

**Preparing the Paris COP:  
The New Diplomacy for Sustainable Development and the Climate negotiations.**

**Lecture by Bo Kjellén, Associate, Stockholm Environment Institute,  
and former Chief Negotiator in the Ministry of Environment,  
at the course Worldviews and Discourses, Uppsala, March 13, 2015, 10-12.**

**Outline and Comments**

Background

It is interesting to be given the opportunity to give a practitioner's view to an academic course with a broad approach to sustainability. The Rio process made me understand that we were faced with a new kind of diplomacy that had some characteristics which were different from traditional relations between states. I felt the need to try to develop a theoretical framework which materialized in a book, "A New Diplomacy for Sustainable Development", published by Routledge in 2008. One of the characteristics of this new diplomacy is that it is not just about environment, but about the broader notion of sustainable development, encompassing also social and economic components in a complex pattern. This means that the negotiators deal with an extremely profound and diversified reality, which is one of the reasons for the rather slow progress of negotiations.

The human species and the planet

Reflections on globalization and the human impact on global natural systems: the arrival of the Anthropocene Era.

Central components of the New Diplomacy

*A new perception of threats:* In traditional security policy, the potential enemy is another nation, or a coalition of nations. In the global perception of the Anthropocene Era, the enemy is within ourselves, in our own lifestyles and our own exploitation of resources.

*The essence of the long term:* Our view of the future has to be extended far beyond the perspective of the next election, or our own expected lifetime. We are the first generation with the capacity to influence living conditions of all following generations, because of our impact on immensely large natural systems.

*The need for a broad societal view:* These new perspectives require a better, and more critical, understanding of the extremely rapid transformations of our societies, and of new realities for politics and policy options. We are facing existential problems of a new kind.

*The concept of national Enabling Conditions:* Since the New Diplomacy is global, international negotiations are needed to solve the problems we are facing. But in a world still dependent on national governments, national enabling conditions are instrumental in formulating instructions for negotiations, thus influencing the prospects for success or failure.

### The practice of the New Diplomacy: personal experiences

*The normative role of the United Nations:* The Stockholm Conference on the Human Environment 1972 and the Rio Conference on Environment and Development 1992.

*New Departures in international law:* The global Conventions, with focus on the UN Framework Convention on Climate Change 1992, and the Convention to Combat Desertification 1994.

#### *Case studies:*

- The Rio Conference process 1990-1994: the Preparatory Committee, the Conference, the outcome, the follow-up.
- The negotiation of the Convention to Combat Desertification 1993-97.
- Climate change: The preparation, negotiation, implementation measures, and ratification of the Kyoto Protocol 1995-2004.

### The Rio Conference on Environment and Development

*Personal experience:* Chairman of plenary Working Group I, Preparatory Committee (Chapters 9-16, Agenda 21); Coordinator for Chapter 9 (Atmosphere) in Agenda 21 during the Conference; Member of small steering group during the process; leader of the Swedish delegation.

#### *Lessons learned:*

1. Importance of a well designed negotiating structure.
2. Need for a background fund of ideas and intellectual capacity: the Brundtland Commission.
3. Good leadership, an extraordinary Chairman of the negotiation: Tommy Koh of Singapore: firm management of the process; skilful leadership of meetings; capacity to represent the negotiation to the outside world.
4. Excellent Secretariat, led by Maurice Strong of Canada.
5. Perception of fairness in relation to all parties of the negotiation: the Chair as mediator, blending knowledge, toughness, and charm.
6. Respect for the complexity of the subjects negotiated.

### The UN Convention to combat Desertification (UNCCD)

*Personal experience:* Chairman of the International Negotiating Committee (INC) 1993-97.

*Lessons learned:*

1. The particular sensitivity of a subject of decisive importance for a number of poor developing countries, particularly in Africa.
2. The need for a good and confident cooperation with the Head of the Secretariat of the negotiation, in this case Arba Diallo of Burkina Faso.
3. Importance of financial and funding issues, particularly in a negotiation dealing both with development and environment.
4. Understanding of the working of the G 77 and the internal tensions in a group of 135 countries from all continents.
5. The sometimes disappointing performance of the OECD countries.
6. Sense of the extreme pressures on the Chairman and the need for a critical assessment of own performance.
7. Benefiting of the capacity and experience of many representatives of small developing countries.
8. The satisfaction of learning more about regions outside the mainstream of world politics.

Framework Convention on Climate Change and the Kyoto Protocol:

*Personal experience:* Leader of Swedish Delegation 1995-2001; Chairman of the negotiation for the Berlin Mandate in 1995, creating the conditions for the negotiation of the Kyoto Protocol; coordinator for consultations on art. 10 of the KP 1997; leader of the EU negotiating team during the Swedish Presidency 2001; adviser to the Moroccan Chairman of the Marrakech COP in 2001.

*Lessons learned:*

1. Importance of exploring the prospects for agreement on a firm mandate for a difficult and complicated negotiation.
2. Benefits of a good articulation between the official level and the Ministerial level during a negotiation process.
3. The importance of having a coherent leadership during preparatory negotiations in a working group and in the negotiating Conference itself; the central role of Raúl Estrada of Argentina.
4. The crucial and leading position of EU in the New Diplomacy.
5. The need for a transparent and well organized EU Presidency.
6. Importance of clear and tough line in the face of unexpected situations, like the US decision not to ratify the Kyoto Protocol.
7. On the other hand, the capacity to apply flexible diplomacy as a necessary complement to toughness: “agree to disagree”.
8. The need for careful consideration of the rules for entry into force of multilateral instruments.
9. The role of science and research, in the climate case well represented by the IPCC. Natural science has been a driving force for the negotiations; and the social sciences, humanities, and law are essential to understand and guide the societal transformations that are necessary.

## The four phases of the climate negotiations

- 1990-1995: Negotiation and entry into force of the Framework Convention on Climate Change (UNFCCC).
- 1995-2005: Negotiation and entry into force of the Kyoto Protocol, with the first commitment period running until 2012.
- 2005-2009: Preparations for the Second Commitment Period 2012-2020, and the regime post-2020, to be discussed at COP 15 in Copenhagen 2009.
- 2009-2015: There were great expectations for the summit meeting in Copenhagen, but they were not met. A political document, the Copenhagen Accord, was agreed by a great majority of countries, but could not be formally adopted by the COP, and COP 15 was first considered a failure. However, skilful diplomacy gave new life to the negotiation, and a series of COP's (Cancun 2011, Durban 2012, Doha 2013, Warsaw 2014, Lima 2014) managed to take a number of concrete decisions and launch a process that could lead to a strengthened and long-term climate regime beyond 2020.

## Where do we stand to-day?

This concluding session will be in the format of a general discussion, with questions and answers, comments and queries, around the following themes:

- The fifth assessment report of the IPCC, which was published in October 2014, was more precise than any of the previous reports in stating that there is now a tangible human impact on the climate, and that the world has to take action on global warming.
- In fact, there are parallel processes in motion: the decisions of Durban (1) opened the way for a real continuation of the Kyoto Protocol for the period 2012-2020, with the EU acceptance of a second commitment period beyond 2012, and (2) signified that negotiations would start in a new working party on the so-called Durban Platform, aiming at a decision by 2015 on a “protocol, another legal instrument or an agreed outcome applicable to all Parties” for the period beyond 2020.
- This decision could open the way for a long-term solution, which could cover the period 2020-2035/2050 and in this way have important effects on new investment in renewable energy, transports and infrastructure. To-day it is possible to expect that a new industrial revolution is on its way, based on renewable energy.
- The Lima COP 20, a few weeks after the IPCC report, did not permit any substantial breakthrough in the negotiation, but it resulted in the unanimous adoption of the “Lima Call for Climate Action”, which could lead to more concrete progress towards the Paris COP 21 in December 2015.
- The central negotiating body, ADP (Ad hoc Group on the Durban Platform), had a meeting in early February 2015, which formally agreed on a negotiating text as the basis for the continued work towards Paris. This text contains many alternative texts to be further negotiated and is far too voluminous (around 90 pages) but it is from now on the only document for negotiation and streamlining. The ADP will meet again in early June and there will probably be two more sessions before Paris. Success is certainly not guaranteed, but the formal machinery is in place.
- An evaluation: twenty years after Rio we know much more about global sustainability, but in many ways action has been slow and there is a sense of disappointment among many actors and analysts. In my own view, we were probably over-optimistic in 1992, with limited understanding of all the political, economic, and social complexities involved in a great global societal transition. To-day, the economic crisis conditions

over the last five years and the moving geopolitical realities – in particular the serious Ukraine crisis - seem to limit the scope of the New Diplomacy. But the increasing human impact on natural systems has to be addressed in cooperation: and we cannot negotiate with these systems.

- Finally, we have to realize that climate change is not just about environment. It is about society.