

# **How can the objectives of justice, development and climate change mitigation be reconciled in the treatment of developing countries in a post-Kyoto settlement?**

A Background Paper for the Discussion Group on Developing Countries and a post-Kyoto Global Deal at the DSA-DFID Policy Forum on Climate Change and International Development

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## **INTRODUCTION**

This background paper seeks to provide an overview of the key concepts and issues on the links between justice, development and climate change mitigation and how these objectives might be reconciled in the treatment of developing countries in a post-Kyoto climate regime. The specific aim is to familiarize participants in the DSA-DFID discussion forum with research, theories and practice knowledge on this topic and by doing so, to facilitate insightful discussions in the forum. The paper is divided into three sections. The three section headings represent the questions that would form the basis of discussions in the group. The first section sketches the broad links between justice, development and climate change mitigation. The second section considers how these objectives are currently reconciled in the existing international climate change governance arrangement – the United Nations Framework Convention on Climate Change (UNFCCC) and its related Kyoto Protocol. The section also identifies some of the perceived strengths and weakness of such provisions and programs. The third section attempts to provide a summary of possible alternatives and ways forward in a post-Kyoto climate deal. The paper is essentially synthesis information from literature and policy discussions and thus leaves out much of the richness and detail on the topic. A list of sources is provided at the end of the paper for those who may wish to acquaint themselves with more detail on the topic.

### **1. What are the Links between Justice, Development and Climate Change Mitigation?**

Climate change, development and justice are inextricably linked. Dangerous climate change is known to result largely from the process of industrial economic development. However, the prevalence of uneven global development has meant that there is extreme imbalance in both the distribution and the ability of countries to cope with the negative impacts of climate change. Climate change is therefore fundamentally an issue of (in) justice since it mainly involves the rich (the main beneficiaries from and more culpable for climate change) imposing risks upon the poor (those least responsible and most vulnerable to the damages and risk associated with it) (Grasso 2007; Grubb 1995). Some of the well-rehearsed poverty related climate effects include increase in frequency and severity of extreme climate events, reduced crop yield which give rise to food insecurity,

lower incomes and scant economic growth, the displacement of poor from coastal areas and exposure to new health risks (Richards 2003, Adger et al 2006).

The international community, for several years, has grappled with the dauntingly complicated task of helping poor nations and communities break away from the traps of poverty with several billions of dollars spent in the process. There is a real danger, however, that climate change could wipe out decades of international development efforts, and also result in further limiting the resources available to developed countries to help fight poverty and underdevelopment (Washington et al 2006). Developing countries have since frequently asserted a desire (and even a right) to development and what they see as the duty of developed countries in helping them fulfill this aspiration (see NIEO; Declaration; Agenda 21; Principle 2 of Rio Declaration). However, whilst pursuing large-scale international development could be envisaged as a plausible approach to addressing global poverty and issues of international injustice, such a program could further exacerbate the problem of climate change given, as mentioned, the strong link between development and greenhouse gas emissions. On the other hand, it has been argued that poverty could contribute greatly to environmental stress and climate change which itself leads to increasing levels of poverty and underdevelopment (the so-called poverty trap). A well known example is the relationship between poverty, population growth and deforestation in developing countries (WCED 1987:13).

It would seem that the imperative for global climate change mitigation does open up interesting opportunities to unite the objectives of justice, development and climate stabilization through innovative “bundling-up” initiatives and programs. However, the search for and the familiar horrendously complex and slow process of agreeing such bundling-up programs could well possibly delay efforts to stabilize global greenhouse gas emissions. If such stalemate lingers, the poor would still be the ones to suffer the most as they would be the hardest hit by the consequences of delayed global response to climate change. This has led to suggestions that the world should pay less attention to justice and development and get on with the more urgent task of stabilizing global greenhouse gas emissions (Susskind and Ozawa 1990:1).

The following are the five broad themes/questions that reflect concerns about how to link or reconcile the objectives of justice, development and climate mitigation within the international climate regime (Ott et al. 2004; Pew Center. 2003; Shue 1993).

**Mitigation and burden sharing:** Given that stabilizing global atmospheric greenhouse gas concentrations would require substantial sacrifice from both the developed and the developing countries; how should the international community best coordinate its response efforts to achieve maximum mitigation equitably and without compromising the development needs of the poor?

**Adaptation:** COP-13 last year adopted an Adaptation Fund to channel proceeds from a 2% levy on projects from the Kyoto Protocol’s CDM to developing countries. It is likely far from enough to meet adaptation needs and so additional sources of financial aid will

be required. How could a global climate deal best provide the means to reconcile the objectives of increasing resilience, development, and climate mitigation?

**Participation:** How can effective participation by developing countries be best ensured in order to increase the chances of agreeing a just and broadly acceptable global climate regime?

**Systemic injustice:** How much of vulnerability to climate change is due to background injustice and what are the options for addressing these issues through or in conjunction with the climate regime?

**Long-term caps on greenhouse gas emissions:** Beyond any short or medium term measures adopted to ratchet-up an international climate agreement; what is the way to allocate emissions of greenhouse gas over the long run that would best attend to the needs of developing countries?

**Intra-national equity:** Given that the inequity between the north and south is also mirrored within countries, how could the international climate regime policies be designed to address not only climate and development related injustices between but also within countries?

The difficulty in addressing the above challenges are underpinned and further complicated by the following: (a) that whilst it is generally accepted that the international climate regime has to be just to be acceptable, there are different and often conflicting ideas of what justice means and how the objective may be achieved; (b) development is generally considered desirable but is indeterminate; (c) the “developing country” badge masks a lot of differences within non-Annex I countries; (d) the state-based structure of the international and the norms associated with it limits options for addressing issues of justice and development.

## **2. How is the need to link the objectives of justice, development and climate mitigation addressed in the current global climate deal?**

Despite the aforementioned complexities, the existing global climate arrangement through its statements, provisions and programs, recognizes and attempts to reconcile the objectives of justice, development and climate mitigation. In both the UNFCCC and its related Kyoto Protocol, it is recognized that the protection of the global climate system must proceed on the basis of equity and the common but differentiated responsibility principle. It is also acknowledged in several places in the Framework Convention that climate stabilization measures must be such that do not jeopardize, or indeed, promote development and economic growth. These statements have been backed up by a number of policies and programs, the most significant of which include:

(i) Division of countries into Annex I and non-Annex I countries and the subsequent exemption of non-Annex I countries from quantified emission reduction targets in the 1997 Kyoto deal.

(ii) Establishing articles and mechanisms for technology and financial and transfers from developed to developing countries.

(iii) Establishing articles and mechanisms for developed countries to assist developing countries in capacity building, reporting, and adaptation.

(iv) The establishment of a number of funds to assist developing countries in responding to the threat of climate change. Such funds include the Special Climate Change Fund, the Least Developing Countries Fund, and the Adaptation Fund.

(v) The establishment of the clean development mechanism (CDM).

Some of these measures, especially the CDM have proven extremely popular amongst both developed and developing country parties. However, there are still strong reasons to suggest that they have not delivered to the extent originally intended. There are three broad lines of criticisms found in literature and policy discussions.

The first relates to the feeling that most of these provisions and programs are incremental and marginal. Many have suggested that these initiatives are not radical enough; that they involve merely handouts and seem to be undertaken in the spirit of aid, help and compassion rather than justice, responsibility and obligations (Athanasίου and Bear 2003). The main evidence often adduced in support of this argument are: (i) that most of these previous are voluntaristic rather than binding; (ii) that they often lack enough definitional clarity and hence are difficult to operationalize; and (iii) that they are often inserted in the declaratory rather than the legally binding sections of the regime documents. The second main line of criticism is the argument that majority of the “bundling” initiatives are actually styled to be consistent, indeed, to promote the kind of economic ideas and structure and that is responsible for climate change, injustice and underdevelopment in the first place (Lohman 2006). The implication is that in some cases these programs tend to reinforce the pattern of injustice, domination and underdevelopment which they were intended to tackle (Bachram 2005). The third is that the programs are fragmented, poorly coordinated and exceedingly steeped in bureaucratic procedures. This is said to result in the most vulnerable and needy being unable to access the help and/ or resources which such programs were originally intended to provide (Adger et al. 2006). Related to this is the argument that many of such programs are top down and insensitive to local contexts, value and socioeconomic, political and cultural conditions.

### **3. What are the options for the way forward?**

Whilst arguments against current initiatives aimed at bundling equity, development and climate mitigation as often incisive, suggestions on how to make them better are not always as clear and articulate. It is partly for this reason that the north-south dialogue seems to have been going round in circles for over three decades or so now. Some have however suggested that the main reason for lack of progress is not so much due to lack of

ideas, but that the commitment to the neoliberal economic idea and structure severely limits the space and options available for pursuing these desired objectives (Lohman 2006).

Nevertheless, there are still some basic suggestions for the way forward that can be gleaned from the literature and policy discussions. These revolve around the following ideas and concepts. The first is the need for further differentiation among developing countries. The current system of bargaining developing countries under one large umbrella is thus seen to be dated and unhelpful (Ott et al. 2004). The main challenge relates to deciding what criteria to be used for such differentiation - with vulnerability to climate change, Human Development Index, GDP, and geographic location all receiving some mention. The second main suggestion is that the international community should set up a climate justice and development trust fund that would serve as a central pool for the funding of development projects in developing countries. This fund, as suggested, might be structured to function along the lines of insurance mechanisms providing means through which countries could be helped to mitigate the risk or adapt to the adverse effects of climate change. The third body of ideas is a set of proposals that looks to link the climate change arrangements more tightly with other global regimes such as trade, agriculture and biodiversity and treat the objectives of equity and development within these regimes as a single package (Bradnee ed. 2001; Harro van, Gupta, and Biermann 2005). The main benefit as said is that such deals might facilitate synergy and pulling of resources. The main concern, however, is that such packages may be too big and difficult to broker or manage.

On the other hand, some have suggested that the objectives of equity, development and climate mitigation might be best served if the current regime was scrapped and replaced with a number of issue specific agreement such as a global emission trading scheme with facilities designed to specifically benefit the developing countries; a global technology agreement which addresses the issue of intellectual property rights in ways that make it much easier for the developing countries than it currently is to gain access to technology (Buchner and Carraro 2005). The fifth and last is the body of thought that seeks greater private sector involvement in delivering the objectives of development and climate mitigation based on strategic investments and supply chain management. Some suggestions of course entail a combination of two or more of these approaches in one form or the other.

### **Summary and Order of Discussion**

The background paper has highlighted some links between justice, development and climate mitigation; how these are reconciled in the existing regime and what options there are for progress in the post-2012 regime. No attempt has been made to be exhaustive. Rather, the aim is to set out some of the key ideas and provide a basis for further thinking on this topic. As mentioned, discussions in the group will be structured around the following questions:

1. What are the links between justice, development and climate change mitigation?

2. How is the need to link the objectives of justice, development and climate mitigation addressed in current global climate deal?

3. What are the options for moving forward in post- Kyoto Deal?

With the increasing manifestation of the adverse effects of climate change, continued population growth, global food shortage and the rapid industrialization of some developing countries such as China and India, it is almost inevitable that the topic of addressing equity, development and climate mitigation in a combined fashion will be one of the most significant in the post-Kyoto settlement. However, whether and how this would be resolved would depend in part on the collective imaginative thinking of scholars and practitioners. The hope is that this discussion group will contribute to further understanding and mapping the possible ways forward.

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