



## **SAVE THE KYOTO PROTOCOL & REJECT A WEAK POLITICAL AND UNFAIR OUTCOME IN COPENHAGEN**

### **APRODEV Communiqué to Political Leaders & Climate Negotiators**

United Nations Climate Change Negotiations  
Barcelona, 2 to 6 November 2009

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This is an appeal to political leaders and heads of national government delegations at the climate negotiations in Barcelona from November 2-6, 2009. We are deeply concerned that many developed countries proposals for the outcomes for both the LCA (Long-term Co-operative Action) and KP (Kyoto Protocol) tracks are extremely weak and designed to dismantle the Kyoto Protocol beyond the first commitment period in 2012.

#### **Adopt an amendment to the Kyoto Protocol**

As regards the KP track, we urge Parties to fulfil the legal mandate established under Article 3.9 of the Kyoto Protocol, namely to adopt an amendment to the Kyoto Protocol to establish the amount of emission reductions by Annex I Parties in the second commitment period. Aprodev asserts that failure to comply with these provisions by failing to agree a second commitment period would be a breach by all Parties to the Kyoto Protocol - not merely Annex I Parties - of their legally binding obligations.

Aprodev believes that the amendment option would be the only way to guarantee that the substantive elements of the Kyoto Protocol are preserved and the fundamental equity and justice principles of the UNFCCC are respected. Abandoning the Kyoto Protocol is a great political risk that is likely to lead to a watered down agreement, “emissions anarchy” based on a pledge & review system, and a “race to the bottom” in the ambition of developed country mitigation targets. Opting for a new treaty/protocol would not only cause serious delay, it would also risk violating the principle “common but differentiated responsibilities”, enshrined in the UN Climate Convention.

#### **Adopt a set of robust COP decisions for the LCA track**

While the agreed outcome for the LCA track is not specified, we urge Parties to adopt a set of COP decisions to enhance the sustained and effective implementation of the UNFCCC. A set of COP decisions is sufficient to address concrete implementation actions, including institutional arrangements, rules and procedures needed to enhance implementation of the UNFCCC. We highlight other compelling reasons:

- The UNFCCC already enshrines legally binding provisions for what should be agreed under the LCA track. Developed country obligations to provide financial and technological support do not need to be re-negotiated in the form of a new treaty. COP decisions have already been used to effectively to implement elements of the Convention.

APRODEV is the association of the 17 major development and humanitarian aid organisations in Europe, which work closely together with the World Council of Churches (Including Church of Sweden, Diakonia, Norwegian Church Aid, Dan Church Aid, Finn Church Aid, ICCO, EED, Brot für die Welt, Bread for All, and Christian Aid).

For more information and the full report, visit [www.aprodev.net](http://www.aprodev.net).

- Since COP decisions do not require ratification, this option could address key implementation challenges with the greatest speed and certainty and facilitate immediate action up to and beyond 2012.
- Avoids the risks and delays associated with re-opening the Convention, merging the Kyoto Protocol and the Convention or negotiating a new instrument.
- The importance of ensuring “comparability of efforts” for those Annex I Parties to the Convention that are not Parties to the Kyoto Protocol could be achieved through internationally binding national actions and through appropriate institutional arrangements to ensure that efforts are measurable, reportable and verifiable, combined with a firewall around the US to prevent backsliding of developed countries currently in the KP.
- COP decisions could also encourage more ambitious voluntary mitigation action from developing countries than if they were bound by legally binding *commitments/targets* under a new Protocol.
- A new protocol under the LCA would enhance the political risks of a new protocol entirely subsuming KP and therefore undermining its adequacy and equity elements, OR creating a permanent home for the US, which, even in the long term, may be different from the top-down approach of the KP.

### **Aprodev messages to climate negotiators in Barcelona**

It is essential that the AWG-KP and AWG-LCA tracks be kept distinct, as per the existing legal mandates. All efforts must be directed towards aggressively advancing work in the AWG-KP to ensure a robust second commitment period.

An amendment to the Kyoto Protocol is the option most likely to deliver on this goal. Nevertheless, it must ensure that:

- *The scale of emission reductions must be sufficient to stabilize atmospheric GHG concentrations at 350 ppm, which is the level necessary to prevent dangerous interference with the climate system;*
- *The reduction burden-sharing arrangement between industrialized and developing countries must be fair, in particular the North must not only take the lead but assume deep and sustained cuts in emissions to ensure that the costs of adaptation for developing countries are to be kept low;*
- *Significant financial and technological resources must be provided urgently to developing countries to enable them to adapt to climate change and to stimulate their own low-carbon development.*

We believe that the UNFCCC’s fundamental principles of historical responsibility and a fair sharing of the global atmospheric resources must underpin both the KP amendment and the agreed outcome for the LCA track. This is essential in order to redress the tragedy of the atmospheric commons that has been created by the industrialized countries having emitted GHG levels far in excess of the carrying capacity of the Earth, especially since the excessive overuse and “free-riding” of atmospheric capital has deprived developing countries of their fair share.

Annex I countries must accept responsibility for the emissions that have contributed disproportionately to causing climate change, denying atmospheric space to developing countries and its adverse impacts on the poor. The Kyoto Protocol has many flaws, but the prospect of losing an international law that requires specific amounts of emission reductions by Annex I countries as a whole and individually, with a binding timetable and compliance measures is very dangerous, especially since there is no better alternative in place.