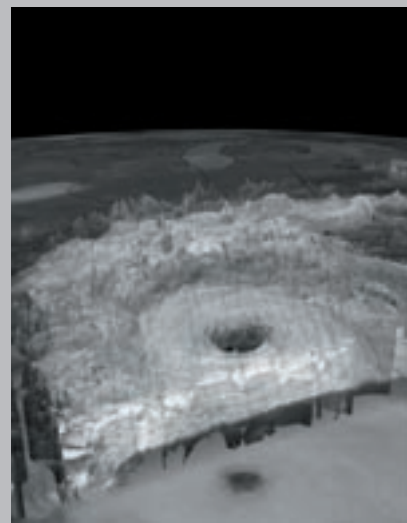


# THE POLITICS OF CLIMATE CHANGE AT THE MONTREAL CONFERENCE: HIGH STAKES FOR THE MARTIN GOVERNMENT, THE KYOTO PROTOCOL AND THE FUTURE OF THE PLANET

Elizabeth May

From its conception in 1997 to its activation earlier this year, the Kyoto Protocol has been slammed as naive and impractical by certain US presidents and lauded as a rare example of international cooperation by fans of the Earth. But as Sierra Club of Canada Executive Director Elizabeth May writes, its future very much depends on what progress may come of the Montreal Climate Change Conference, whose host government welcomes the diversion from election pressure but also has some explaining to do about its own unmet Kyoto targets.

Depuis sa création en 1997 jusqu'à sa mise en œuvre cette année même, le Protocole de Kyoto a été critiqué par certains présidents américains pour sa naïveté et sa difficulté d'application, tout en étant louangé par les écologistes comme un rare exemple de coopération internationale. Mais pour la directrice du Sierra Club du Canada, Elizabeth May, son avenir dépendra surtout des progrès accomplis lors de la Conférence de Montréal sur les changements climatiques, dont le gouvernement hôte appréciera le répit qu'elle lui accorde en pleine tourmente préélectorale mais qui devra aussi s'expliquer sur les cibles de Kyoto qu'il tarde lui-même à respecter.



**R**arely has there been a global negotiation with so much at stake. Even without the adjective “environmental” before “global negotiation,” the United Nations Climate Change Conference in Montreal from November 28 to December 9 will be one of the most important international negotiations in recent times. In some respects, the negotiations on ozone depletion — the threat of chlorofluorocarbons (CFCs) destroying the atmospheric layer that protects life on earth from the sun’s most harmful rays — that led to the 1987 Montreal Protocol are similar to the upcoming climate change talks. The risk then was of a catastrophic collapse of our life support systems caused by a reliance by the developed world on substances as yet unexploited by the developing world, but with severe impacts on polluter and non-polluter nations alike.

But the threat of ozone depletion was largely reduced when a single corporation, Dupont, switched from CFCs to

safer alternatives. The threat posed by climate change is much more intractable, as are its causes. Human activity in levelling forests and other land use changes (causing about 20 percent of the problem) and every energy decision we make that involves burning coal, oil and gas (causing 80 percent of the problem) threatens our entire life support system. We are rapidly changing the chemistry of the atmosphere. Roughly 30 percent more carbon dioxide, by concentration, is in our atmosphere today than at any time in the last 20 million years. We are changing huge areas of the planet — quite fundamentally.

Arctic ice is shrinking and, as it retreats, warming is intensifying because there is less of it to reflect the sun’s rays (the albedo effect). Dark ocean water soaks up the sun’s energy, further warming the ice. The more the ice shrinks, the harder it is for animals such as polar bears to maintain their hunting patterns and therefore their food supply. The permafrost from Siberia to the Mackenzie Valley is melting.

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**G**laciers, whether in the Alps, the Rockies, the Yukon, or the Andes, are all in rapid retreat. (It used to be said that politicians moved with glacial speed, but now, due to climate change, the glaciers are moving faster than the politicians.) Globally, we are experiencing increasing persistent droughts: a five-year drought in

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Australia, droughts in China where last year an area the size of Britain was converted to desert status, and the one in Mozambique that immediately preceded torrential rains in which that nation's total annual precipitation fell within days on the dry and desiccated lands. Extreme heat waves are also on the rise. We experience them in Canada, with hot humid days (and smog advisory). The 2003 heat wave in Europe killed 30,000 people. In India last summer, the streets were empty in Delhi as the temperature topped 50°C. The intensity of hurricanes is increasing. While some hurricane specialists are not yet convinced, research at MIT and Princeton demonstrates that the energy packed in the hurricanes' punch has increased by 50 to 80 percent from 1950 to 2003. Warmer oceans lead to more severe hurricanes.

Increasingly, scientists talk about climate as being a switch instead of a dial. What are described in the literature as "non-linear perturbations" can be translated as "nasty shocks" or sudden and abrupt climate catastrophes. In early 2004, a surprising source

began to publicize the risk of one such event. The US Department of Defence released to *Fortune* magazine its analysis of the security implications of "a plausible scenario for abrupt climate change." It suggested that the Gulf Stream could stall by 2010. This would be caused by rapidly melting polar ice changing the salinity of the ocean. The ice is fresh water and its release would push down on the more saline currents, slowing and potentially stopping the vast ocean conveyor belt

of currents. If the Gulf Stream were to stall, the Pentagon study anticipated widespread social and institutional collapse as droughts led to collapses in food production, displaced environmental refugees migrated for resources, soil erosion increased and wind speeds picked up. The Pentagon study concluded that the risks of climate change were more significant than the risks of terrorism.

**T**he two other potential sudden shocks being predicted are the melting of the Greenland Ice Sheet, which is warming far more rapidly than scientists anticipated, and the collapse of the Western Antarctic Ice Sheet. The World Meteorological Organization reports that "melting glaciers in Greenland have revealed patches of land exposed for the first time in millions of years." The Western Antarctic Ice Sheet contains a mind-boggling 3.2 million cubic kilometers of ice, about 10 percent of the world's total ice. It appears to be weakening as warmer water is eroding its base. No one knows why the warmer water is

there, or where it is coming from. If the Western Antarctic Ice Sheet should collapse, the IPCC estimate of sea level rise (so far based on the increased volume of warmer water in a world with double the CO<sub>2</sub>) would be an increase from 0.88 metres, by the year 2100, to 4-5 metres. A number of scientists have determined that the risk of these events is increased if global average temperature goes up by 2°C above the pre-Industrial Revolution average.

This, they estimate, could happen if concentrations of greenhouse gases were to increase to 400 ppm. We are now at 380 ppm, up from 275 ppm in the 1800s. The threat is huge, not unlike the one posed by a thinning ozone layer. But the causes are diffuse, represented by millions of choices made every day about turning on or off a light, or taking an SUV out of the garage. The ubiquitous nature of the threat, represented by the entire fossil fuel industry, is also well-funded and, with some notable exceptions, exerting itself in a blatant campaign of deny and delay.

Negotiating a solution was daunting when the nations of the world began to discuss a climate treaty in 1990. By June 1992, at the United Nations Conference on Environment and Development in Rio de Janeiro, the essentials of a legally binding regime had been established as the United Nations Framework Convention on Climate Change (UNFCCC). The advantage back then was that the large oil and gas companies (the Carbon Club) had not yet mobilized to stop such action. Despite significant hurdles, 165 nations, including the US, entered into legally binding commitments. The UNFCCC acknowledged that climate change is real, that human activities, from land use changes (deforestation) and the burning of fossil fuels were the major sources of the problem, and accepted that demanding 100 percent scientific cer-

tainty would be to ask for a post mortem. The convention adopted the Precautionary Principle — that a lack of scientific certainty should not be used as an excuse for inaction. What the convention did not include, largely due to pressure from the United States, was a series of timelines and targets. Instead, the nations of the world committed to “aim towards stabilization.”

The convention’s “ultimate objective” was to stabilize “greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.” In other words, the build up of greenhouse gases (GHG) due to human activity should be stopped before it could become dangerous. To ensure a science-based approach, the convention relies on an expert group of scientists, the Intergovernmental Panel on Climate Change (IPCC) to translate complex science into “advice for policy makers.” The IPCC was created in 1988 and is comprised of scientists appointed by governments reviewing all the peer-reviewed published scientific literature. It is essentially the world’s largest peer review system. The FCCC was signed within two years by over 165 countries. Over 100 ratified, including the United States, Canada and all the industrialized countries (listed in Annex 1 of the FCCC), so that by March 1994, the convention had entered into force. Once legally binding on the parties, the Conference of the Parties (COP) process began. The first COP was in Berlin in 1995. It was at this first and critical negotiating session that a mandate was developed for a way forward. Building on the precedent of the successful Montreal Protocol to protect the ozone layer, the parties agreed that they should “protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in



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The winter skyline of Montreal during a temperature inversion. The city is playing host this month to a 10-day UN conference on global warming in which the stakes are high — it’s time for the Martin government to start delivering on Canada’s Kyoto targets for reduced emissions.

combating climate change and the adverse threats thereof.”

COP 2 in Geneva in 1996 advanced the work toward a protocol. COP 3 was in Kyoto in December, 1997. One is tempted to say, “And the rest is history.” The Kyoto Protocol followed the principles established in the Montreal Protocol ozone agreement. From the beginning, the plan was for industrialized countries to take on the first set of binding emission reduction

targets, with other nations joining as the GHG reduction technologies were demonstrated and made more available. It was a principle based on global equity and pragmatism. The former USSR countries, also referred to as “Economies in Transition” or EIT, are under Annex 2 of the FCCC. Developing countries are also separate. They can be part of the protocol, but do not have emission reduction targets. Only the Annex 1 countries

accepted binding targets for emissions reductions. Based on the 1995 agreement at COP1 to allow for “common but differentiated responsibilities,” Annex 1 countries took on different targets. The European Union, with a negotiating position going into Kyoto demanding 15 percent global reductions, accepted an overall 8 percent target. The United States adopted a 7 percent goal. Canada came in with a 6 percent promise. All of these reductions were to occur against a 1990 base year and were to be achieved between 2008 and 2012, known as “the first commitment period.”

The Kyoto negotiations were not easy. Most global negotiations are a challenge, and it is the style of UN negotiations to achieve agreement by attrition. Negotiations can go into the wee hours of the morning. There is often no food. Vending machine pop and chips keep bleary-eyed negotiators at their microphones so long as the translators are willing to make things work in six official languages. It is a grim and uninspiring spectacle. While late nights and cliff-hangers are routine, Kyoto’s sleep-deprived brinkmanship remains unsurpassed. The last round went for an incredible, uninterrupted 36-hour marathon. By the end, the Kyoto convention facility was being dismantled to make room for a trade show. The ink on the deal finally signed was still wet as delegates rushed for planes home. The price for that deal was that Kyoto included a complex set of new concepts called “flexibility mechanisms.” Environmentalist called them “loop-holes.” There were three basic kinds of flexibility mechanisms:

1) *Joint Implementation* under which Annex 1 countries can get carbon credits for projects they fund in former USSR countries, (EIT);

2) *The Clean Development Mechanism* (CDM) under which Annex

1 countries can get credits for funding projects in developing countries that reduce carbon emissions; and

3) *Emissions Trading* through which Annex 1 countries can buy and sell carbon where one country has exceeded its target and can “sell” its reductions by the tonne to another country.

This third element has been the most controversial. Russia has always been seen as the main beneficiary of this provision, which is why Kyoto has been referred to as Russia’s Marshall Plan. Because the base year is 1990, when the USSR existed with a large and highly polluting economy, Russia can get credit for the collapse of its economy and resulting decline in GHG. Russia has met and exceeded its Kyoto targets. Trading in the former pollution of the former USSR is generally called trading in “Russian hot air.”

In order for the Kyoto Protocol to enter into force the negotiators came up with a complex formula. The Kyoto Protocol would have to be ratified by

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55 countries, but, in addition, those 55 countries would have to represent the equivalent of 55 percent of the GHG emissions in 1990. In March, 2001, two months after President George W. Bush’s inauguration, he pulled the United States out of the protocol, saying the US would not ratify. President Bush did this without even a pretense of cabinet consideration and without as much as a conversation with the head of his environmental agency.

When Bush pulled out of Kyoto, he did more than walk away with 1 vote out of 55. He walked away with 25 percent of global emissions, mak-

ing the challenge of reaching 55 percent emissions from 1990 far more difficult. Then, the US exerted pressure on Russia not to ratify. The Kyoto Protocol was in trouble. But the problems had actually started when Bill Clinton was in the White House. In the fall of 2000, at the height of the US presidential race, the COP 6 took place in The Hague (COP 4 had been in Buenos Aires; COP 5 in Bonn). The EU and the US hit an impasse on the rules to make Kyoto work. The president of COP, Jan Pronk, chose not to end the meeting, but to take a pause of over six months and resume in Bonn at what was known as COP 6 (bis). COP 6 resumed with Bush denouncing Kyoto, but still sending a US delegation (as the US was and still is a party to the FCCC) and pushed countries to abandon the treaty. The Bonn COP managed to salvage global resolve to keep Kyoto alive. The world decided it did not and could not afford to wait for George W. Bush. The effort to develop intricate,

detailed, fair and transparent rules continued, as did the uphill work of achieving ratification. COP 7 in Marrakech (2001) achieved a breakthrough on key rules for the flexibility mechanisms. By COP 8 in New Delhi (2002), the US delegation was overtly pressing India not to accept GHG emission reduction targets. As Bush had used the rationale that Kyoto was not fair because it did not require developing countries to reduce emissions, Bush had an incentive to keep the developing countries from doing what he refused to do. By COP 9 in Milan in December, 2003,

Canada had joined the ranks of parties to both the convention and the protocol by ratifying Kyoto in December 2002. But the ratification formula's targets of 55 percent of global GHG emissions had still not been reached.

The anti-Kyoto lobby continued to proclaim "Kyoto is dead." While that was patently untrue, there was still uncertainty about when or even whether Kyoto would come into force. Those doubts were removed when President Vladimir Putin announced that Russia would ratify. The Russian Duma had ratified by COP 10 in Buenos Aires in December 2004. The waiting period under the formula for its entry into force meant that the Kyoto Protocol became binding on February 16, 2005.

So, in addition to being the 11<sup>th</sup> Conference of the Parties under the Framework Convention on Climate Change (COP 11), the Montreal meeting will also be the first Meeting of the Parties under the Kyoto Protocol, or the launch of the Kyoto governance structure. The Kyoto MOP will deal with the rules and procedures developed to make the protocol operational. Many of the administrative details ironed out at previous COPs will need to be approved. The Kyoto MOP can also look ahead to the additional reductions that will be required of Annex 1 countries.

Another significance of the 2005 meeting is that Canada is hosting it. None of the previous COPs has taken place in North America. At COP 10 in Buenos Aires, the Bush administration made it clear it did not want Canada to offer to host the 11<sup>th</sup> COP. But environmental groups and the Europeans did. In short, anyone interested in increasing pressure on the Bush administration to abandon its current strategy of sabotage

favoured a Canadian location. A meeting in Canada, specifically one in Montreal, is easily accessible to US media and opinion leaders.

The combination of a first MOP under Kyoto and a first COP in North America creates extra interest. The Montreal global climate negotiations are expected to be the biggest such negotiations ever, in terms of both delegate and NGO participation. It is also the first time that major marches have been planned to coincide with the event, in Montreal and other cities around the world on December 3,

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2005, with the theme, "The US must rejoin the World."

The Bush administration has developed a strategy of sabotage. In July 2005, a new, non-Kyoto approach was unveiled after the Bush administration and the equally negative government of Australia enticed India, China and South Korea to join a US-South Asian carbon plan revolving around new technologies and sectoral approaches. No timelines. No mandatory reductions. In what will likely keep the anti-Kyoto plan seriously dangerous, Japan joined in.

Thanks to the Bush administration's anti-Kyoto efforts of the last half-decade, other governments are dispirited. Even the usually valiant climate negotiators of the European Union are uncertain of how to proceed. Longtime climate champion British Prime Minister Tony Blair has been making Bush-like noises. He was recently quoted casting doubt on the likelihood of future targets for the post-2012 period, saying they make people "very nervous and very worried." Downing Street and Secretary of State for Environment Margaret Beckett quickly moved into damage-control mode and insisted that Blair is not "soft" on targets.

Nevertheless, his choice of words was very unhelpful in the lead-up to negotiations for the post-2012 regime. While Blair also continues to say that the evidence on climate change is getting stronger, his chief scientific advisor, Sir David King, has begun to abandon science in favour of targets that are "politically realistic." While many scientists point to irreversible global catastrophe at 400 ppm, King announced the world should set out to avoid the much higher concentration of doubling carbon dioxide levels from the pre-Industrial Revolution level of 275 ppm. He was candid in saying his choice of target was based on political realism, not science.

The Japanese government has also found it hard to meet targets. It has the same target for reductions as Canada (6 percent below 1990 levels by 2012), but its emissions are now 8 percent higher than in 1990. Canadian emissions are much higher, now nearly 20 percent above 1990 levels, and are rising faster than those in the US.

Many European countries are close to meeting their targets but years of bucking a barrage of US tactics to derail global efforts have created a political atmosphere of weariness.

**F**or Canada, the offer to host COP 11 was based on a domestic political calculation. The potential for helping advance global climate negotiation had to be weighed against the risk that the Martin government would increase its exposure to domestic criticism for the current gap between Kyoto targets and current rates of emissions.

In domestic political terms, there was less to be gained than to be lost. The one clear benefit for the Martin government is represented in the choice of Montreal as the host city. Opinion polls consistently show that support for action on climate change is

grasp of the science of climate change and the most in-depth experience in implementing carbon reduction strategies, first in Toronto and then at the Federation of Canadian Municipalities. It would be truly shocking if Layton allowed domestic politics to jeopardize the next phase of international carbon restrictions.

**T**he Canadian government plays a particularly important role as host. Environment Minister Stephane Dion, will serve as chair, or president of the COP. Dion will retain this role, unless an election intervenes, until the

election may increase political spin by some Liberal Party operatives who lack a commitment to the success of the negotiations themselves. The pressure to develop some sort of deal that might get Bush into the tent is significant. It is perfectly possible to envision bland statements of principle under the COP that would actually undermine future progress under the FCCC and the Kyoto Protocol.

The most critical issue before the negotiators in Montreal will be to keep open all the potential avenues to significant reductions in GHG for future negotiations. This must be done as the

scientific consensus increasingly and urgently warns that time is running out.

Clearly, anything that Bush would sign would be worse than useless; it would be dangerous. Dion must keep all options on the table for the next negotiating session, including the best choice option of binding emission reductions in the next commitment period

starting immediately after the 2012 period. He will also need to steer improvements in the CDM, a new and revitalized approach to adaptation measures, acknowledging that the damage we have done to the atmosphere is irreversible and that climate events will continue.

Most importantly the negotiators must find a path forward that brings the developing countries, particularly China, India and Brazil, into the carbon reduction regime. None of this will be easy, but it is possible. Should the stars align and existing Kyoto parties are able to isolate Bush and move out beyond the sabotage tactics, Dion might find himself presiding over a successful and world-saving event. If not, Canadians need to know that avoiding a bad decision is more important than papering over differences.

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With the narrow escape of the minority Liberals in spring 2005 and Martin's promise to hold an election following the Gomery Report, it became clear that the COP would occur just between the Gomery Report and an election. No country has ever hosted climate negotiations in the middle of an election campaign. The reasons that climate campaigners regard an election during a COP as a disaster for the fate of the whole global effort is made clear when one examines the dynamics of the conference.

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Recent messages from NDP Leader Jack Layton's senior staff have attempted to re-assure the environmental community that Layton understands the importance of not throwing the country into an election campaign until after the Montreal climate meetings. Of all party leaders, Layton has the best

next COP convenes in the fall of 2006. In preparation, Dion has been crisscrossing the globe trying to find common ground among different countries. He has personally held over 100 meetings with more than 60 governments. The Canadian delegation will be led by Foreign Affairs Minister Pierre Pettigrew, another senior Quebec minister.

As an academic with a background in political science, Dion is proving to be a diligent minister of the environment. He is hard-working, not particularly political, relentlessly rational, serious of purpose and dedicated to making a difference. His contribution to the Canadian government in the Chrétien years was the *Clarity Act*. He is a fierce federalist. Thus far, in his brief tenure since the June 2004 election, he has demonstrated unprecedented attention to moving the climate file forward. Dion will undoubtedly be sorely tested in the negotiations. The imminence of an