

**AFRICAN PROGRESS AND EFFECTIVENESS IN PARTICIPATING IN
INTERNATIONAL NEGOTIATIONS LEADING TO THE POST-2012 CLIMATE
CHANGE TREATY**

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Contents

Contents

Executive Summary	iii
1 Introduction.....	1
2 Methodology	2
3 Situation Analysis: Africa’s Role in the UNFCCC Process	2
3.1 Negotiation process and compliance.....	2
3.2 The Kyoto Protocol and the Clean Development Mechanism.....	6
3.2.1 Nairobi Framework.....	8
3.2.2 Achievements so far of the Nairobi Framework.....	9
3.3 Reduced Emissions through Decreased Deforestation (REDD).....	9
3.4 Vulnerability and Adaptation.....	9
3.4.1 Water resources and potential water conflicts	10
3.4.2 Agriculture and Food security	10
4 Post 2012 key issues of importance for Africa	12
4.1 Guiding Principles for the African Demands.....	12
4.2 The Bali roadmap.....	13
5 Key Post- 2012 Proposals	14
5.1 Financial architecture	14
5.5.1 The Aim of the multilateral Fund	15
5.5.2 Sources of funds.....	16
5.5.3 Activities to be funded.....	16
5.5.4 Institutional arrangement	16
5.5.5 Multilateral Climate Technology Fund.....	17
5 Key contentious issues.....	18
6 The Bangkok Climate Talks	18
7 Bibliography	18

Executive Summary

The Framework Convention on Climate Change (UNFCCC) came into force in March 1994 and it remains the central multilateral framework for cooperative actions to mitigate climate change by reducing greenhouse gases emissions and enhancing their removal by sinks, and to adapt to the adverse impacts of climate change. As of July 2009, 52 out of 54 African Nations are Parties to the UNFCCC two countries are not parties. These are Somalia and Western Sahara. To be a party to the Convention as well as the Kyoto Protocol, a country has to ratify the Convention and the Protocol. The Kyoto Protocol sets binding limits (caps) for the reduction of greenhouse gases by developed countries and defines cooperative mechanisms to govern north/south collaboration, with the aim of enabling, in part, developed countries meet their Kyoto targets while assisting developing countries attain the objective of sustainable development. The target set by Kyoto is for developed countries to reduce their overall emissions by at least 5% below 1990 levels by the year 2012.

The negotiations in the UNFCCC are organized such that the Conference of the Parties (CoP) is the highest decision making body of the Convention. There are two important Subsidiary Bodies of the Convention in which the negotiations take place. These are the Subsidiary Body for Scientific and Technical Advice (SBSTA) and the Subsidiary Body for Implementation (SBI). There are also Ad-hoc Working Groups (AWGs) which also facilitate the negotiations.

The Convention has so far adopted one Protocol, namely the Kyoto Protocol whose objective are to strengthen the commitments of the Convention and its implementation. The Kyoto Protocol defined "flexible mechanisms" such as Emission Trading (ET) the Clean Development Mechanism (CDM) and Joint Implementation (JI) to allow annex I economies to meet their GHG emission limitations by purchasing GHG emission reductions credits from elsewhere, through financial exchanges, projects that reduce emissions in non-annex I economies, from other annex I countries, or from annex I countries with excess allowances. Under article 12 of the Kyoto Protocol is the Clean Development Mechanism (CDM), which is a mechanism for assisting developed countries meet their emission reduction obligations by implementing projects in developing countries which in turn help the latter in achieving sustainable development. African continent has not benefited much compared to Asia and the Pacific, and Latin America and the Caribbean. Africa has the least number of CDM projects. Of 1,796 CDM projects across the world in August 2009, Africa has only about 33 projects which is about 2% share of all CDM projects. Of these, more than 16 projects are in South Africa.

The "Nairobi Framework" was launched in November 2006. The "Nairobi Framework", was a plan by the United Nations Development Programme (UNDP),

United Nations Environment Programme (UNEP), World Bank Group, African Development Bank, and the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) with the specific target of helping developing countries, especially those in sub-Saharan Africa, to improve their level of participation in the CDM so that Africa get a bigger slice of investment in clean energy technologies like wind and hydro power was unveiled.

In the on-going negotiations leading to Copenhagen, Africa shares the demands of other developing countries. These demands are based on the principles of the Conventions, especially the:

- Common but differentiated responsibilities
- Specific needs and special circumstances of developing countries
- Right to development

The developing countries demand from developed nations, support to developing countries in the form of financial, technological and capacity building for the latter to be able to take mitigation actions as well as adapt to the adverse impacts of climate change.

African countries' position about the existing financial mechanism is that the existing financial mechanisms are inadequate, complex and fragmented and have constrained African countries from gaining access to these resources and they demand from the Annex 1 countries a climate change adaptation fund worth \$67 billion per year by 2020. They also demand that developed countries should commit to a target of 0.5% of GDP for climate action in developing countries and commit to new and innovative sources of public and private sector finance, with the major source of funding coming from the public sector. The flows of the funds are supposed to be additional to the ODA, predictable and sustainable.

In the negotiation process in Bali, Africa identified itself with the demands of other developing countries which wanted developed countries to 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.

AFRICAN PROGRESS AND EFFECTIVENESS IN PARTICIPATING IN INTERNATIONAL NEGOTIATIONS LEADING TO THE POST-2012 CLIMATE CHANGE TREATY

1 Introduction

The Framework Convention on Climate Change (UNFCCC) came into force in March 1994 and it remains the central multilateral framework for cooperative actions to mitigate climate change by reducing greenhouse gases emissions and enhancing their removal by “carbon sinks”, particularly forests, and to adapt to the adverse impacts of climate change. The ultimate objective of the convention is “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a timeframe sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.” There is a broad agreement that international cooperation as well as action at national level on all aspects of mitigation and adaptation should be promoted.

The convention has so far agreed into one Protocol, namely the Kyoto Protocol, which was adopted in Kyoto, Japan during the Third Conference of the Parties, CoP3, which took place in 1997.

As of July 2009, 52 out of 54 African Nations are parties to the UNFCCC two countries are not parties. These are Somalia and Western Sahara. In order for a country to be a party to the Convention as well as the Kyoto Protocol, it has to ratify the Convention and the Protocol. The Kyoto Protocol sets binding limits (caps) for the reduction of greenhouse gases by developed countries and defines cooperative mechanisms to govern north/south collaboration, with the aim of enabling, in part, developed countries to meet their Kyoto targets while assisting developing countries attain the objective of sustainable development. The target set by Kyoto is for developed countries to reduce their overall emissions by at least 5% below 1990 levels by the year 2012.

The post-Kyoto discussions are very important in order to ensure continuity in the commitments towards addressing climate change and hence meeting the ultimate objective of the Convention. The dialogue should continue along the principle of common but differentiated responsibilities and respective capabilities. The discussion should focus on the need to forge a comprehensive climate change strategy encompassing policies and action with respect to energy, industry, forestry and waste management which can yield multiple benefits for greenhouse mitigation and sustainable development objectives. Policy options and possible actions to achieve these objectives should include a combination of

improved energy efficiency, increased renewable energy, better agricultural practices, and sustainable forest and waste management. Such a strategy could include incentives and measures to enhance the use of market-based mechanisms, including scaling up carbon market and expanding the range of CDM activities particularly in Africa

The 13th conference of the parties to the United Nations Framework Convention on Climate Change (UNFCCC) which gave birth to a landmark roadmap was held in Bali, Indonesia from 3-14 December 2007. This was the largest UN climate change conference ever held having participants from various regions including Africa.

It was attended by both, government and civil society representatives working on environmental issues, it was also the third meeting of the parties to the Kyoto Protocol. Delegates sought to agree on a negotiating process to finalize a post-2012 regime. Other issues that were taken up included the Kyoto Protocol's flexible mechanisms, reducing emissions from deforestation in developing countries, technology transfer, financial issues, capacity building and issues related to adaptation to Climate Change, including the Adaptation Fund.

The Bali roadmap sets out clear agenda for the key issues to be negotiated up to 2009, including action for adapting to the negative consequences of climate change, such as drought and floods, ways to reduce greenhouse gases emissions and ways to widely promote climate friendly technologies and financing for both, adaptation and mitigation measures.

2 Methodology

The methodology employed by this study is of desk-top review through literature analysis where as a number of publications including books publication journals as well as the internet sources have been used.

3 Situation Analysis: Africa's Role in the UNFCCC Process

3.1 Negotiation process and compliance

The negotiations in the UNFCCC are organized such that the Conference of the Parties (CoP) is the highest decision making body of the Convention. There are two important Subsidiary Bodies of the Convention in which the negotiations take place. These are the Subsidiary Body for Scientific and Technical Advice (SBSTA) and the Subsidiary Body for Implementation (SBI). There are also Ad-hoc Working Groups (AWGs) which also facilitate the negotiations. For the Bali negotiations there are two ad-hoc working groups which are the Ad-hoc Working Group on Further Commitments for Annex I Parties (under the Kyoto Protocol);

(AWG-KP) and Ad-hoc Working Group on Long –term Cooperative Action (under the Convention). (AWG-LCA).

Parties are free to raise issues at these meetings. However, Parties do strategize and participate in the various negotiating 'groups' which include, African group, Group of 77 and China, Least Developed Countries group (LDC), Small Islands Developing States group (SIDS) and the Organization of Petroleum Producing Countries (OPEC) group. African countries are all both in African Group and the G77 and China. Some 33 African countries are in the LDC group and 3 African countries are in the SIDS.

According to Articles 4 and 12 of the Convention, Parties are required to submit their National Communication, which should include a national inventory of sources of greenhouse gases and their removal by sinks, identification of vulnerable sectors and actions to be taken for sustainable future socio-economic developments without a further increase in the emissions of greenhouse gases. 47 African countries have done and submitted to the UNFCCC their initial national communications. One country, Mauritania has done first and second national communications. 33 LDCs are in Africa, out of which 28 have done and submitted their National Adaptation Programmes of Actions (NAPAs).

Table 1: African countries participation in the Convention Process

		Status of membership	Prepared National Communications	Prepared NAPA	Dev. status
1	Algeria	Party	1 st	No	
2	Angola	Party	No	No	LDC
3	Benin	Party	1 st	Yes	LDC
4	Botswana	party	1 st	No	
5	Burkina Faso	party	1 st	Yes	LDC
6	Burundi	Party	1 st	Yes	LDC
7	Cameroon	Party	1 st	No	
8	Cape Verde	Party	1 st	Yes	
9	Central African Republic	Party	1 st	Yes	LDC
10	Chad	party	1 st	No	LDC
11	Comoros	party	No	No	LDC/SIDS
12	Democratic Republic of Congo,	Party	1 st	Yes	LDC
13	Congo, (Republic of)	Party	1 st	No	
14	Côte d'Ivoire (Ivory Coast)	Party	1 st	No	
15	Djibouti	Party	1 st	Yes	LDC
16	Egypt	party	1 st	No	
17	Equatorial Guinea	party	No	No	LDC
18	Eritrea	Party	1 st	Yes	LDC
19	Ethiopia	Party	1 st	Yes	LDC

20	Gabon	Party	1 st	No	
21	Gambia	Party	1 st	Yes	LDC
22	Ghana	party	1 st	No	
23	Guinea	party	1 st	Yes	LDC
24	Guinea-Bissau	Party	1 st	Yes	LDC
25	Kenya	Party	1 st	No	
26	Lesotho	Party	1 st	Yes	LDC
27	Liberia	Party	No	Yes	LDC
28	Libya	party	No	No	
29	Madagascar	party	1 st	Yes	LDC
30	Malawi	Party	1 st	Yes	LDC
31	Mali	Party	1 st	Yes	LDC
32	Mauritania	Party	1 st and 2 nd	Yes	LDC
33	Mauritius	Party	1 st	No	
34	Morocco	party	1 st	No	
35	Mozambique	party	1 st	Yes	LDC
36	Namibia	Party	1 st	No	
37	Niger	Party	1 st	Yes	LDC
38	Nigeria	Party	1 st	No	
39	Rwanda	Party	1 st	Yes	LDC
40	Sao Tome and Principe	party	1 st	Yes	LDC/SIDS
41	Senegal	party	1 st	Yes	LDC
42	Seychelles	Party	1 st	No	
43	Sierra Leone	Party	1 st	Yes	LDC
44	Somalia				LDC
45	South Africa	Party	1 st	No	
46	Sudan	party	1 st	Yes	LDC
47	Swaziland	party	1 st	No	
48	Tanzania	Party	1 st	Yes	LDC
49	Togo	Party	1 st	No	LDC
50	Tunisia	Party	1 st	No	
51	Western Sahara				
52	Uganda	party	1 st	Yes	LDC
53	Zambia	party	1 st	Yes	LDC
54	Zimbabwe	Party	1 st	No	

It is clear, from the above, that most African countries have been involved actively in the UNFCCC process by not only ratifying the Convention and the Kyoto Protocol, but also undertaking their obligations under the convention by preparing their National Communications.

In the negotiation process the African group is chaired by a country which is an African Party, and the chair rotates among the countries. The chair of the African group is the leader of the African group during the negotiations. The African group normally meets daily at 7 am during the negotiation sessions and they discuss issues of interest as well as putting together their positions in the negotiations. The current chair of the African Group is Algeria. However, recently, the African Union has engaged itself at political level in the on going debate about the negotiations for a climate deal in Copenhagen. African Union has therefore nominated Meles Zenawi, the Prime Minister of Ethiopia to lead the African States in Copenhagen. However, African Union is not a Party to the negotiation, although individual African countries are parties. Some of the African Governments technical negotiators think that having another African Chair apart from Algeria is contradictory since the leader of African Group who is recognized by the UNFCCC is Algeria and this creates parallel initiatives towards Copenhagen. However, for Africa's stake on the outcomes of Copenhagen to be enhanced, it needs strong and incapacitated negotiators. It requires the political system to connect with the African technical negotiators to make sure that the demands are accorded due priority.

There are points of views of Africans which believe that Africa is paying the effects for what it didn't cause, and to make matters worse its capacity to address the problems is lacking. These schools of thoughts believe that Africa's options are for adaptation, which should be financed by resources in the form of finances and technology from the developed countries parties. They would appreciate a just deal in Copenhagen if it is equitable and fair and only if the concerns of adaptation are taken care of.

Africa would like to see to it that developed countries make available to developing countries the financing and technology required to cover the full incremental costs of mitigating and adapting to climate change, in accordance with the United Nations Framework Convention on Climate Change (UNFCCC) principle of common but differentiated responsibilities and respective capabilities.

Africa would like to see developed countries repay their emissions debt to developing countries through the deepest possible domestic reductions, and by committing to assigned amounts of emissions that reflect the full measure of their historical and continued excessive contributions to climate change.

Africa would like to see to it that the financial governance of adaptation funds, including the raising of the funds, its management and disbursement must be robust and accountable and under the auspices of the UNFCCC.

3.2 The Kyoto Protocol and the Clean Development Mechanism

The Convention has so far adopted one Protocol, namely the Kyoto Protocol which is the outcome of the negotiations in the third Conference of the Parties (CoP 3) which took place in Kyoto, Japan in 1997. The major feature of the Kyoto Protocol is that it sets binding targets for 37 industrialized countries and the European community for reducing greenhouse gas (GHG) emissions. These amount to an average of five per cent against 1990 levels over the five-year period 2008-2012. Furthermore, the Kyoto Protocol defines "flexible mechanisms" such as Emission Trading (ET) the Clean Development Mechanism (CDM) and Joint Implementation (JI) to allow annex I economies to meet their GHG emission limitations by purchasing GHG emission reductions credits from elsewhere, through financial exchanges, projects that reduce emissions in non-annex I economies, from other annex I countries, or from annex I countries with excess allowances. Under article 12 of the Kyoto Protocol is the Clean Development Mechanism (CDM). CDM is a mechanism for assisting developed countries to meet their emission reduction obligations by implementing projects in developing countries which in turn help the latter in achieving sustainable development. CDM is a cooperative mechanism that allows developed and developing country Parties to jointly fulfill the objective of the Convention. CDM assists developed country parties to comply with their emissions reduction commitments under the Convention while at the same time assisting developing country parties achieve sustainable development through project activities. In so doing projects are developed cooperatively and funded by developed country parties and implemented in developing countries.

The CDM is supervised by the CDM Executive Board (CDM EB) and is under the guidance of the Conference of the Parties (COP/MOP) of the (UNFCCC). At national level the CDM is supervised by the Designated National Authority (DNA) whose major role is to promote CDM projects in the respective country as well as ensuring that the national sustainable development goals are achieved through the projects.

Since the inception of CDM, African continent has not benefited much compared to Asia and the Pacific, and Latin America and the Caribbean. Africa has the least number of CDM projects. Of 1,796 CDM projects across the world in August 2009, Africa has only about 33 projects which is about 2% share of all CDM projects. Of these, more than 16 projects are in South Africa. Table 2 and Table 3 show CDM projects distribution by region and in Africa respectively as of August 2009.

Table 2: CDM Projects distribution by region August 2009

Region	Number of projects
Africa	33
Asia and the Pacific	1320
Latin America and the Caribbean	433
Other	10
Total	1796

Table 3: Distribution of CDM projects in Africa

Country	Number Of Projects
Côte d`Ivoire	1
Egypt	4
Kenya	1
Morocco	5
Nigeria	2
South Africa	16
Tunisia	2
Uganda	1
United Republic of Tanzania	1
Total	33

3.2.1 Nairobi Framework

In November 2006, the “Nairobi Framework”, being a plan by the United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), World Bank Group, African Development Bank, and the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) with the specific target of helping developing countries, especially those in sub-Sahara Africa, to improve their level of participation in the CDM so that Africa get a bigger slice of investment in clean energy technologies like wind and hydro power was unveiled. This is partly because most African countries have relatively few industrial sectors and so fewer opportunities to reduce carbon emissions. On the other hand, many investors perceive that the continent is a tough place to do business. The Nairobi framework thus needs to be realized in order to help the continent participate in CDM and other adaptation and mitigation activities effectively.

The initiating agencies of the Framework agreed to five objectives, considered to be key priority targets in order to move the CDM forward in Africa:

- Build and enhance capacity of the Designated National Authorities to become fully operational
- Build capacity in developing CDM project activities
- Promote investment opportunities for projects
- Improve information sharing/outreach / exchange of views on activities / education and training
- Inter-agency coordination.

The UNFCCC Secretariat has acted as a catalyst and facilitator for the Framework by:

- identifying the needs to be addressed
- Maintaining regular contact with the implementing agencies in order to keep them up-to-date and to solicit information on their latest developments to enable enhanced inter-agency coordination
- Providing a centralized information platform/portal on individual and joint activities- ongoing and planned activities of partner -(UNDP, UNEP and World Bank)
- Developing some new initiatives and inter-agency activities/projects
- Assisting in mobilizing resources for activities under the Framework.
- The Secretariat also organized CDM forum in Africa as well as establishing a web based CDM Bazaar.

3.2.2 Achievements so far of the Nairobi Framework

A number of capacity building initiatives have been undertaken by the UNDP, UNEP, Swedish Energy Agency, and the World Bank. The capacity building initiatives involved:

- Enhancing technical and institutional capacity of the DNAs,
- Enhancing capacity of African private sector institutions in developing CDM projects through learning by doing
- Enhancing capacity of African consulting firms in putting CDM projects on the drawing board and produce project idea notes (PINs) and project design documents (PDDs)
-

Before the Nairobi framework Africa had not more than 10 CDM project and now there are only 33 projects, 16 of which are in South Africa.

There are barriers to CDM in Africa, some of which are as follows:

- Institutional barriers where the DNA offices have weak capacity to promote and ensure speedy facilitation of CDM projects in their countries
- The issue of DOE is normally complained by African countries that they are situated in developed countries. However, strict conditions for accreditation of DOEs prohibit African institutions from becoming ones.
- Weak institutional architecture of the some of the African Designated National Designated Authorities.

3.3 *Reduced Emissions through Decreased Deforestation (REDD)*

African countries have supported a proposal advanced by Papua New Guinea that developing countries which prevent deforestation in effect reduce emissions. As such these countries should benefit financially for protecting forest reserves for a global good of sequestering carbon dioxide. Sustainable forest management can contribute to terrestrial carbon sequestration, as well as having beneficial effects on water supplies and biodiversity. Policies designed to enhance carbon sequestration through fuel wood management could also improve natural resource management.

3.4 *Vulnerability and Adaptation*

The economies of African countries depend largely on sectors such as agriculture, fisheries, forestry and tourism that are particularly vulnerable to climate change. Climate change is the most challenging threat to sustainable development in Africa. Vulnerability of African countries to climate change

impacts has been clearly spelt out in the IPCC reports particularly the Fourth Assessment Report (FAR).

3.4.1 Water resources and potential water conflicts

Africa's water resources have been decreasing over time mainly as a result of persistent droughts and deterioration of water catchments due to human activities. Climate change is expected to amplify this situation. For example, the recession of the glaciers of Mt. Kilimanjaro as a result of global warming causes decreased flows of rivers originating from the mountain. An estimated 82 percent of the 1912-amount of icecap of the mountain has gone and according to recent projections, if recession continues at the present rate, the majority of the glaciers on Mt Kilimanjaro could disappear in the next 15 years. The snow and glacier of Mt Kilimanjaro act as a water tower and several rivers are drying out in the dry seasons due to the loss of these frozen reservoirs. Towns and farming communities around the mountain are bound to be affected, as the bulk of Tanzania's coffee and bananas are produced there. Other glaciers in Africa (such as Ruwenzori in Uganda and Mt Kenya) are also under threat. The ice cap on Mount Kenya has shrunk by 40 percent since 1963 and a number of seasonal rivers that used to flow from atop the mountain to the surrounding areas have since dried up.

Water levels have also decreased seriously in major lakes such as Lake Victoria, lakes within the Rift valley and Lake Chad, which has lost over 50 percent of its water between 1973 and 2002. Several rivers are already drying out in summer, and major rivers such as the Nile, Niger and Zambezi face declining water levels. By 2050 the area experiencing water shortages in Sub Saharan Africa will have increased by 29 percent, while river flow in the Nile region will decrease by 75 percent by 2100 with damaging consequences on irrigation practices. As a result, the IPCC Report projects that by 2020, between 75 and 250 million people in Africa would be exposed to increased water stress. Decreasing water levels is also expected to negatively affect water quality. If coupled with increased demand on water for different uses (agriculture, industry, energy, etc.), this will adversely affect livelihoods and exacerbate water-related problems, such as conflicts resulting from competing demands and the management of shared water resources which are currently the talks of the region such as water conflicts over the River Nile and lake Victoria that are both trans- boundary water sources, apart from a number of water related conflicts in countries.

3.4.2 Agriculture and Food security

Many Sub-Saharan African economies depend on agriculture for their livelihoods. For some of them, agriculture accounts for as much as 40 percent of the total export earnings and employs about 60-90 percent of the total labour force.. Over 50 percent of household food needs and an equivalent share of income emanate from agriculture. The bulk of agricultural systems in Africa are climate

dependent, as most of sub-Saharan Africa relies primarily on rain-fed agriculture. Climate change hence intensifies food insecurity as productivity decreases and prices go up in countries already suffering from chronic food insecurity. As indicated in Figure 1, the number of countries facing the threat is quite high. Hunger victims have been on the increase mainly as a result of extreme weather events. The ability to diversify is limited by a variety of factors including the global trade system.

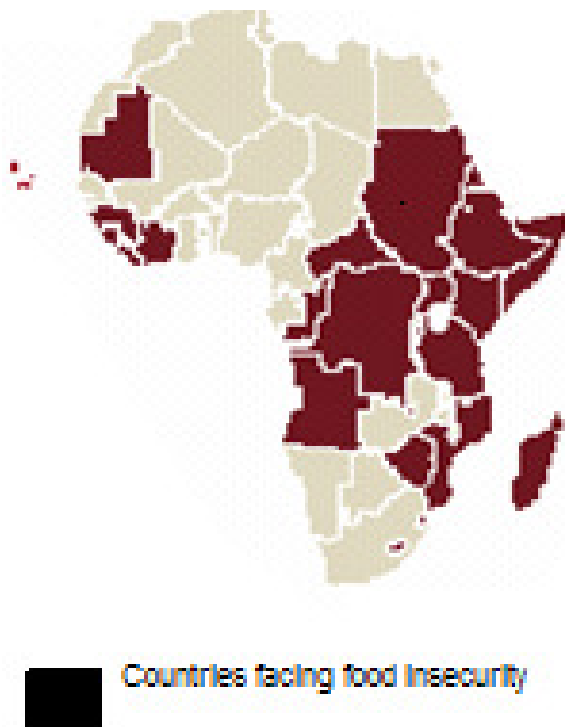


Fig. 1: Countries facing food insecurity (2004)

Climate change is projected to severely compromise agricultural production and food security in many African countries and sub-regions. The area suitable for agriculture, the length of growing seasons and yield potential, particularly along the margins of semi-arid and arid areas, are expected to decrease significantly. The rainfall patterns are predicted to change. Under a fast global warming scenario, large areas of Africa would experience changes in December-February or June-August rainfall that significantly exceed natural variability, with significant consequences on agricultural systems. For instance, climate change modeling results of the IPCC indicate that a warming by another 0.4°C on current temperatures would result, by 2020, in a shortening of crop growing period by more than 20 percent in the Sahel and a reduction of yields from rain-fed agriculture by up to 50 percent in many African countries. Projected losses in cereal production potential in Sub Saharan Africa are estimated at about 33 percent by 2060. More frequent and severe droughts, floods and weather

extremes would compound the constraints on crop and livestock production systems. Some countries have significant agricultural production from coastal zones, which are threatened by sea level rise and increasing temperatures. These include Kenya (mangoes, cashew nuts, and coconuts); Benin (coconuts and palm oil); Guinea (rice) and Nigeria (coconuts and palm oil). Local food supplies would also be affected negatively by decreasing fisheries resources in large lakes due to rising water temperatures. The combined impacts of these events would threaten the very livelihoods of significant proportions of the population and curtail the prospects for broad-based economic growth, poverty reduction, food security and environmental protection in the continent.

4 Post 2012 key issues of importance for Africa

4.1 Guiding Principles for the African Demands

In the on-going negotiations leading to Copenhagen, Africa's demands are based on the principles of the convention which are stipulated in Article 3 of the Convention. The main principles of the Convention are:

1. Parties 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.
2. Specific needs and special circumstances of developing countries Parties, especially those that are particularly vulnerable to the adverse effects of climate change, especially developing countries to be given full consideration
3. The Parties should take precautionary measures to anticipate, prevent or minimize the causes of climate change
4. Parties have a right to and should promote sustainable development
5. Parties should cooperate to promote a supportive and open international economic system; no arbitrary or unjustifiable discrimination or a disguised restriction on international trade

The Principles of the Convention are the same as those of the Kyoto Protocol

On the basis of the principle on "Common but differentiated responsibilities", Africa demands measurable, reportable and verifiable emission reduction by developed nations whereby the developed nations need to 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.

The principle of "specific needs and circumstances of developing countries" is embodied in the demand that developed countries should provide resources to developing countries, that are measurable, reportable and verifiable in the form of financial, technological and capacity building for the latter to be able to take

mitigation actions as well as adapt to the adverse impacts of climate change which they barely contributed to its causes, but suffer its consequences and with minimum capacity to adapt.

4.2 The Bali roadmap

The Bali roadmap launched a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012, in order to reach an agreed outcome and adopt a decision in Copenhagen at COP 15, by addressing, among other things, a shared vision for long-term cooperative action, including a long-term global goal for emission reductions, to achieve the ultimate objective of the Convention, in accordance with the provisions and principles of the Convention, in particular the principle of common but differentiated responsibilities and respective capabilities, and taking into account social and economic conditions and other relevant factors. The shared vision is entrenched in the four pillars, namely:

1. Mitigation: where, it calls for enhanced national and international action on mitigation of climate change, including, consideration of:
 - (i) Measurable, reportable and verifiable nationally appropriate mitigation commitments or actions, including quantified emission limitation and reduction objectives, by all developed country Parties, while ensuring the comparability of efforts among them, taking into account differences in their national circumstances;
 - (ii) Measurable, reportable and verifiable nationally appropriate mitigation actions by developing country Parties in the context of sustainable development, supported by technology and enabled by financing and capacity-building;
2. Adaptation: where enhanced action on adaptation, including, consideration of:
 - (i) International cooperation to support urgent implementation of adaptation actions, including through vulnerability assessments, prioritization of actions, financial needs assessments, capacity-building and response strategies, integration of adaptation actions into sectoral and national planning, specific projects and programmes, means to incentivize the implementation of adaptation actions, and other ways to enable climate-resilient development and reduce vulnerability of all Parties, taking into account the urgent and immediate needs of developing countries that are particularly vulnerable to the adverse effects of climate change, especially the least developed countries and small island developing States, and further taking into account the needs of countries in Africa affected by drought, desertification and floods;
3. Capacity building
4. Technology transfer

5 Key Post- 2012 Proposals

Africa Position contained in African Climate Platform to Copenhagen- Adopted in Algiers in Nov 2008 and updated in Nairobi in May 2009. Africa demand that:

- Developed countries reduce their emissions by at least 40% below 1990 level by 2020 and between 80-95% by 2050 compared to 1990 levels.
- Deforestation and forest degradation be eligible to the CDM
- NAPAs do be implemented with high priority
- Adequate, predictable and sustainable financial flow

5.1 Financial architecture

Africa agrees with other developing countries that the existing financial mechanisms are inadequate, complex and fragmented and have constrained African countries from gaining access to these resources. Africa therefore, demands from the Annex 1 countries a climate change adaptation fund worth \$67 billion per year by 2020. They also demand that developed countries should commit to a target of 0.5% of GDP for climate action in developing countries and commit to new and innovative sources of public and private sector finance, with the major source of funding coming from the public sector. Figure 2 shows the potential flows of the adaptation fund. The flows of the funds are supposed to be additional to the ODA, predictable and sustainable.

The negotiations are also going on about the architecture of the institutional mechanism for the administration of the Adaptation fund. African position is for the composition of the institutional structure to have regional equity and to be inclusive such that the African region should be represented as well as the marginalized groups such as the LDCs and the SIDS.

Funding flows to support adaptation measures

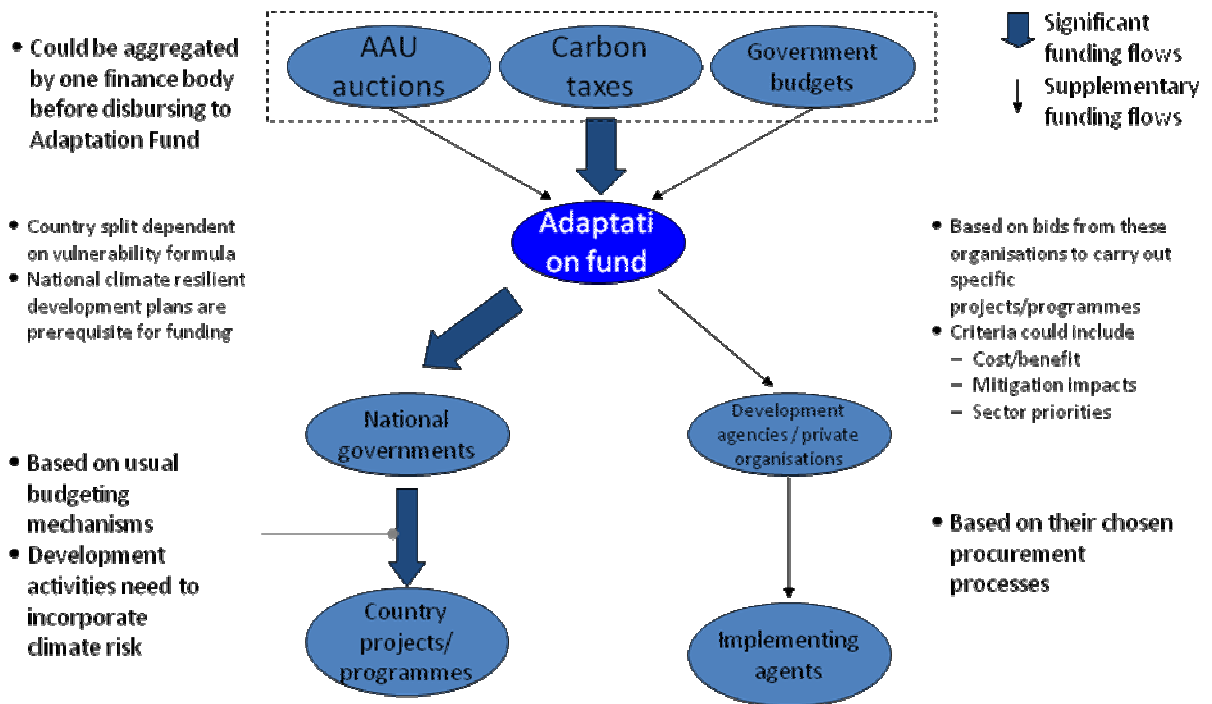


Figure 2: Potential Flows of the Adaptation Funds

Africa identifies itself with the other developing countries in what they envision as the financial mechanism for the implementation of the Convention (mitigation and adaptation and associated technology transfer) they principally would like the following to happen::

5.5.1 The Aim of the multilateral Fund

- The financial mechanism should recognize, promote, and strengthen the significance of engagement at country level in order to give effect the principle of country driven approach and direct access to funding
- The financial mechanism should enable shifting from project based approach to programmatic approaches
- The financial mechanism should facilitate linkages between the various funding sources and separate funds in order to promote access to the variety funding sources and reduce fragmentation
- The financial mechanism should maintain consistency with the policies, programmes, priorities and eligibility criteria adopted by the decision of the COP

5.5.2 Sources of funds

- Main sources of funding will be through the implementation of commitments under Article 4.3 of the convention. The funding will be “new and additional” financial resources which is over and above ODA, the major source of funds being the public sector.
- Any funding pledged outside the UNFCCC shall not be regarded as fulfillment of commitments by developed countries under Article 4.3 of the Convention and their commitments measurable, reportable and verifiable means of implementation, that is finance, technology and capacity building in terms of para 1 (c) of Bali Action Plan.
- It should be ensured that there be predictability, stability and timeliness of funding
- The resources shall be essentially grant based (particularly for adaptation) without prejudice to certain concessional loan arrangements, in appropriate form, to meet the needs of a specific programme.
- The level of the new funding can be set at 0.5% to 1% of the GNP of Annex I Parties.

5.5.3 Activities to be funded

- The mechanism will fund the agreed full incremental costs for the implementation of developing countries’ commitments under Art. 4.1, including:
 - Mitigation
 - Development and diffusion of low-carbon technologies
 - Research and development for technologies
 - Capacity building
 - Preparation of national action plans and implementation
 - Patents
 - Adaptation in accordance to Arts. 4.4 and 4.9
- The mechanism will fund the agreed full costs for the preparation of national communications
- In accordance with Art. 4.3 developing country parties are to be provided with new and additional financial resources, including the transfer of technology, to comply with their obligations under Art 4.1 of the convention. The funds can be used for (i) adaptation and its means of implementation, (ii) mitigation and its means of implementation

5.5.4 Institutional arrangement

- The COP is the supreme decision-making body of the Convention, under whose authority and guidance the mechanism will operate. The COP shall decide on the policies, programmes, priorities and eligibility criteria.
- The COP will appoint a Board, which shall have an equitable and balanced representation of all parties within a transparent and efficient system of

- governance. The Board shall be assisted by a Secretariat of professional staff contracted by the Board.
- The COP and Board shall establish specialized funds, and funding windows under the governance, and a mechanism to link various funds.
 - Funds would be administered by a Trustee or Trustees selected through a process of open bidding.
 - Each of the separate funds may be advised by an expert group or committee, which would also be supported by a technical panel or panels addressing specific issues addressed by the fund.
 - To ensure transparent and efficient governance, other possible components of the structure include a consultative/advisory group of all relevant stakeholders, and an independent assessment panel.
 - Modalities for the determination of the role of existing funds and entity/ies for the operation of the financial mechanism will have to be worked out.

5.5.5 Multilateral Climate Technology Fund

The fund will provide technology-related financial requirements as determined by the Executive Body. The Fund will operate under the Cop as part of the enhanced multilateral financial mechanism described in the G77 and China proposal.

- The MCTF shall be financed by essential contributions from Annex II Parties. Contributions to the mechanism shall be additional to other financial transfers to non-Annex I Parties and shall meet the costs incurred by such Parties.
- An agreed proportion of contributions by developed country Parties and other Parties included in Annex II of the Convention to bilateral and regional co-operation may be considered as contributions to the MCTF, provided that such co-operation is consistent with the policies and scope of the mechanism.
- Financial transfers to the MCTF shall be counted as measurable, reportable and verifiable commitments under para I.b(ii) of the Bali Action Plan. Any funding not under the authority and guidance of the UNFCCC shall not be regarded as the fulfillment of commitments by developed countries under Art. 4.3 of the Convention or decision 1/CP.13.
- The MCTF shall cover, inter alia, eligible costs of activities approved by the Executive Body, administrative costs of the Executive Body, Secretariat and Trustee or Trustees and costs associated with other specific decisions of the Conference of the Parties.
- In the context of the enhanced multilateral financial mechanism proposed by the Group of 77 and China, the MCTF shall be managed by a trustee or trustees, selected through a process of open bidding, who shall have fiduciary responsibility and administrative competence to manage the MCTF, and shall hold in trust, the funds, assets, and receipts that constitute the fund, and shall comply with the principles and modalities for

their management and disbursement as stipulated by the Conference of the Parties.

5 Key contentious issues

- The major barrier to technology Development and Transfer is payment for Intellectual Property Rights. Developing countries demand developed countries to pay for the costs of Intellectual Property Rights for technologies that are transferred under climate change.
- The issue of Compensation to Africa vs Historical responsibility faces resistance from developed countries while other developing countries would want enhanced and business opportunities instead.
- Developed countries are putting pressure on major developing countries (Brazil, China, India) to take on emission reduction commitments which is unacceptable to developing countries and solidarity among the Group of 77 and China is enhanced on this.
- The issue of whether to expand or replace Kyoto Protocol is contentious. However Africa and other developing countries demand that Kyoto protocol is not dumped.

6 The Bangkok Climate Talks

The Bangkok Climate Talks were the last major negotiating sessions before Copenhagen. In Bangkok there was a slowdown in negotiations and until the end of the negotiations a number of issues were yet to be resolved. There was little progress in important areas such as adaptation, technology and capacity building, and little or stalemate on finance and its governance. Still no agreement on aggregate or individual emissions reduction targets for developed countries.

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