

Speech of Hon'ble Minister for Environment & Forests

FROM BALI TO DURBAN AND BEYOND

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Distinguished invitees, experts, members of media, ladies and gentlemen

I am really thankful to TERI and the Climate Change Forum for having given me this opportunity to talk to you today morning on an issue that deserves, commands and actually does engage considerable attention, as it should in our country and all over the world. It has become a focal point of intense national and international debate and will command special attention in the public discourse in our country in the coming years.

TERI is perhaps one of the most symbolic places in the country where we can focus upon the fact that climate change will and does impact upon virtually every aspect of life in our country, something that is vitally important for one country both internationally and in our relationships with rest of the world and further world at large. The very fact that so many of our colleagues from media are here shows how much public involvement and interest exists in this issue and I am really anxious that the debate should extend to the furthest possible space in our country so that everybody has an idea of what our country is doing. To that extent I am very grateful to TERI for having given me this opportunity because I know I have not addressed the media after our country went to Durban with the mandate of the cabinet. I believe that we, India, played an extremely

constructive role both for India and as the voice of the developing world which was well received, still talked about and which I believe we will take forward in all future engagements.

The topic chosen by the Forum “From Bali to Durban and Beyond” is both topical and challenging.

I had made a statement in the Parliament on this subject immediately after my return from Durban. I am delighted that this Forum now gives me the space to express my views on the subject outside the Parliament.

I consider it critical that the public in our country understands clearly the issues underlying the decisions taken at Durban and is conscious of its implications and the possible approaches. To help this process, we have recently put out a list of Frequently Asked Questions (FAQ) in relation to Durban and Climate Change on the website of our Ministry. I recommend that you visit this website and read the material. Full clarity and a public debate on these issues are necessary in order to build a momentum for a sustainable and safer future for the coming generations both in India and across the globe. I welcome all inputs because we would like to understand what everybody is thinking on this. I firmly believe that our role is pivotal in what the world can do.

Durban was distinguished for various reasons. The intense and long-drawn negotiations in Durban ended with two major sets of outcomes. I would like to place, in the first stream of outcomes, the decisions relating to the Bali Road Map and the Cancun Agreements. The second stream relates to the new process initiated under the Durban Platform.

As for the first stream, we were able to operationalise many of the Bali and

Cancun decisions. Amongst these, the most important were those relating to the Green Climate Fund, the Technology Mechanism and the Adaptation Framework. These were key decisions, particularly from developing countries point of view. These decisions address, not fully but in some measure, the long pending issues of finance, technology and adaptation agreed in the Bali Action Plan. We reinforced it, we created a structure, there are issues of under-capitalization, however we have to understand that the structure was created and Green Climate Fund was operationalized inspite of a global economic recession.

As part of the Durban package, we also put into place guidelines for transparency arrangements that were originally not a part of the Bali action Plan. These had been added to our Agenda in Cancun following the Copenhagen Accord in which our partners from developed countries had insisted on such confidence building measures in exchange for their promise to make emission reduction pledges and provide required finance to developing countries.

But, the most important gain from Durban and probably the least talked about in this stream was the establishment of the second commitment period under the Kyoto Protocol. It was only because of the stand taken by BASIC and like minded countries that this decision, which had been delayed for almost 4 years, could see the light of the day. The decision is still not fully operational; the emission limits under the second commitment period of KP will be finalized only in Doha. But, the gains from this decision on KP will be visible later when we begin negotiating on the Durban Platform. I know that Canada dropped out, however, this should not take away from the fact that second commitment period was established.

The decisions on the Durban Platform constitute the second important set of outcomes in Durban. At Durban, we began a process for negotiating on post 2020 arrangements. India emerged as a key player in these negotiations. This was evident from the last minute huddle formed by the CoP President to decide upon these arrangements. It would have been perhaps easy for us to let the talks break. But, this would have been disastrous for the Durban Conference and the planet at large. However, being a responsible member of the global community, India chose to play a positive and constructive role. It was also important to keep in mind the BASIC mandate as well.

As part of our commitment to the multilateral process, we agreed in Durban to launching a process whose objective is to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties. Under the Convention is the most vital part. The process has to be completed by 2015 with an aim to adopt the protocol, another legal instrument or an agreed outcome with legal force from 2020. Under the Convention means CBDR and equity being very important.

India has a vital stake in the future arrangements as we are not only a major growing economy but also a society deeply vulnerable to climate change. We are committed to environmental sustainability. At the same time, we are conscious of the overriding priorities of poverty eradication which is a crucial objective of social and economic sustainability. It is critical for us to keep growing to give a chance to millions of poor lives in our country to come out of poverty. We need to ensure that our people get a fair share of global atmospheric resources, which allows them necessary space to grow and access to food, water and energy. Future arrangements therefore need to be equitable and not just fair and ambitious.

The decision on Durban Platform is part of the mutual assurances that we have exchanged with our developed country partners on enhanced and ambitious actions. The significance of this decision lies in the fact that we have ensured that the arrangements are established under the Convention. Being under the Convention implies that the arrangements are not only applicable to all parties as they must, they should also be anchored in the principles of the Convention. This is indeed a significant gain. Since we have to apply the principles of equity and CBDR in evolving these arrangements, the responsibilities/obligations in a post 2020 arrangement will clearly need to be built on the principle of equity and CBDR. Irrespective of the legal form of the final arrangements, the developing country targets under such arrangements cannot be binding, I repeat cannot be binding, until the principle of differentiation based on equity is defined and the conditions implicit in such definition of equity are met. The principle of equity will need to be elaborated through negotiations.

It is for this reason that I pleaded so strongly for equity in the Durban Conference. We managed to ensure that our three issues - equity, trade and technology related IPRs remain on the table. Equity is back on the table in form of a decision to hold a workshop. But, we will need to do substantive work on this issue. The results of the workshop should feed into the negotiations and we should press for a decision on a work-plan for equity.

With a view to move in this direction, my Ministry has organized a discussion on equity and climate change. This will take place tomorrow and the day after here in New Delhi. We have invited the BASIC countries as also a few other like minded countries from different regions of the world to deliberate on the importance of equity and the possible approaches.

Equity does not imply mere parallelism in the actions of countries in future. It is deeper than that and is linked to the potential for growth and sustainable development. At Durban we have agreed that, till 2020, the developing country targets under these arrangements will be determined on the basis of voluntary choice and with a guarantee that there will be no punitive consequences of shortfall in these domestic targets even if they are inscribed in an international document. There will be mutually agreed arrangements for verification (international consultation and analysis) of the domestic goals but the objective of such arrangements will be only to increase transparency and build confidence in mutual actions.

The post 2020 arrangements must therefore include not only binding emission reduction commitments for developed countries but also assurance that there will be no unilateral measures taken by any country in the name of climate change. Besides, the post 2020 arrangements must include commitments of developed countries in quantified and specific terms to provide financing and technology support to developing countries. Further, the arrangements should provide for a facilitative regime that ensures access to IPRs and transfer of climate friendly technologies. The arrangements may take the shape of a protocol or legal instrument, provided, always provided that above conditions are met.

Ultimately, everything rests on our ability to advance sustainable development agenda within the country even as we are willing to promote international cooperation. Without an international consensus on equity, unilateral trade measures and technology related IPRs, substantial movement under the Durban Platform will not be possible. These should be a part of an ambitious agenda if

we are serious about international cooperation on climate change.

In the recent past, I have come across some references to green growth and sustainable development goals as ideas representative of equitable and sustainable growth. Some ideas relating to sustainable consumption or even sustainable prosperity have appeared as the likely solution to the questions of sustainable development. The Rio+ 20 process is being seen as an opportunity to integrate these objectives into the sustainable development paradigm. I would like to stress here that the SDGs should not be seen as uni-dimensional objective. They must be anchored in the paradigm of equity and CBDR and should be designed in a framework that respects the differentiated responsibility and capabilities of the participating nations.

The issue of an appropriate legal form for the future arrangements by 2020 was a matter of intense debate at Durban. Some parties led, in particular, by the EU pressed for a form of agreement that should be legally binding on all Parties. We have always believed that legal form should follow the substance. A legally binding agreement, by itself, is no guarantee for increased ambition or its implementation.

Some Kyoto Protocol Parties like Canada have recently made unilateral announcements to renounce their legal obligations under the Kyoto Protocol. This is a clear pointer to the fact that a legal form is useful only as long as the party is willing to abide by it. Moreover, we are also of the view that India cannot agree to a legally binding agreement for emissions reduction at this stage of our development. Our emissions are bound to grow as we have to ensure our social and economic development and fulfill the imperative of poverty eradication.

What would be the shape of an outcome with legal force? The contours of this notion will become clear in course of negotiations. Such an outcome may include some aspirational CoP decisions, some binding CoP decisions, and setting up of new institutions and bodies. It may even include new protocols or other legal instruments as necessary to implement the decisions covering various issues with various degrees of binding-ness as per domestic or international provisions of law under the Convention.

There have been some comments on the role of SIDS and LDCs in the negotiations and their stand. I want to say this that we understand the perspective of LDCs and SIDs as much or more than anybody else in same position. Even as we try to take everyone along, we need to be firmly rooted in our national perspective on these matters. We need to build coalitions that advance the global agenda and at the same time do not compromise on the domestic priorities of sustainable development and poverty eradication.

In the coming months, we have several tasks before us. We have to spell out our views on the possible structure of the post 2020 arrangements and also our views on equity. We have given initial indications of our approach in our recent submissions to the UNFCCC in the month of February. We will elaborate it further in the future submissions.

I would like to thank you for the attention and the opportunity given to me once again. I am confident that your discussions here will give us an insight into the emerging challenges and result in a fruitful and engaging conversation.

Thank you.