framework Convention on Climate Change (UNFCCC) to continue to proceed in two tracks as set out in the Bali road map and will be completed at the end of 2010 in Mexico City.²¹ Chinese premier Wen Jiabao said it was a result that came from hard work on all sides, was accepted by all, didn't come easy and should be treasured²². He said China is willing to build on Copenhagen but warns that future negotiations will be tough because the right to development is key to the climate talks.²³ The Brazilian President Lula da Silva focused in his assessment on the historical responsibility of the US and the EU and that fact that the developed nations wanted to end the Kyoto Protocol but called the agreement a positive step forward.²⁴ South Africa's environment Minister Sonjica stated that the result of the negotiations was unacceptable but South Africa decided to stay to influence the process from within and thus not do another walkout as had been discussed between African leaders.²⁵

South Africa had additional motives to the ones mentioned above by their Minister for Environment. First, South Africa is seen as a major power in Africa and an anchor state in the

Southern African region.²⁶ It signed this deal to secure economic growth and energy provision. Since South Africa is responsible for 39% of the emissions on the African continent and is in the top 12 of carbon emitter's worldwide it needs to strike a delicate balance between mitigation efforts and economic growth.²⁷ An effective climate change policy in South Africa, that is no impediment to economic growth, needs a fundamental reorganisation of energy production and consumption patterns to become less reliant on coal as its primary energy source.²⁸ We will see how South Africa will deal with these challenges in the forthcoming Green paper in April 2010.²⁹ Second, South Africa wants to secure continued international investment and was a prominent member of the African delegations that were invited at the China and South Korea summits. Although the relations with China are not always straightforward because China has a firm grip on economic development in Southern Africa, it relies heavily on South Africa's non-fuel minerals like platinum and manganese.³⁰ Third, President Jacob Zuma put South Africa in the international spotlight as a member of the newly formed BASIC group, a gathering of emerging economies China, India and Brazil. The latter are emerging economic powers that wield considerable influence unilaterally and South Africa benefits from being part of this heavyweight collective that bolsters its global influence. Could this new alliance be the successor of the South-South cooperation between Brazil, India and South Africa IBSA?³¹ Since China emphasised development as being key to further negotiations it might be a possible

21 Minister: India Has Come Out Quite Well at Copenhagen The Wall Street Journal 22 December 2009

22 China treasures deal despite being cast as villain of piece The Financial Times 22 December 2009

23 China says "development right" key in climate talks Reuters 21 December 2009

24 Lula Criticizes Obama Once Again But Hails Cop-15 as Step in Right Direction Brazil Magazine 22 December 2009

25 South Africa blasts Copenhagen failure Associated Press 22 December 2009

26 Niemack A. The Challenges of Carbon Mitigation and Implications for South Africa in the post-2012 Context', in South African Yearbook of International Affairs. 2008/2009. Jan Smuts House Johannesburg: SAIIA, 2009

27 Chevalier R. Addressing Mitigation of and Adaptation to Climate Change in Sub-Saharan Africa While Meeting Development Goals in *South African Yearbook of International Affairs*. 2008/2009. Jan Smuts House Johannesburg: SAIIA, 2009

28 Masters L. The Road to Copenhagen: Climate Change, Energy and South Africa's Foreign Policy SAIIA Occasional Paper, No.47, October 2009

29 Niemack A. The Challenges of Carbon Mitigation and Implications for South Africa in the post-2012 Context', in South African Yearbook of International Affairs. 2008/2009. Jan Smuts House Johannesburg: SAIIA, 2009

30 South Africa (SA) produces 80% of platinum worldwide and holds 90% of the world's reserves. SA holds 75% of the world's reserves in manganese. It is also the second largest producer of gold in the world. Alden C., Alves C.A. China and Africa's Natural Resources: The Challenges and implications for Development and Governance SAIIA Occasional Paper, No.41, September 2009

31 White, L. IBSA Six Years On: Co-operation in a New Global Order SAIIA Policy Briefing, No.8, November 2009

scenario. An illustration of South Africa's use of this international stature for internal politics is the "January 8" statement of the ANC³². In the declaration the ANC reiterates that South Africa together with its counterparts in the developing world has contributed to progress made at the Climate Change Summit held in Copenhagen.

The accord reached at the Summit commits countries to work towards limiting the global temperatures below two degree Celsius, including mid-term mitigation targets and actions by developed and developing countries; reduction of emissions from deforestation and forest degradation; and support for the most vulnerable to cope with climate change. In this respect the accord, even though it is not ambitious enough, it is an important step in the right direction in so far as it commits countries to respond to climate change. As South Africans we will work hard with our international counterparts to ensure that the treaty is legally binding on all parties this year...The ANC will strengthen its partnership with like-minded organisations domestically and across the world to attain a globally shared vision that acknowledges that solving the climate change problem must take place in the context of: developmental priorities of food security, poverty eradication, energy security and promoting development.³³

These are some of the reasons why South Africa accepted to be part of the deal it negotiated with the US, China, Brazil and India despite the fact that their Environment Minister Sonjica called it unacceptable.

In conclusion: where was united Africa in the climate change negotiations?

From an African perspective the real political accomplishments weren't made in Copenhagen. The negotiations proved to be an excellent instrument for regional and domestic politics. South Africa confirmed its status as regional power

on the African continent and at home, it even obtained a new international status by becoming part of the BASIC group of emerging economies. Even if the African partners at the negotiating table did not get all they were asking for they stood up against the developed (and developing) countries and defended their ground. This is a very powerful image for regional and domestic use. Sudan's behavior during the negotiations can serve as a case in point: they accused Ethiopia and the EU of selling out Africa. It is unclear however why Sudan didn't support the deal Ethiopia was trying to make for the African Group. The fact that they observed the revolving presidency of the G77 + China group might be associated with their decision but the reasons behind this action remain unclear. Sudan's presence didn't go by unnoticed at the conference and that in itself was very important to them.

During the preparation for this summit the African Group gained international financial and political support. This might seem positive at first for the AU, the African Group and individual African countries but the sum of all the obligations that came with these multilateral and bilateral agreements has weakened the Africa Group's position. That is exactly the opposite of what they set out to achieve according to the African Common Position.

Despite the long process of preparation to come forward with an African common position the united front collapsed when concessions had to be made through internal strife. The African Group was considered a possibly influential force to be dealt with before the negotiations but ended up as an outsider on the few accomplishments of Copenhagen: the US\$ 100 billion per year by 2020 for adaptation and mitigation projects and "the achievement by lack of alternative" of maintaining the 2-track negotiations. This process was kept alive because the parties couldn't agree on the alternative. India and China quickly designated that as one of their achievements of the Copenhagen Summit.

Policy implications

- ♦ A policy aimed at climate change in Africa should be based on solid analysis of the specific issues facing African countries and regions that has to deal with climate change. Because climate change opens a new perspective on development basics like poverty eradication,

³² This statement marks the party's founding on January 8, 1912 and spells out the ANC priorities for 2010. It is one of the most important statements preceding President Zuma's State of the Union at the beginning of February.

³³ Statement of the National Executive Committee of The African National Congress on the occasion of the 98th anniversary of the ANC Galeshewe, January 8th, 2010 http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=6058:the-ancs-annual-qjanuary-8q-statement-&catid=54:Governance&Itemid=118

- governance, conflict management, and local and regional cooperation but also has (human) security implications. The future strategy combines development and security while assessing the possible impact of climate change on existing and new conflicts in specific African regions.
- ◆ There is a need for more in-depth analysis of the decision making processes to uncover the drivers and dynamics within the African Union and African regional institutions. Especially since there are potential differences of interest between oil-producing countries, different (sub-) regions, middle-income countries, HIPC's. What are the factors of consensus and divergence in the African institutional decision making processes?
 - ◆ This analysis of the African institutional decision making processes could be beneficial for EU-Africa Partnership's common agenda activities to help them orientate the enhancement capacities of African negotiators.
 - ◆ Policy makers and the donor community should be aware of the possibility of political (ab)use of climate change by political elites to avoid their responsibilities on issues like: good governance, poverty eradication and capacity building.
 - ◆ The newly formed BASIC group composed of Brazil, South Africa, India and China should be followed closely to see what their potential influence on a future climate agreement could be. In addition the actual weight of South Africa's as a partner in this group should be evaluated.

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