DISCUSSION SUMMARY
WORKING GROUP: INTERNATIONAL CLIMATE POLICY
BEFORE COP 17

Sebastian Oberthür¹

Discussions in the working group were led by a panel composed of five distinguished speakers: Lavanya Rajamani of the Centre for Policy Research (India), Daniel Bodansky of Arizona State University (USA), Jacqueline Peel of Melbourne Law School (Australia), Marc Pallemaerts of the University of Amsterdam (the Netherlands), and Dirk Messner of the German Development Institute (Germany). On the eve of the 17th Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, discussions focused on two core themes: (1) the future of the Kyoto Protocol and (2) the respective merits of top-down versus bottom-up approaches. They proceeded against the backdrop of a widening gap between what science tells us would be required to prevent ‘dangerous anthropogenic interference with the climate system’ in accordance with Article 2 of the UNFCCC and what is happening in reality.

After the preceding keynote speeches by Bodansky and Messner, the first two panel contributions by Rajamani and Peel focused on national-level action in and positions of India and Australia, respectively. Rajamani started by referring to the overall policy context which forms the background for Indian climate politics. Thus, India is placed 134th on the Human Development Index and 44% of its population, i.e. 500 million people, do not have access to electricity. India’s current annual growth rate is 8–9%; in order to sustain 8% annual growth through 2031, India would need to increase its energy supply 3–4-fold. At the same time, per capita emissions in 2007 were still relatively low at 1.5 tonnes and India is facing serious impacts of climate change; in the words of the former environment minister of India Ramesh: ‘no country in the world is as vulnerable as India’. Rajamani then presented the key requests of India in

¹ Prof. Dr. Sebastian Oberthür, Vrije Universiteit Brussel, Institute for European Studies, Belgium.
the international negotiations, including respect for the principle of ‘common but differentiated responsibilities’, retaining the ‘firewall’ between developed and developing countries and continuing the Kyoto Protocol. According to India, action by developing countries shall differ from those of developed countries in terms of their legal form as well as their character and stringency. India would agree to a long-term quantitative global goal or peaking year, but only if there was agreement on equitable access to sustainable development (i.e. on an international burden sharing basis). No country should enact unilateral trade measures against other countries on climate grounds. Regarding a new legally binding instrument, India is rather resistant, emphasising that substance should come before form. Finally, Rajamani stressed that India had made important strides internationally as well as domestically to address climate change. She pointed out that India had agreed to a greater level of transparency. While India had so far only submitted one ‘National Communication’ to the UNFCCC, it will from now on, as stipulated in the Cancun Agreements, submit a National Communication every four years with additional biennial updates. Agreeing to ‘international consultation and analysis’ of domestic climate action was also a great step for India. In terms of domestic climate policy, Rajamani held that a number of measures including eight so-called ‘national missions’ (among others, for solar energy, energy efficiency, and forests) and a recently announced carbon tax of 1 US$ per tonne of coal demonstrated that India is truly committed to the cause of climate protection. Overall, Rajamani argued that India has become an important deal-maker in the international arena.

Peel subsequently presented her Australian perspective and in particular cautiously hypothesised that Australia might evolve from a climate laggard to a reluctant pioneer. She presented proposed legislation before the Australian Parliament (and adopted later in 2012, subsequent to the discussion in the working group). It especially foresees the establishment of a national carbon trading scheme. For the first three years, the carbon price would be fixed (at 23 Australian Dollars) and thus equal a carbon tax. Subsequently, the system would be up-scaled into a full emissions trading scheme. The current Australian target is for a 5% reduction of greenhouse gas emissions below 2000 levels by 2020, with the possibility of a strengthening of this target. Peel highlighted the massive public debate surrounding climate policy, including public demonstrations against a carbon tax. She furthermore pointed to Australia being a country that is both very vulnerable and contributing to climate change. On the one hand, Australia has recently experienced several extreme weather