



A Joint Institute for Security Studies (ISS), Foreign Service Institute and Climate Network Africa Workshop on;

The Road to Copenhagen: Consolidating Africa's Common Position on Climate Change Diplomacy

18th November Serena Hotel, Nairobi Kenya.

SUMMARY OF THE DISCUSSIONS

Introduction

The Institute for Security Studies (ISS), Foreign Service Institute (FSI) Kenya and Climate Network Africa (CNA) held a workshop on the theme - the *Road to Copenhagen: Consolidating Africa's Common Position on Climate Change Diplomacy*. The event brought together more than 70 participants including representatives from the Africa diplomatic corps in Kenya, government negotiators, members of the civil society and academia, to share Africa's position on the upcoming 15th Conference of Parties (COP) of the UNFCCC which will be negotiating reduction in green house gas emissions in the lead up to the expiry of the Kyoto protocol in 2012. COP 15, which will take place from the 7th to 18th December, in the Danish capital Copenhagen has been described as the most complex and vital negotiations the world has ever seen since the beginning of this century. The meeting not only introduced the participants to Africa's common position and the nuances involved in the negotiation processes but also helped them appreciate the enormous challenge facing Africa in relation to climate change.

In lead up to COP 15, African heads of state and government have been actively engaging in the process and preparing a common position for Africa. The Kenyan president is part of a committee of ten heads of state and government who have been mandated to consolidate Africa's common position in Copenhagen. The last global meeting in Barcelona revealed that Africa faces an uphill task in achieving its objectives at the climate change negotiations. Clearly there is a lack of political will on the part of the Developed countries to come up with a binding agreement in Copenhagen. All the high level politicking surrounding the lead up to Copenhagen clearly demonstrates that this may yet be one of the defining moments for Africa.

Africa was urged to take a holistic and integrated approach in responding to the impacts of climate change at the national level and that the same approach should be reflected when negotiating at the international arena. Therefore the key negotiating points for Africa highlighted during the meeting included:

- Africa must insist on developed countries' historical responsibilities for climate change.
- Africa should reaffirm the principle of common but differentiated responsibilities and respective capacity and capabilities.
- Africa's adaptation measures should be based on the precautionary principle.

- Copenhagen should produce a two-track outcome: one based on further commitments for all developed country Parties under Article 3.9 of the Kyoto Protocol; and another based on a separate legal instrument on the outcome of the Copenhagen negotiations.
- Africa should stick to the Bali Action Mandate at Copenhagen; this means no side issues not included the Bali Action Plan should be introduced.
- Africa should neither accept replacement of Kyoto Protocol nor its merger with any new agreement.
- Developed Countries must reduce their greenhouse gas emissions by at least 40% below 1990 levels by 2020 and at least 80% to 95% below 1990 levels by 2050, in order to achieve the lowest level of stabilisation assessed by the IPCC's Fourth Assessment Report.

DELIBERATIONS

The meeting was opened by ISS Nairobi Office Director Kenneth Mpyisi, who acknowledged the partnership between ISS, FSI and Climate Network Africa. The Institute through its research programmes and particularly the Environmental Security Programme (ESP) supported by the Mifugo Project has systematically analysed and observed the effects of climate change on human development in the Eastern African region. This is one of the strategic and latent considerations that policy makers should be aware of not only in natural resource management policy formulations, but actually in national security architectures. The upcoming Copenhagen meeting was one of the few international events where a common African foreign policy could actually deliver a common international good - better-managed climate.



L-R: Ms. Grace Akumu, Dr. Joseph Mukabana, Hon. John Mututho and Mr. Kenneth Mpyisi

The Chairman of the Kenya Parliamentary Committee on Agriculture, Livestock and Cooperatives Hon. John M. Mututho, said that he appreciated the controversy surrounding the politics of climate change, but that it was an important matter that needed to be taken seriously. For instance, while there was human tragedy associated with the evictions of settlers from the Kenyan Mau Forests that led to human right violations, it was important to protect the Mau in order to mitigate against climate change. He also highlighted the issue of dealing with environmental or ecological refugees who were becoming a major concern in Kenya. He said that ISS should help the government articulate the fact that future conflicts as demonstrated by Mau would be about natural resources. He noted that parliament is a key actor in the discourse of climate change and has the responsibility to ensure a better government's response to climate change. However, he acknowledged that there was not



enough positive government action to ensure that there is an adequate response to the menace that is climate change.

This concern was echoed by Dr Joseph R. Mukabana (Director, Kenya Meteorological Department representative of the Government of Kenya to the World Meteorological Organisation (WMO)). Observing that the workshop was timely, he noted that climate change has security implications. For instance prolonged and recurrent droughts and more flooding can lead to displacement of sections of the population who would constitute climate refugees. Given the adverse impacts of climate change, Kenya did not have adequate mechanisms to address climate change issues. As a result, various actors were addressing the issue in an uncoordinated manner. This needed to be consolidated and coordinated to have an impact. Fortunately, the Minister for Environment and Mineral Resources was spearheading the development of a National Climate Change Response Strategy, which would lead to the formulation of a National Climate Change Policy, Legislation and Action Plan.

Following up on the issue of preparedness, Ms Grace Akumu (Executive Director Climate Network Africa and Nobel Peace Laureate IPCC 2007) in her presentation considered the African states capacity for climate change and environmental diplomacy. It was noted that the engagement by African diplomats has been missing or was very low key yet they were an important stakeholder group. This was partly brought about by the assumption that climate change was only for climatologists and environmentalists alone. She reiterated that climate change, just as environment, does not respect political boundaries. The issue cuts across all development sectors and is local, national, regional and international.



A section of the Participants at the Workshop

Consequently, while climate change may require expertise in various disciplines, diplomats remain some of its best negotiators. Africa needs to start appointing Climate Change Ambassadors in view of the unprecedented level of threat posed by negative impacts of climate change. Also, in the past five years, climate change had become the top global diplomatic agenda. African diplomats could offer diplomatic skills and support to climate change negotiators and experts from Africa. Diplomats are their countries' faces abroad hence the need to comfortably handle climate change delegations from countries of assignment. Finally, since climate change negotiations are very technical, African diplomats needed considerable of in-house training so that they could be on the same level with the negotiators.

The important role of negotiators was reiterated by Dr. Kindiki Kithure (Associate Dean, School of Law, University of Nairobi) in negotiating *'The Terrain of Processes and Negotiations in the UNFCCC Framework'*. He noted that often times Africa sends the wrong personnel because of patronage, influence peddling, corruption and abuse of office. He added that there is a lack of appreciation and investment in knowledge and research, which hinders Africa effective participation in the negotiation.

Dr. Kindiki further stated that climate change is political because it is questioning the existing power relations between the north and south. It is questioning the development path the north has taken that has resulted in the negative impacts for Africa. In that regard, there was nothing like a *politically binding agreement*; that was mere semantics. There can only be a legally binding agreement or a political commitment but there is no in between. The principle of polluter pays should be applied as it is an internationally established customary law principle; the North being responsible for climate change and it must be made to pay. Africa was not asking for charity but a claim based on historical pollution by the North for which they must be held accountable. In terms of responsibility, both the North and the South have contributed to climate change; the North by emitting green house gases and the South mostly through environmental degradation.

Finally, Africa was urged to ensure it secured a binding agreement in Copenhagen to shift the debate to compliance rather than settle for a political commitment. This agreement should have minimum irreducible demands by Africa, which should include:

- The precautionary principle regardless of the assertion in some quarters that certain impacts cannot be linked to climate change;
- Development space in the debate on reduction of carbon emissions;
- Predictable means of implementation especially in relation to financing and technology transfer.
- Quantified emission reductions by Annex 1 countries, which are measurable and verifiable in a legally binding agreement.
- Mitigation commitments by developing countries as a group must be binding.



Dr. Rose Mwebaza having a discussion with one of the participants

The importance of engaging all stakeholders in the climate change negotiations, was discussed at length by Dr. Rose Mwebaza (Senior Legal Advisor, Environmental Security Programme, Institute for Security Studies - Nairobi) who made it clear that while climate change may have started off as an environmental issue, it can no longer continue to be defined as such because of its cross cutting nature. She noted that climate change is a development issue, a rights issue and climate change among other things.

The development component was exemplified by the fact that 80% of the population in East Africa and the Horn depend on agriculture for a livelihood. Agriculture contributes up to 40% to the GDP in the region. Therefore climate variability and the predictability of wet and dry seasons as well as planting and harvesting seasons are very important for food security and the economic development of the region.

On gender, the climate change impacts were differently distributed among different regions, age, classes, income groups, occupations and genders. The poor's reliance on local ecological resources, coupled with existing stresses on health and well being, and limited financial, institutional and human resources leave the poor most vulnerable and least able to adapt to the impacts of climate change. Vulnerability to climate change depends to a large extent on the assets (physical, financial, human, social and natural) available: the more assets, the less vulnerable one person is. Women tend to have more limited access to resources (land, credit, decision-making bodies) the world over compared to men that would enhance their capacity to adapt to climate change. Also at the highest level, it was noted that women were sustainably less represented as heads of delegations. For example, in 2006, the percentage of female heads of delegations was 15.7%; in 2007 it was only 12%.

Climate change is going to affect the protection and realization of human rights. These include the right to water, adequate standard of living which encompasses several specific rights including the right to food, the right to health, the right to water, the right to the necessary social services, the right to clothing and the right to housing. All these will severely limit the fundamental right to life.

Thus the impact of climate change is going to be cross cutting and will be felt across all sectors and development realms. It was therefore important to take a holistic and integrated approach in responding to the impacts of climate change.



L-R: Ms Akumu, Ambassador David Kikaya and Dr. Kindiki Kithure during the discussions



Finally, the ensuing discussions and exchanges between the participants and presenters led by Ambassador Dr. David Kikaya (Professor United States International University Africa) raised key issues and questions. Some included:

- What bargaining chips does Africa have for the negotiations in Copenhagen? This is in view of the fact that Africa is always asking for compensation - from slave trade to colonization - and has never received any. What makes Africa think it will get the compensation for climate change and is that a realistic demand?
- Assuming that there was a deal in Copenhagen, how enforceable would it be?
- African delegations are known to be late and to spend their time shopping instead of participating in the negotiations. They never take international negotiations seriously. How will this be different in Copenhagen?
- What will Copenhagen really change that will have an impact on climate change?
- It was noted that negotiations are about power and wealth and that by ceding to Africa's demands, developed countries will be showing defeat and they are not about to let that happen. The economic and political hegemony of Europe and the US is being challenged by emerging economies like China and they will not easily cede to Africa's challenges if it makes them more politically and economically vulnerable to other emerging economies.
- Africa has the least negotiators in the climate change negotiations. Will it be able to cope?
- There is need to involved the general public in the discourse on climate change as they would be the ones directly impacted. The bottom up approach would create the right response it terms of policy priority at the top.
- What have been the impacts of the global recession on the negotiations and the ability of developed countries to commit funding for adaptation? If they could raise USD 5 trillion within the first week of the global credit collapse and another USD 11 trillion in the next 11 weeks following the global meltdown, how can developed countries claim not to have the one trillion dollar required for adaptation?
- What is going to happen after Copenhagen whether there is a deal or no deal? What plans does Africa have beyond the negotiations in Copenhagen? Even if there was a deal, how would developed countries be policed to ensure they perform and deliver on their commitments?
- Has Africa mapped the peace and security implications of climate change and factored them in the negotiations?
- What about the potential impact of migration as a result of the impacts of climate change?
- In consolidating a Common Position for Africa she outlined certain key policy concerns in the climate change negotiations already agreed to in Addis Ababa on 21 October 2009. In the context of environmental justice, Africa should be equitably compensated for environmental



resources, economic and social losses. In this respect, Africa requires sustained and scaled up finance, technology and capacity building for adaptation and risk management.

Conclusion

The more than anticipated numbers and multifaceted representation at this meeting was a clear indication of the growing interest and commitment to climate change dynamics within policy considerations. The Heads of Missions and others cadres of representatives from African Missions including missions of Botswana, Djibouti, Egypt, Ethiopia, Mozambique, South Africa, Sudan and Zambia had a good grasp of the subject matter. This was complimented by the technical presence of different national and international environment portfolios namely, Kenya Meteorological Service, Kenya Agricultural Research Institute and Kenya Wildlife Service among others.

Climate change negotiations, the strategic nature of the subject matter, and generally its crosscutting effects were a clear outcome of the meeting. Riding on the momentum of being the most organised and cohesive group in the run-up to climate change negotiations Copenhagen, Africa has to ensure that it extracts maximum benefits from its consolidated position. During the meeting, there were several requests from various stakeholders - the Kenya government, diplomatic community and other members of civil society - for ISS and the partner institutions to hold post-Copenhagen meetings and activities. Since ISS is committed to enhancing climate change awareness, the organisation promised together with like-minded partners to increase its activities to enhance African negotiators' diplomatic capacity in this area.