

# BUILDING ON THE BALI MANDATE

Durban, December 2011

*Robust mandates already exist to conclude negotiations covering 100% of global emissions. In Bali, in 2007, the world agreed to a negotiating roadmap that consisted of three essential pillars: a second commitment period of the Kyoto Protocol for developed countries; a compromise for the United States; as well as developing country action backed by finance, technology and capacity building.*

## For a Bali-based Durban Outcome:

- Countries must **conclude negotiations under the Kyoto Protocol for a legally binding second commitment period**. African governments have said there is "No Plan B" for the Kyoto Protocol. Durban must not be the burial ground of the Kyoto Protocol.
- The Kyoto Protocol's second commitment period must **include provisional entry into force requirements** pending ratification so that it is ready to operate immediately.
- Negotiations under the Kyoto Protocol must **close the "mitigation gap"** between developed countries' pledges and what science and equity require.
- Developed countries must **not shift the burden to developing countries through carbon markets**, or avoid their commitments through loopholes such as creative land-use accounting and surplus allowances.
- **The United States**, as the only developed country not a member of the Kyoto Protocol, must commit to **do its fair share and take on comparable efforts** under the Convention, including ambitious, legally binding, and quantified emission reduction commitments.
- **Extend the mandate of the Bali Action Plan, to conclude by 2012**. These negotiations must conclude on all elements in a balanced manner.
- **There should be no 'Durban Mandate'** for a new treaty that will replace or transition out from the Kyoto Protocol. This would be a new mandate for the great escape of developed countries from their legally binding obligations, risking years of climate inaction.

## Building on the Bali Mandate in Durban

In Durban, we urgently need to make progress on agreeing to and implementing scaled up ambition under the existing mandates.

It is essential that all countries party to the Kyoto Protocol commit to deep emission cuts under its existing legally binding framework and do not hide behind bad influences like the United States. US action must be comparable to other developed countries.

Developed countries must also deliver on commitments to provide scaled up finance, technology and capacity building, so that developing countries can undertake actions to reduce their emissions, as agreed in Bali.

### Or risk... delay and inaction...

- A new mandate to launch a new round of negotiations for a new treaty could mean action is effectively delayed for five to ten years. A new round of negotiations could entail several years of negotiations followed by several more years before ratification, or even risk non-entry into force.
- This is not acceptable as the latest reports by the International Energy Agency and UNEP make clear - deep emission cuts are needed now to have a realistic chance of limiting temperature rise to 1.5°C.

### Uncertainty...

- A new treaty with a "pledge and review" system, as proposed by countries such as the United States and Australia, would not provide any certainty that emission targets would be sufficient or even met. Such a system would mean that the rich countries most responsible for the problem would only reduce their emissions according to political expediencies at home, not according to the increasingly dire scientific realities.

### Inequity...

- Developed countries are attempting to further shift the burden of addressing climate change on to developing countries and some are even insisting on re-defining the core principles of equity that underpin the Climate Convention. The United States, for example, is conditioning any discussion on the legal form of the Bali Action Plan on requiring symmetrical commitments by both developed and developing countries, and at the same time forbidding developing countries from requiring finances and technology to meet their obligations.

### and Bad Faith

- Agreeing to a new round of negotiations, while the current round has not yet concluded and remains unimplemented, establishes a harmful precedent of abandoning negotiations when they become inconvenient for developed countries.

The reality is that the Climate Convention and the Kyoto Protocol that make up the existing legally-binding climate architecture desperately need implementing, not replacing. Developed countries appear 'progressive' by asking for a legally binding treaty or the mandate for one, when the real truth is that they are violating the current legally binding regime, shifting the goalpost agreed in the Bali Roadmap, and renege on agreements for a second commitment period of the Kyoto Protocol.

For more background information see [climate-justice.info](http://climate-justice.info) on the web. For press info in Durban contact Helen Burley, +27-76-667 42 29.