

Leaked Danish draft could violate charter

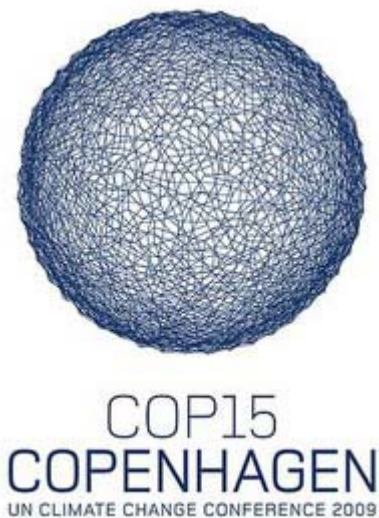
Parliament must first approve any agreement

- Published: 12/12/2009 at 12:00 AM
- Newspaper section: [News](#)

COPENHAGEN : Thai global warming experts will make recommendations to the government on how they say it should respond to the Danish government's leaked draft agreement on climate change.

Developing countries were outraged by the leaked draft of Denmark's *Adoption of the Copenhagen Agreement* which has been circulated at the climate change summit over the past few days.

They said the text outlined an unfair deal for the world's poorer nations.



The Thai climate change experts said the adoption of the draft agreement by the government would violate Section 190 of the constitution which requires all international agreements involving issues of sovereignty be approved by parliament.

According to the group's initial analysis, the draft, which contains a comprehensive legal framework on tackling climate change, would become effective immediately if the relevant parties adopt the agreement.

A group of expert climate change negotiators and activists has been working on a response to the draft recommendations which it will propose to Prime Minister Abhisit Vejjajiva's staff for consideration, said Buntoon Srethasirote, coordinator of MEAswatch, a state-sponsored project monitoring multilateral environmental agreements and climate change strategy.

Mr Abhisit will attend the last two days of the Copenhagen summit from Dec 17-18.

G77 plus China, the largest bloc of developing countries, reiterated its stance not to accept the draft, saying it was "extremely dangerous for developing countries."

"It [the draft agreement] is a total violation of [the negotiation's principles of] transparency and openness ... It [would] destroy the balanced obligations between developing countries and industrialised countries, and reject the common but differentiated and respective responsibilities," G77 spokesman Lumumba Stanislaus Di-Aping, also a Sudanese negotiator, said on Thursday.

Mr Di-Aping said the bloc would not sign any deal that it considers to be inequitable.

G77 views the draft as paving the way for a new treaty where developing countries would have to cut their greenhouse gas emissions more than industrialised nations would - a move which major developing countries said would effectively kill the Kyoto Protocol.

The Kyoto Protocol, which was enacted in 2005, committed at least 37 major industrialised countries to cut their greenhouse gas emissions by pre-determined amounts. Developing countries were not required to make any such commitments.

But UN climate chief Yvo de Boer defended the Danish government's draft agreement, saying it was informally circulated among various groups for advance consultation and that it should not necessarily be viewed as part of any formal negotiations.

He said proposals from various countries are generally circulated during a climate change conference.

"A number of countries are nervous about the text because they view that it is unbalanced. It has never been tabled in a formal way," said Mr de Boer.

Oxfam International climate adviser Antonio Hill said the Danish proposal must not distract delegates from the job at hand.

"With just a handful of days to go before a deal is signed all countries need to focus their efforts on the official process which offers the best chance of a fair, ambitious and binding deal," Mr Hill said.

About the author



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From: Piyaporn Wongrueng
Sent: Monday, December 07, 2009 8:07 PM
To: newsdesk
Cc: Sonchai Nokeplub
Subject: FW: news report from Copen ka/koi

Piyaporn Wongruang

The head of the UN scientific body assessing climate change impacts rebuked those hacking some emails of the scientists, saying such the act was possibly in an attempt to discredit his organization.

Speaking on the opening session of the climate change conference in Copenhagen, Cop 15, in which the historical global deal to cope with climate change is highly expected, Rajendra Pachauri said the recent incident of stealing the emails of scientists at the University of East Anglia perhaps in an attempt to discredit the IPCC.

He downplayed the incident, trying to ensure that the work of the IPCC was full of years of experiences and qualities.

“The IPCC’s transparent and objective assessment has stretched for 21 years and been performed by educated scientists worldwide....Its assessments are subject to extensive and repeated reviews by the experts and the governments,” said Mr Pachauri.

The loss of some information regarding climate change studies of the IPCC’s assigned scientists has stirred up skepticism internationally whether its assessment regarding climate change is reliable. According to some reports by international media, the leaked documents showed frustration of the scientists at a possible temporary slowdown of global warming.

The IPCC’s assessments are highly regarded and used as the basis for government delegates to form ultimate solutions to tackle climate change. The most critical suggestions are that the warming of climate system is unequivocal, and the world needs to keep the temperature not to rise beyond two degrees Celsius by this century.

This means drastic actions in capping greenhouse gas emissions are immediate and demanded. The different actions can make a difference in the development path between developed countries and developing countries as they are now facing a stumbling block on who should burden how much for reducing green house gases.

Mr Pachauri called on the conference to lead to action, which takes into account common but differentiated responsibilities. It must put in place financing for adaption. And it should also lead to a large scale mitigation action, which involves developed countries as he said “they must take the lead in combating climate change.”

“The society must now respond to climate change by adapting to its impacts and also reducing greenhouse gas emissions. There are viable adaptation options that can be implemented in several sectors at low costs especially at an early stage,” said Mr Pachauri.

The climate change in Copenhagen has seen over thousands of participants from various sectors from government offices to inter governmental organizations who come to try to get a new deal struck and succeed the outgoing Kyoto Protocol's first phase.

The center of debates are still the differences of the stances of major camps, be they developed countries, including the EU, the United States, and the developing countries led by China of the Group 77.

The developed countries want to see developing countries to take part in reducing greenhouse gases, but developing countries want more drastic cuts from the developed countries.

At the previous talks, including the Bangkok Talks, there were reports that some major countries were trying to abort the Kyoto Protocol, which have already committed them to the cuts up to about 5% below the 1990 levels.

So far, no one knows whether the world will see the global new deal to tackle climate change in place, or whether it would still attach to the principle of the Kyoto Protocol which takes "the common but differentiated approach", meaning developed countries take the burden first and more.

Some observers have projected that the outcome of the conference would not even be a legal binding, but rather a political binding agreement, which will give a promise that future commitments be discussed.

Denmark Prime Minister Lars Lokke Rasmussen and the UNFCCC Executive Secretary called on the world leaders to come up with a political will in order to get the deal struck, and continue the work which has already been done.

Mr Rasmussen said he was painfully aware that negotiators still have different perspectives on the framing and the precious consensus on the agreement. But differences can be overcome if political will is present. "And I believe it is," said Mr Rasmussen.

From: Piyaporn Wongrueng
Sent: Monday, December 14, 2009 3:53 PM
To: Piyaporn Wongrueng
Subject: copen article ka

Piyaporn Wongruang

On Friday, global community had a chance to learn about the first draft texts that would guide actions in combating climate change from the climate change conference being held in Copenhagen.

The draft texts, prepared by the Chairs of two working groups working on long-term vision and short-term greenhouse gases emission cuts targets under the Kyoto Protocol, have raised hope that negotiators would get over the deadlock and bring about sound solutions for climate change.

However, several parts in the texts deserve the cause of concern that the talks would likely bring none of concrete results.

Besides several sentences which are still kept in blankets, the most critical point is the ranges of numbers between 25 to 40 and 15 to 30.

These sets of numbers represent the targets that countries should work together to bring down GHG emissions in order to help avoid or at least relieves impacts of climate change. 25-40 are the percents that the scientific information from the UN's authorized scientific body, Intergovernmental Panel on Climate Change (IPCC) has suggested industrialized countries to take in order to help cut the GHG by 2020, while 15 to 30 are for developing countries to help do the same.

The problem is negotiators are still out of place how they should be put in these two draft texts, which have periods of time of implementation overlapping.

Which numbers will be placed at which texts carry significance to help unlock the deadlock which in deed has not yet been spelled out by the formulated draft texts.

They relate to one another when taking into consideration the burdens for each camp in both short-term and long-term periods of time.

If the countries agree to put the highest number of 40 for the short-term target under the Kyoto Protocol' draft text, under which at least 37 industrialised countries including the EU have commitment to the GHG cuts, the shared burden in the long-term for developing countries will go for 15, which is the lowest, thus the least burden. So, at present, the parties under the Kyoto Protocol wish to see the lowest number for the extended period of the protocol, and push more burdens on those in a long-term shared vision framework.

According to a negotiating source from the G 77 plus China, the largest group of developing countries, developed and developing countries have stuck on negotiating on these numbers, and could not move on to other issues substantially.

Conventionally, the draft texts, which will be tabled for heads of the state to decide on should not carry any words in blankets, and blank space to fill any thing in any more. The main working groups will normally assign its sub groups to work on each element including the part called the shared vision, under which the GHG cuts targets for a long-term goal is expected to resolve. Their resolves will then be put together to form the draft texts.

What happened, the source said, big countries-be they the US, the EU, China mainly have lock horned on these numbers in particular. They cannot agree on the targets for the short-term target, and thus they cannot agree on the long-term ones as well.

For fear that the negotiation would go nowhere, the Chairs of the two working groups decided to formulate the draft texts for both Kyoto Protocol's proposed second period of action, and for the shared vision.

The texts for the proposed extended protocol came out with the blank space to fill in the targets from those 37 countries, while the text for the shared vision shows a set of numbers in the blankets as [25–40] [in the order of 30] [40] [45] per cent from 1990 levels by 2020.

“It is impossible for heads of the state to decide on unfinished texts like this, and it is impossible that the sub-working groups will finish the work to help clear what is left in the texts. Considering the shared version group, for instance, they have more than 30 paragraphs to consider, including the yet unsettled targets, and we have left only two days to finish it. The past week, we have finished only 12 paragraphs, so how will we finish the rest within the rest of time?” said the source.

The source remarked that it is highly likely that there will not be any agreement on the long-term action. Only an agreement to extend the protocol with the clear targets would be the most to be expected from Copenhagen, the uphill task that no one can predict.

“The draft texts are expected to be tabled for the ministers to adopt, but how can they adopt the texts which is full of blankets and blank space. It is impossible that the draft texts can be useful to help guild the world's actions against climate change,” said the source.

Without the agreement on the long-term action, that would also mean no agreement on other important issues which come with it as a package, including reduction of greenhouse gases emissions from forest known as REDD, the establishment of mechanisms for financial and technical transfer, which developing countries want, and others.

“This is a dilemma for developing countries in particular. You don't want to bear the burden, but you don't want to lose new opportunities either,” said the source.

That has brought the birth of a new game of draft texts from various groups as well as pressure which is mounting on one another, both between the camps and within the same camp- the camp of developing countries in particular because small island

countries want the deeper cuts to help save their sinking islands, thus pressure on major developing countries like China and India.

So far, there have been at least five draft agreement proposals prepared by such groups as the least developing countries, the small island countries, the African countries.

“They said these are non-existing proposals, but how can they call these non-existing documents as they exist. The fact that they are not official and are hidden, waiting for the time to be tabled,” said the source.

The working groups will have time until tomorrow (Tuesday Dec15) to try to fill up the draft texts. All the blankets include-"to be elaborated."

Suvit backs Bali Plan at climate meeting

Thais could withhold OK if pact scrapped

- Published: 17/12/2009 at 12:00 AM
- Newspaper section: [News](#)

COPENHAGEN : The Association of Southeast Asian Nations supports the further implementation of the Bali Action Plan, the Thai environment minister says.

The plan, launched two years ago, calls for the agreement of member countries to extend the Kyoto Protocol.

It binds 37 industrialised countries to cut greenhouse gas emissions by 5% below 1990 levels, but has demanded no cuts from developing countries.

The plan also calls for comparable efforts from major developed countries which have not yet made a commitment to cut the gases, including the US.

Natural Resources and Environment Minister Suvit Khunkitti said in Copenhagen the group would stick by its position. "We hold the same stance that we agreed on during the last meeting," said Mr Suvit.

He said countries could decide for themselves some details of how greenhouse gases should be reduced, and by what mechanisms.

Ten-member Asean is joining other countries at an international meeting here as they work towards a new United Nations climate pact.

Borith Ouch, secretary of Cambodia's foreign ministry, said the Bali Plan could form the basis of any agreement reached at the Copenhagen meeting.

Some countries were agitating to water down the Bali Plan, of which the Kyoto pact is the core element.

If any deal was reached between members which abandoned the main tenets of the Bali Plan, Thailand might choose not to adopt the new climate change agreement, Mr Suvit said.

The cabinet last month approved guidelines for Thai negotiators at the Copenhagen conference. It told them to adhere to the Bali Action Plan.

But Mr Suvit said a new deal being negotiated by officials in Denmark differed from guidelines approved by Thailand.

Thai negotiators might have to go back to consult with parliament about whether the deal would comply with the constitution before taking any further action.

Mr Suvit disagreed with a call by some countries to drop the Kyoto Protocol.

Developing countries have said they would measure the success of the Copenhagen talks by whether the tenets of the Kyoto Protocol survive intact.

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From: Piyaporn Wongrueng
Sent: Friday, December 11, 2009 4:27 PM
To: Paul Rvffini
Subject: copen story ka

Piyaporn Wongruang

It started with the effort to allay growing discomforts that the world would likely not see the most needed actions to tackle climate change, with the world's prominent figures working on climate change taking turn on the stage spraying optimism. But when days have passed, and the meeting is about to enter its second week, what is running high is not a positive outlook, but the chaos that is threatening the meeting and pushing it to the new and unknown boundary now.

Since the world has learned that heads of the states are going to come together to make new agreements between one another to help avoid eminent catastrophes caused by climate change, Copenhagen has then been turned into the largest gathering place for them and their delegations to finalise the decision.

The Danish government has turned its largest exhibition center, Bella Center, into the meeting venue where they will come and negotiate for the best agreements they can do next week.

Every day during the past week, thousands of delegations, plus a troop of thousands more of activists as well as members of media from all over the world packed the venue and exchange words to develop the final draft of a set of agreements that their heads of the states will decide on.

On Day 1, Dec 7, during the opening ceremony, Denmark Prime Minister Lars Lokke Rasmussen and the UNFCCC Executive Secretary called on the world leaders to come up with a political will in order to get the deal struck, and continue the work which has already been done.

Mr Rasmussen said he was painfully aware that negotiators still have different perspectives on the framing and the precious consensus on the agreement. But differences can be overcome if political will is present. "And I believe it is," said Mr Rasmussen.

And since Day 1 onward, they have been plunged into chaos that have put them in more and more frustration no less than the world's citizens.

The first day of the meeting saw the event bombarded by the growing skepticism over the leaked mails of some scientists who helped assess the state of the world's climate.

The mails which were reportedly post on the internet were the work of the scientists at the University of East Anglia. It showed some frustrations over the declining trend of climate of the scientists who worked for the UN intergovernmental body assessing the state of climate, the Intergovernmental on Climate Change (IPCC)

The head of the IPCC, Dr Rajendra Pachauri did not hesitate to use the stage at the meeting's opening ceremony to counter the skepticism over the IPCC's work quality. He rebuked those hacking some emails of the scientists, saying such the act was possibly in an attempt to discredit his organization.

He was trying to downplay the incident, insisting that the work of the IPCC was full of years of experiences and qualities.

"The IPCC's transparent and objective assessment has stretched for 21 years and been performed by educated scientists worldwide....Its assessments are subject to extensive and repeated reviews by the experts and the governments," said Dr Pachauri.

The IPCC's assessments are highly regarded and used as the basis for government delegations and heads of the state to formulated ultimate solutions to tackle climate change. The most critical suggestions from its fourth assessment so far are that the warming of climate system is unequivocal, and the world needs to keep the temperature not to rise beyond two degrees Celsius by this century.

This means drastic actions in capping greenhouse gas emissions are desperately needed, and needed now. However, any agreements to be made to direct actions will put the burdens and benefits differently on different stakeholders, be they developed countries and developing countries, and now the newly tossed word, the most vulnerable countries, thus affecting development path of each.

Instead of concerning about this non-sensical issue, Dr Pachauri called on the meeting to pay attention to the work ahead, to lead to action, which takes into account common but differentiated responsibilities.

"The society must now respond to climate change by adapting to its impacts and also reducing greenhouse gas emissions. There are viable adaptation options that can be implemented in several sectors at low costs especially at an early stage," said Dr Pachauri.

His effort seems not to meet any much success, but the issue faded from the public attention in the next few days as there was the other issue emerged.

At Bella, the draft text agreement of the Danish government was circulated around, immediately provoking strong discontent from developing country parties.

The Group 77 plus China, representing the developing country camp, did not hesitate to react.

After reviewing the document, titled the Adoption of Copenhagen Agreement, under the United Nations Framework Convention on Climate Change, G 77 chair Lumumba Stanislaus Di-Aping held the press conference twice to reiterate the concern of developing countries about the Danish text.

"The text, the Danish text, is extremely dangerous for developing countries. It is a total violation of transparency and openness principle for the negotiation. It is to

destroy the balanced obligations between developing countries and industrialised countries, and reject the common but differentiated and respective responsibilities,” said Mr Di-Aping, reiterating his remarks delivered earlier that it is the violation that has threatened the success of the Copenhagen meeting.

Mr Di-Aping said the group would not sign any deal that they view inequitable. However, they would not consider walking out from the negotiation yet.

The draft was interpreted by the group that it would pave the way for a new treaty to be developed with more commitment to cut greenhouse gas emissions from developing countries as well, the point that major developing countries have viewed it as a killing of the Kyoto Protocol.

The Kyoto Protocol, entered into force in 2005, has committed at least 37 major industrialised countries to cut greenhouse gas emissions at the determined amounts, while developing countries have been demanded none yet.

It has also proposed no time frames for a new commitment, leaving some questions as to when the needed actions would become materialised.

However, UNFCCC Executive Secretary Yvo de Boer has defended the Danish government’s draft agreement text, saying it was informally circulated among various groups for advance consultation like any other and has never found its way to the formal negotiation round.

He said the Danish government had organised informal consultation sessions with various groups and a limited number of countries regarding its draft agreement text. It has never been on the table although it has been circulated, he said.

He said the proposals from various countries are generally circulated during a climate change conference. In the conference held in Poznan in Poland last year, he said he received over 250 proposals.

“A number of countries are nervous about the text because they view that it is unbalanced. It has never been tabled in a formal way,” said Mr de Boer.

The Danish text has also carried some implication for Thailand too. If it was adopted, that would likely affect Thailand’s stance and action as it may not be able to agree on this.

According to the Thai climate change advocacy group’s initial analysis, the draft proposed a comprehensive legal framework under the UN climate change convention, which will be effective immediately if the parties could develop and put it into practice.

“For Thailand, this may violate the Article 190 of Thailand’s constitution,” their analysis noted.

Buntoon Srethasirote, one of the analysts from the state sponsored project on climate change polices, MEASWATCH, said the group would propose it through the

Prime Minister's supporting staff for consideration. Thailand's Prime Minister Abhisit Vejjajiva expects to arrive here and deliver his speech on Thursday.

So far, the meeting has still got stuck in the key sticking points, especially the short term reduction of greenhouse gas emissions targets.

Since the world's climate negotiators adopted the action to tackle climate change, the only legally binding mechanism in place to put all effort to reduce the GHG is the Kyoto Protocol, which comes with three main mechanisms to help cut the GHG among 37 developed countries, including the well-known Clean Development Mechanism-the tool under which developed countries can reduce the GHG by investing clean technology in developing countries, and then get the credit to offset the emissions back home. Apart from that is a small promise on the adaptation fund which is still being worked out, while technology and financial transfer has not failed under any framework yet.

The KP's first phase is going to expire in 2012, prompting the negotiators to come up with a set of new agreements to continue the work.

What has expected the most is the continuation of the work, but the path has become unclear by now whether it will be the same road.

What has happened at the Copenhagen meeting has resonated the emergence of the new path of actions that the world would take during the Bangkok Talks, held in October.

It has become clearer and clearer that the KP is not the only one to be considered. At least, now, negotiators are talking about developing a new framework which will embrace all parties to help one another reduce the GHG.

If the Danish text is translated into a new framework, what would be seen is the framework under which developed countries will have more loosened commitment to cut the GHG, while developing countries will have more tightened one to do so, the point unacceptable among developing countries.

They dubbed such the move as the attempt to kill the Kyoto Protocol.

Martin Khor, director of the Southcenter, an intergovernmental body for developing countries, said there was an intention that some developed countries are trying to shift their stances to join the US, who has so far been rejected to sign the KP, thus having no any commitment to cut the GHG.

"The shift means they are moving from the Kyoto Protocol to the unknown territory," said Mr Khor, adding that the possibility is that the new framework would not be legally binding and thus enforceable.

For the chief of the negotiation meeting like Mr DeBoer, he remains positive about the work.

“I think the Kyoto Protocol will survive and must survive,” said Mr De Boer, emphasizing that it is the legally binding mechanism the world has to tackle climate change.

CLIMATE CHANGE

Thai team urged to back Kyoto

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COPENHAGEN : The Thai government should back the extension of the Kyoto Protocol because it is a just and fair agreement to tackle climate change, the Thai Working Group for Climate Justice says.

The activist group yesterday submitted a recommendation to the Thai climate negotiation team led by Natural Resources and Environment Minister Suwit Khunkitti on the sidelines of the climate change summit.

The minister said he would take the proposal into consideration.

The Kyoto Protocol - the existing legally binding agreement on carbon emissions - will expire in 2012.

The Copenhagen summit is attempting to draw up a fresh agreement to curb greenhouse gas emissions to amend the Kyoto pact or establish a new treaty.

Thailand's position endorsed by the cabinet last month opposes the abandonment of the Kyoto Protocol and urges industrialised countries to follow the pact's obligations.

The activists warned adoption of a new treaty in Copenhagen could breach Section 190 of the constitution which requires all international agreements involving issues of sovereignty be approved by parliament.

"Kyoto at least ensures that something must be done by someone who caused [a problem] and that is acceptable," Srisuwan Jankhajorn from the TWGCJ said.

"We are concerned that the ongoing negotiations here will be distracted by the emerging call for a new treaty which is likely to abandon this principle."

The Copenhagen climate change conference has entered its second week with the atmosphere tense as negotiators struggle to draw up the best blueprint to tackle climate change.

The Intergovernmental Panel on Climate Change, the UN's authorised climate change assessment body, has made clear the world's temperature rise should be kept below 2C in order to avert catastrophic consequences.

That means greenhouse gas emissions must be cut to at least 25% to 40% below 1990 levels.

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From: Piyaporn Wongrueng
Sent: Wednesday, December 09, 2009 8:18 PM
To: Sonchai Nokeplub
Cc: Paul Rvffini
Subject: news report from copen/leaked danish draft agreement/koi ka

Piyaporn Wongruang

The climate change negotiation chief yesterday defended the Danish government's draft agreement text, saying it was informally circulated among various groups for advance consultation like any other and has never found its way to the formal negotiation round.

UNFCCC Executive Secretary Yvo de Boer said the Danish government had organised informal consultation sessions with various groups and "the limited number of countries" regarding its draft agreement text. Although it has been circulated, but it has been put off the table, he said.

He said the proposals from various countries are generally circulated during a climate change conference. In the conference held in Poznan in Poland last year, he said he received over 250 proposals.

"A number of countries are nervous about the text because they view that it is unbalanced. It has never been tabled in a formal way," said Mr de Boer.

The Danish government's draft agreement text, titled, Adoption of the Copenhagen Agreement, under the United Nations Framework Convention on Climate Change, has stirred up discontent among major developing countries here because they view that it is about to have brought the unfair deal for developing countries.

G 77 chair Lumumba Stanislaus Di-Aping held the press conference twice from yesterday's evening to reiterate the concern of developing countries about the Danish text.

"The text, the Danish text, is extremely dangerous for developing countries. It is a total violation of transparency and openness principle of the negotiation. It is to destroy the balanced obligations between developing countries and industrialised countries, and reject the common but differentiated and respective responsibilities," said Mr Di-Aping, reiterating his remark delivered in the first conference yesterday that this was the violation that has threatened the success of the Copenhagen meeting.

Under the draft text, Mr Di-Aping pointed out, the words have paved the way for a new treaty to be developed with more commitment to cut greenhouse gas emissions from developing countries as well, the point that major developing countries have viewed it as a killing of the Kyoto Protocol.

The Kyoto Protocol, entered into force in 2005, has committed at least 37 major industrialised countries to cut greenhouse gas emissions at the determined amounts, while developing countries have been demanded none.

It has also proposed no time frames for a new commitment, leaving some room for further negotiations in future COP conferences.

Mr Di-Aping said the group would not sign any deal that they view inequitable. However, they would not consider walking out from the negotiation yet.

The discontent has spurred heated discussions among participants in the conference.

Antonio Hill, Oxfam International Climate Advisor said the Danish proposal must not distract from the job at hand. There must be a laser like focus on the official text of the agreement over the next six days. With just a handful of days to go before a deal is signed all countries need to focus their efforts on the official process which offers the best chance of a fair, ambitious and binding deal, he said.