Climate Change & Challenges For Developing Countries

1. Introduction

2. Natural threats as challenges for developing countries

3. Compliance challenges for developing countries

4. Conclusion
1. Introduction

- Climate change = political and legal issue
- concerns every country; developed as well as developing countries
  - Legal fundament for this “equality”:
  - Art. 3 UNFCCC
  - Contains two main aspects of climate challenges for developing countries
Art. 3 UNFCCC

1. “Common but differentiated responsibilities” (CBDR)

2. Vulnerability of developing countries facing natural threats as consequences of climate change
1. Common but differentiated responsibilities

- This principle is no legal obligation per se
- Rather "legal and philosophical basis" for the existing legal obligations such as obl. within the KP
Art. 3 UNFCCC

- Principle is based both on historical responsibility & differing the states' capacities to address climate change
- Developing countries may not mitigate climate change measures as strongly as developed countries
- KP stipulates asymmetric priorities & commitments for developed & developing countries
Art. 3 UNFCCC

2. Vulnerability of developing countries

- Art. 3.2 UNFCCC

- Source of vulnerability:
  - lack of financial resources, adequate & efficient technology, effective institutions

- Economical development leads to higher consumption of energy + GHG emissions
1. Introduction

- Developing countries: actors and victims in the context of climate change
- Debated how responsibilities & commitments should be distributed among industrialized, developed countries + EIT countries
1. Introduction

However,

climate change targets can not be met without the participation of developing countries since their annual (and rapidly increasing) emissions make half of the global emissions.
2. Natural threats as challenges for developing countries

- **Adverse impact** of climate change will affect developing countries the most
- The UNFCCC- Secretariat published a book highlighting:
  - Concerns and needs of developing countries directly facing climate change
  - Their challenges to adapt to effects of climate change
2. Natural Threats

- UNFCCC book outlines consequences of climate change that developing countries will face over the next decades
  - Such as: water and food shortage, greater risk to health and life
- In 2007, IPCC reported on this matter as well
2. Natural Threats

• IPCC Reports 2007:
  - Without significant reduction of GHG emissions the emissions could rise 25-90% by 2030 compared to 2000
  - Earth could warm up by 3°C within this century
  - Even temperature rise of 1-2.5°C could result in seriously harming effect (i.e. Reduced crop yields, thus risk of hunger, epidemic spread of tropical diseases)
2. Natural Threats

- UNFCCC secretariat:
  - Without “significant reduction of GHG emissions” developing countries will require 28-67 bil. US$ in funds in order to adapt to climate change by 2030

- Developing countries already suffer from climate change impacts (i.e. Tuvalu, Maldives, etc)
2. Natural Threats

Future perspectives?

- UN Secretary Ban Ki-Moon: to jointly tackle climate change is “defining issue of our era”

- More assistance for developing countries needed (transfer of knowledge, technology and financial resources)

- Promoting environmental/climate protection would help to promote adaption strategies among developing countries (with multiple benefits for the whole international community)
3. Compliance Challenges For Developing Countries

Dispite the CBDR, developing countries are challenged “to keep up” with developed countries implementing climate change measures

(i.e. for ethical, moral but mostly political reasons)

- “challenge” ≈ conflict of interest, i. e.: economy vs environmental protection or human rights vs env. protection
3. Compliance Challenges

- **UNFCCC not the only document in environmental law that reveals challenges for developing countries**
- But without a doubt, it reveals the biggest ones
- **The flexible mechanisms (KP) contain several challenges for developing countries:**
3a. UNFCCC Challenges

- JF (Art. 4 KP, Annex-I + Annex-I)
- JI (Art. 6 KP, Annex-I/Annex-I projects; ERUs)
- CDM (Art. 12 KP, Annex-B/ Non-Annex-I projects; CERs)
- IET (Art. 17 KP, Annex-I, trading with AAUs, ERUs, CERs)
3a. UNFCCC Challenge

- Developing countries included in only 1 out of 4 flexible mechanisms
  - critical voices see it as “an exclusion of weaker economies”
  - What is the intention? Should not flexible mechanism encourage especially developing countries to improve their “environmental standard”?
3a. UNFCCC Challenge

- Also “institutional challenge”
- The “Copenhagen scenario”
  - The G8 decide
  - The countries at highest risk seem left behind
- The political character of the UNFCCC & its climate change regime in unavoidable
  - CBDR argument
  - “modern” field of law, always politically motivated
3b. Political Challenge

- Example: Maldives
- Maldives' Submission to the OHCHR (2008)
  - How is a developing country supposed to protect the global environment while it still struggles with human rights protection?
3b. Political Challenge

- Implementation of EnvL a luxury, not yet the status quo

- Developing countries can not yet afford (financially, politically) environmental protection in its full range

- Is current assistance enough?
4. Conclusion

• Future Perspectives
  - Developed countries have to recognize “plurality of paths to modernity” (Dr. Raskin)
  - The stronger the democratic development, the more can developing countries “focus” on environmental challenges
  - Is that sufficient since both sides already clash?
4. Conclusion

- Sustainable development
  - More assistance to combine the needs of a developing country and sustainable development
- Challenge of “growing momentum of action” (Durban)
  - Developing countries need a stronger voice within the UNFCCC
4. Conclusion

• Bonn Climate Change Conference 2012
  - SBI's debate on challenges for developing countries (Decision 1/CP.16, §§26–29)
  - “Approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity”
4. Conclusion

• Tackling climate change asks for the international community to cooperate

“When we take our trips to outer space and we look back, we see an intergrill blue planet. You do not see imaginary lines of states!”

• http://www.youtube.com/watch?v=FS7o4g5kzMM
Tusen takk!

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