

Report: Durban Climate Deal and LULUCF

Sixteen years of negotiations under the roof of the Conference of The Parties (COP) took us to the 17th COP in Durban, South Africa. The COP is the supreme body of the Convention. It meets every year to review the progress of the Convention. In general, the outcomes of a COP meeting should be evaluated a few months after the meeting for a clear vision. Many decisions are compiled in packages and presented with the name of the city where COP took place. These decisions may be perceived slightly different by the parties or be sometimes understood and receive response with delay.

Last year's COP was held in Cancun, Mexico and revealed a package named the Cancun Agreements with consensus among the parties. But divergent views arose which blocked the negotiation process at the next meeting of Ad-Hoc Working Groups in Bangkok. Their objective was to see political willingness from developed country parties but this did not come until the Durban meeting. Japan was the bad player at Cancun last year and Canada was this year. The US is always active but never takes responsibility. Turkey was also targeted by the NGOs for doing nothing this year. This brief report will discuss the COP17 in more detail, with an emphasis on LULUCF (Land Use Land Use Change and Forestry).

The COP17 of the UNFCCC (United Nations Framework Convention on Climate Change) was considered a success for pushing the nations into a track that may end up with environmentally positive outcomes. Establishment of a working group entitled "Ad Hoc Working Group on the Durban Platform for Enhanced Action" will initiate a new term of negotiations that will, one may hope, place most large emitters – developed or developing – under the same legal regime until 2020. But, this is a long road and everything is possible. This year's negotiations will give clues on how the process will advance.

Expectations were very low during the first week of the conference with declarations from climate chiefs of Canada, the US, and Japan all opposing a new Kyoto term. Canada was the most criticized country because of her plan to exploit tar shields. The US and Japan were standing back with their condition that China, India and Brazil, the big emitters of the developing world, have to agree to binding emission cuts.

The block started to collapse in the second week with a Chinese offensive. Hopes rose with the Chinese envoys' strategic declaration that they may accept a legally binding emission reduction agreement that will take effect in the 2020s. Success came through the efforts of European Union. The EU proposal was that countries carry out their own binding emission reduction commitments.

The efforts were rewarded at the beginning of Sunday morning. NGOs and developing side parties may consider a commitment period at 2020s as a very late response. This is absolutely true, but it is also an outcome that is beyond the expectations of many people. A pack of decisions came up with the productive Durban meeting.

One of them was the establishment of the Green Climate fund as an “operating entity” under the guidance of the Conference of the Parties to support projects, programmes, policies and other adaptation and mitigation activities in developing countries. The fund was an item of the Copenhagen Accord.

Another advance was the adoption of new LULUCF (Land Use Land Use Change and Forestry) text. The text will shape the new guidelines of LULUCF accounting in the second commitment period. The LULUCF sector includes carbon removals. This is very important for Annex 1 parties. It can offset a large portion of their emissions. Some accounting rules in the text were severely criticized by NGOs and developing country parties for enabling emissions to be hidden. The given term “loopholes” refers to carbon hiding in emissions as a result of inappropriate rules in the LULUCF text. In this set of rules, developed parties can account for all carbon removals arising from Land Use and Land Use Change but not for some sub-categories (forest management, wetland drainage, grazing land management etc) that cause net emissions because they are optional. The adopted final text deals with some – but not all - of the contentious points. The main issues in the text are as follows:

The term “Natural Disturbances” replaced “Force Majeure” and included wildfires, insect and disease infestations, extreme weather etc that are beyond the control of a party. Some may think the distinction is needless. This definition was followed by the definition of “Wetland drainage and rewetting” but the definition of “forest” was excluded. Instead, the forest definition fixed for Annex 1 parties was that which had already been selected in the first commitment period. The parties that have not selected a definition – such as Turkey- shall select a single minimum tree crown cover value of between 10 and 30 percent, a single minimum land area value of between 0.05 and 1 hectare and a single minimum tree height value of between 2 and 5 meters. The forest definition was criticised by developing country parties for not differentiating plantations from natural forests. Bolivia suggested a definition. The definition was actually adding a sentence¹ to the current definition to emphasize that forests are functional natural systems with interrelated living and natural components. The aim was to go for a separation in accounting for natural forests and plantations. Plantations can remove as much carbon as a natural forest but may not provide other ecosystem services especially conservation of biodiversity. The flexible land use possibilities of Annex 1 countries in accounting could be disabled with this separation.

The activities of afforestation, reforestation and/or deforestation remained as mandatory accounting and the reporting period remained as 1 January 1990 and 31 December of the last year of the commitment period. Parties may also choose to account for anthropogenic greenhouse gas emissions by sources and removals by sinks resulting from any or all of the following activities: re-vegetation, cropland management, grazing land management, and wetland drainage and rewetting. “Forest management” is now mandatory but was optional in the first commitment period. The accounting of forest management will be based on the reference level approach.

¹ Forests are systems of life that have multiple and integral functions and consists of communities of living and natural components dominated by trees, interrelated and interdependent to one each other. (revised non-paper by the co-facilitators, version December 5, 2011).

In a general sense, the text has been agreed by all parties. The rules still have loopholes although limited to some extent. We think that the rationale behind the agreed LULUCF text is that the rules of the new commitment period should be somehow appealing and a sector that causes emission removals should be more flexible.

In a nutshell; the developed parties of the UNFCCC are calculating their emissions and reductions since 1990 and if their emissions are increasing in time – as in the cases of Canada, Australia and the US- then they are standing back from a legally binding agreement but if not – like the EU- they are pushing the process. The EU has invested heavily in green industry and carbon reduction mechanisms (i.e., CDM, ETS) and what it needs to boost its economy is to export green technologies and products. Canada could not meet her Kyoto commitment, increased her emissions almost 30 percent compared to 1990 and is now leaving.

The task is overwhelming because parties are considering their economies not the atmospheric greenhouse gas concentrations.

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