CLIMATE NEGOTIATIONS BUENOS AIRES DECEMBER '04 NGO NEWSLETTER

eco

16 DECEMBER MINISTERS ISSUE

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Open Letter to Ministers at COP10

Dear Ministers,

Before your Round Table discussions this morning, ECO would like to share with you its thoughts on some of the key themes at this COP. Or at least the themes that SHOULD be the key items under discussion here in Buenos Aires. If ECO were "Minister for a day," this is what we would say:

"Let us always keep in the front of our minds the over-riding objective of this process. It is to fulfill the obligations of all countries signatory to the UNFCCC to avoid 'dangerous human interference' with the climate system. And to do that, global mean temperature rise must be kept well below 2 degrees Celsius (2ºC) above pre-industrial levels. All of our efforts should be gauged against the extent to which they help us meet that goal.

"We should all work together on a framework for a post-2012 architecture, based on three tracks:

- For the industrialised countries: keeping on the Kyoto track, with deeper absolute and mandatory caps;
- For rapidly industrialising countries: a decarbonisation track which meets development goals with lower carbon technologies;
- For developing countries, especially least developed countries (LDCs) and small island developing states (SIDS): an adaptation track which will assist in creating the conditions for sustainable development in a changing climate."

Adaptation

"Adaptation has been prioritised at this COP because the impacts of climate change are already being felt by the most vulnerable people, primarily from SIDS and LDCs. The industrialised countries have a moral as well as a political obligation to help those countries cope with the increased floods, droughts, extreme weather events and other early manifestations of human induced climate change. We must conclude a substantial Adaptation Plan of Action with adequate resources."

Mitigation

"In order to have a reasonable chance of staying below 2ºC global mean temperature rise, industrialised countries must first of all meet their Kyoto Protocol targets, and then take the lead and agree to dramatic emissions reductions in the post-2012 period, on the order of 30 percent by 2020, and 60 to 80 percent by mid-century. Strong national and regional policies on cap and trade, energy efficiency and renewable energy must be implemented now to establish a clear, long term policy framework to give both direction and confidence to the private sector that this is where we are going."

Technology

"In addition to policy, technology development and diffusion will be key to meeting our goals. Our first priority must be to deploy existing energy efficiency technologies while at the same time maximising the support and diffusion of existing commercially viable and market-ready renewable energy technologies.

"We must commit ourselves to redirect the massive subsidies currently received by the fossil fuel and nuclear industries to sustainable energy systems, and devote major efforts to transforming transportation technology and infrastructure to meet our needs in a carbon-constrained world.

"The industrialised countries must provide the financial support to ensure that industrialising countries can follow a less carbon-intensive development path. Only by showing this commitment and helping to bring down the costs of low-carbon technology can we expect major industrialising countries to join the global regime."

Conclusion

"We celebrate the entry into force of the Kyoto Protocol, and pledge ourselves to continue on this track, while at the same time developing new means for providing for the adaptation needs of the most vulnerable communities; and a fair and effective technology track which provides the framework for sustainable development on a low carbon path."

Climate Change in the Courts

This is a busy week for climate change in the courts. The Inuit´s announcement last night of their human rights initiative brings to 10 the number of climate change cases around the world, covering seven countries in both the North and the South. And tomorrow in Washington DC, delivery of final briefs from all sides is due in the case against the US Environmental Protection Agency for not regulating greenhouse gases under the Clean Air Act.

A boost to climate cases was given by the recent paper in Nature (Stott, et al.), showing that human influence at least doubled the risk of last year's Europe-wide heatwave. Fourteen thousand deaths in France is no trifle. When people are killed as a result of human behaviour, it is reasonable to expect the law to have something to say about it.

An exciting aspect of the cases is the increasing range of legal theories being used by different organisations – 14 US States, 5 US cities, American Samoa, 29 NGOs and individuals – mostly in collaboration, alongside the positive response of the courts. The legal relevance of climate change has now been accepted by US and Australian judges where decisions leading to more coal mining and electricity transmission were found to be illegal. And a Californian appeals judge has rejected the idea that "injury to all is injury to none" where "global environmental impact is threatened by a federal statutory wrong".

It is unfair and unnecessary for communities in developing countries to remain the passive victims of damaging corporate activities and of inadequate government response. Last month, the impact of climate change on some of the world's unique and irreplaceable areas was highlighted by petitions from three developing countries – Belize, Nepal and Peru – to the UNESCO World Heritage Committee in Paris. The petitions ask the Committee urgently to place world heritage glaciers in Peru and Nepal (including Mount Everest), and coral reefs in Belize, on the UNESCO Danger List as a result of climate change. Melting glaciers swell glacial lakes and if these burst, massive damage would be caused.

But these floods are entirely preventable if we act now. Programmes for corrective measures must be drawn up addressing the causes and impacts. UNESCO cannot pass this off to the UNFCCC.

Meanwhile, here in Argentina, citizens have innovatively and successfully used the Acción Informativa mechanism alongside Article 6 of the Convention, exposing the failure of the government to take feasible action to prevent the foreseeable deaths and serious damage from last year´s Santa Fe floods. And now we have the first civil law action brought in July by eight US states, New York city and NGOs against the five main US power companies, arguing for a court order to compel them to reduce their emissions of carbon dioxide.

The problem of litigation like this for decision-makers at national levels is that it throws an unwelcomed force into the dynamics of policy formation and implementation. But that is the price of participatory democracy, and for as long as the Convention and Kyoto Protocol processes fail to deliver the deep cuts necessary. With regard to ensuring compensation to those facing damage, the judges will be asked to sort it out.

Tango in Rubber Boots

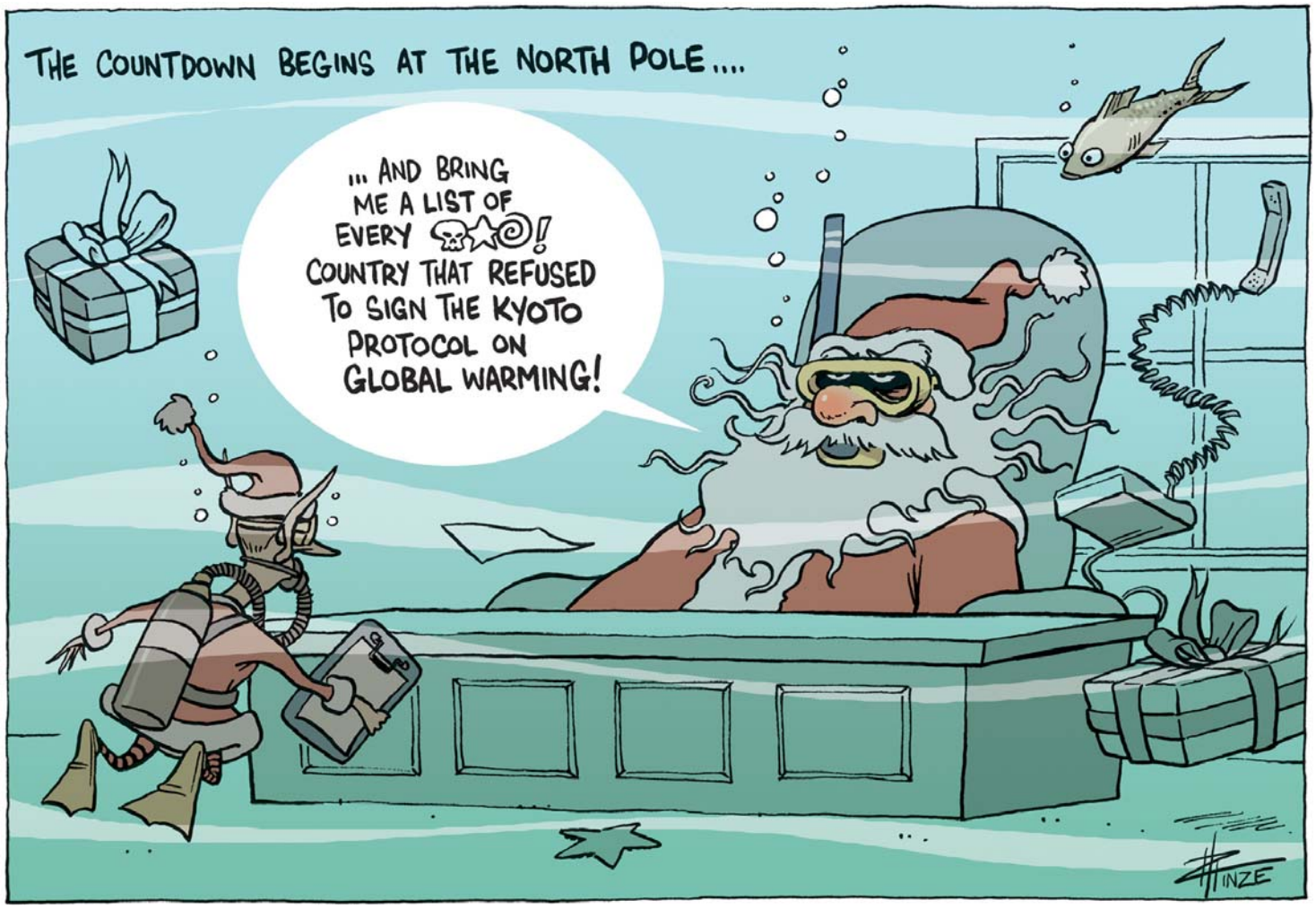
Tango dancers were seen yesterday at the Convention Centre trying to exhibit their fine skills while wearing rubber boots, in preparation for the eventuality of rising sea levels.
But they were simply not good enough. The easier option would be to cut carbon dioxide emissions now! There is no other way out to cope with global warming. No rubber boot will be big enough if we continue to leave it unchecked.

Argentina Votes on Nuclear Agreement

Argentine President Nestor Carlos Kirchner's defence of the Kyoto Protocol, and comments on the need to increase the use of renewable energy, improve energy efficiency and protect Argentina's native forests are welcomed.

These statements now need to be translated into concrete actions by the sections of government responsible for these areas, as coordination so far within the government on environmental issues has been poor.

One worrying example is the rapid re-emergence yesterday in the Argentine parliament, at the very moment President Kirchner was giving his speech, of the controversial Nuclear Agreement with Australia. This proposed treaty will allow the entry of nuclear waste into Argentina, which is expressly prohibited by Article 41 of the National Constitution. The Agreement, which a coalition of more than 300 local NGOs have opposed for over three years, looks set to be voted on during today's parliamentary session.



Good Vibes From New York

At a meeting on climate change at New York University (NYU) on December 6, former US President Bill Clinton told the audience "the most important thing you can do is something, anything" to cut greenhouse gases. He added that if the US wants to be seen as a "positive force" in the world, it must credibly address climate change.

Prior to these comments, Senator Lieberman stated that with "the unfortunate events of November 2" just a month behind us, this meeting was a chance to forge ahead.

The William J. Clinton Presidential Foundation organised the day-long meeting on the theme "New Thinking on Energy Policy: Meeting the Challenges of Security, Development and Climate Change."

It was attended by a mix of academics, industrialists, NGO representatives and NYU students.

Discussion panels included Senator Joe Lieberman, Dr RK Patchauri of the Intergovernmental Panel on Climate Change, World Bank President James Wolfensohn, and UK member of parliament and co-chair of the International Taskforce on Climate Change, Mr Stephen Byers, among others.

President Clinton also mentioned his wife Senator Hillary Clinton's visit to the glaciers of Norway this summer with Republican Senator McCain and others as evidence that climate change was a bipartisan concern.

The message of the day was consistent and clear: Climate change is the issue that will define the 21st century, and linkages were made to security and development. Recent weather disasters including the winter typhoon ravaging the Philippines and Taiwan were discussed. Participants cited growing concern among the public over weather gone out of control and the demand for strong leadership that was missing.

Mr Byers suggested the "happy coincidence" between solutions to national energy security and climate change, stating that public concern about energy security could be used to bolster support for climate action. Dr Patchuari suggested "we" had not done enough to sensitise the public to the impacts that are already upon us, and those that will come. He also noted the lack of social scientists working on climate change.

Senator Lieberman pointed out the convergence of "practical pressures" on the US of Russian ratification, EU action on carbon and the growing "visible impacts" of climate change.

Invoking precaution, Lieberman said: "This is the test of leadership…can we act before the worst consequences of our behaviour is visible."

There was broad consensus among participants that the US economy needs a strong price and a carbon cap to kickstart the energy revolution. This was raised moments after President Clinton stated he had spent precious political capital and lost control of Congress in part over his British thermal unit

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Promote Sustainable Bioenergy

As Ministers meet today to discuss technologies to tackle climate change, they must discuss how to further develop bioenergy and not waste time on technology such as nuclear power which are costly and unsustainable.

Bioenergy from agriculture and forestry represents one major solution to climate change. By utilising modern and efficient technologies, sustainable biomass fuels offer a source of climate friendly energy that can gradually replace fossil and nuclear fuels in many parts of the world.

The Brazilian Ethanol Program remains to date the largest commercial application of biomass for liquid biofuels production. Biogas is a well-established fuel for cooking and lighting in countries such as China and Thailand. In the northeast, southeast and west coast regions of the US alone, the biomass industry has already provided about 70,000 jobs, while in Europe, Sweden is supplying 20 percent of its energy from biomass.

According to a recent report entitled "Biopower Switch" by WWF and the European Biomass Association (AEBIOM), CO_2 emissions could be further significantly cut if OECD countries used more woody biomass, instead of coal, to generate electricity. It indicates that this could reduce emissions of CO_2, the main global warming gas, by about 1,000 million tonnes each year – a figure equivalent to the combined annual emissions of Canada and Italy. The report also says that biomass provides a cost effective and carbon-neutral source of energy that could provide 15 percent (from the current 1 percent) of the electricity demand from industrialised countries by 2020. It could supply power to 100 million homes, is equivalent to replacing about 400 traditional large power stations, and can create up to 400,000 jobs by 2020. The report further shows that the substantial increase of biomass for clean power production would require less than 2 percent of land from industrialised countries and will not compete with food production and nature conservation.

To realise this potential, however, strong and clear policy signals are required that reward superior environmental attributes of modern bioenergy as part of a low-carbon energy future. ECO calls for firm commitments towards increasing the share of renewable energy, including biomass, at national and international levels. This needs to be accompanied by the development and enforcement of social and environmental standards to ensure that biomass fuels are produced in sustainable way. This is necessary to ensure that biomass is not derived from unsustainable sources such as existing forests or agricultural crops with high fossil energy inputs. Bioenergy is a key technology to fight climate change and deliver economic and social benefits. Today, ministers must focus on how to scale up its worldwide development.

"Fossil of the Day" Award

India was awarded the top fossil yesterday for suggesting that the negotiations on the Seminars be based on the completely unacceptable US text and for allying itself closely with Saudi Arabia – one of the world's biggest polluters and oil exporters – instead of the millions of poor who will suffer the impacts of climate change.

Russia was awarded the second fossil for its delegate Michael Gytarski's counter-productive position on SBSTA on Tuesday which led to the suspension of all negotiations. It is a great disappointment that such a key country as Russia, which has finally ratified the Kyoto Protocol, is just following Saudi Arabia and other OPEC countries which have not ratified the Protocol. President Putin and Russian ministries have highlighted the political and economic importance of the Protocol. Why is Russia's representative at COP 10 not following suit.

– Good Vibes, from third page –

(BTU) proposal and his push for a modest gasoline tax.

Nonetheless, hope was found in the McCain-Lieberman legislative push, with Leiberman citing a growing and diverse coalition of support including the faith community. He said: "The earth is a faith-based initiative."

Inuit Action is Based on Self Protection

Inuit Circumpolar Conference (ICC) elected chair, Ms Sheila Watt-Cloutier, yesterday laid out in clear terms the danger global warming poses for the Inuit. Dangerous impacts they are already experiencing include: the stress on wildlife; the economic damage from collapsing buildings and melting ice roads; and the loss of life when hunters fall through ice that is no longer treadable or try to ford torrents that were once small streams.

To protect themselves, the Inuit believed they had to take appropriate actions. One was to seek an amendment to the UNFCCC acknowledging the particular dangers of global warming to Arctic people. Another was a plan to file a petition with the Organization of American States seeking to have the harm caused by global warming declared a human rights violation.

Ms Watt-Cloutier was speaking at a side event jointly organised by ICC and the Center for International Environmental Law. United Nations Environment Programme executive director, Klaus Toepfer, was a panelist at this event. In his presentation, Mr Topfer said he had witnessed the disastrous impact of global warming first hand during a visit to the Arctic. He noted that the foundation of the Inuit culture was literally ¨melting away.¨

During question time Ms Watt-Cloutier was subjected to attacks from two representatives of CEI, a far right Washington think tank. They asked her whether, as owners of land in the Alaska National Wildlife Refuge, the Inuit consider it a violation of the US Constitution and human rights law that the government currently prohibits drilling. The response was that it was neither.

Another question was why the Inuit did not sue under US tort law. The answer given was that they were not seeking to litigate the issue at this time, but to petition for a simple declaration that their human rights have been violated. They also pointed out that the cost of such a suit was far beyond their means.

ICC posters were defaced prior to the event.

THANKS

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