



By Robert N. Stavins

The Path Forward for Climate Talks

For the time being, the most important product of the December meeting of the Fifteenth Conference of the Parties of the United Nations Framework Convention on Climate Change is the Copenhagen Accord. But in the long term, another outcome of the talks may prove to be more consequential: the decreased credibility of the UNFCCC as the major institutional venue for international climate policy negotiation and implementation. The two weeks of COP-15 illustrated four specific problems.

First, the UNFCCC process involves too many countries — about 196 at last count — to allow anything of real significance to be achieved. What is particularly striking about involving nearly two hundred parties in the discussion of international climate change policy is the reality that just 20 of them account for about 90 percent of global emissions.

The second problem is that the UN culture tends to polarize many discussions into two factions: the developed world versus the developing world. This is troubling, because the world is much more complicated and diverse than such a dichotomous distinction suggests. Clearly, emerging economies such as China, India, Brazil, South Korea, Mexico, and South Africa have more in common — along some key dimensions — with some countries in the so-called developed world than

they do with the poorest developing countries, such as those of sub-Saharan Africa.

The third problem is that the voting rules of the UNFCCC process require consensus for nearly all decisions. It was lack of such unanimity that resulted in the conference's not "adopting" the Copenhagen Accord, but rather "noting" it. After all, only 190 of 196 countries supported it. Six nations threatened to vote in opposition, ironically accusing the 190 of "undemocratic procedures": Bolivia, Cuba, Nicaragua, Sudan, Tuvalu, and Venezuela.

Fourth and finally, the UNFCCC leadership in Copenhagen was problematic, not only administratively, but substantively as well, according to delegates from a diverse set of countries. (It should also be acknowledged that some responsibility for the problematic leadership of COP-15 — both administratively and substantively — rests with the Danish presidency of the conference.)

Given these problems, is the UNFCCC the best institutional venue for productive negotiations and action on global climate change policy? At a minimum, should it be the sole venue? Most importantly, what are the plausible alternatives?

One promising arena was initiated in 2007 by the Bush administration as the Major Emitter Meetings — the "MEM process." The Obama administration recognized that this was a promising approach, adopted it, changed its name to the Major Economies Forum on Energy and Climate, and continued the process, now commonly referred to as the "MEF." Several meetings have taken place — in Washington, Paris, and Mexico City — bringing together Australia, Brazil, Canada, China, the European Union, France, Germany, India, Indonesia, Italy, Japan, South Korea, Mexico, Russia, South Africa, the United Kingdom, and the United States. Those 17 countries and regions account for about 90 percent of global emissions.

Another conceivable institutional venue would be the G-20, the "Group of Twenty Finance Ministers and Central Bank Governors," established in 1999 to bring together the leading industrialized and developing economies to discuss key international issues. They recently turned their attention to climate change policy (in Pittsburgh in September). The make-up of this group is similar to that of the MEF, but not identical.

There are other conceivable multilateral negotiations that could be convened, as well as bilateral approaches, including, of course, talks between China and the United States.

However, anyone who predicts the death of the UNFCCC is probably letting their hopes infect their expectations. It is simply much too soon for obituaries to be written for this quite durable institution. The Kyoto Protocol continues at least until the end of

its first commitment period, that is, through 2012. The Clean Development Mechanism and annual national reporting functions (such as those that are key parts of the Copenhagen Accord)

are likely to work through the United Nations, most likely the UNFCCC.

Also, the UNFCCC has a very large constituency of support, including most, if not all, of the G-77 group of developing countries, which numbers much closer to 140. In addition, the UNFCCC has significant international legitimacy, and could be valuable for implementation, no matter what the venue may be for negotiation.

All in all, there are many questions that need to be addressed before anyone can identify the best institutional venue for international climate action.

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