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Don Anton - Introductory Note to Intergovernmental Panel
on Climate Change, Fourth Assessment Synopsis Report
Summary for Policy Makers and the Bali Action Plan

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**INTRODUCTORY NOTE TO INTERGOVERNMENTAL PANEL ON CLIMATE
CHANGE:**

**FOURTH ASSESSMENT REPORT:
SYNOPSIS REPORT SUMMARY FOR POLICYMAKERS
(December 14, 2007)**

And

**UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE:
DECISION ADOPTED BY THE 13th CONFERENCE OF THE PARTIES
(November 17, 2007)**

BY

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Introduction

After 12 days of often highly charged meetings,² the 13th Conference of the 192 Parties (COP) to the United Nations Framework Convention on Climate Change (FCCC)³ adopted a Decision that has been called the “Bali Action Plan” (Action Plan)⁴ on December 15, 2007. The object of the Action Plan is to start the process of negotiating a multilateral agreement to address climate change that will be successor to the first commitment period under the Kyoto Protocol to the UNFCCC⁵ when it expires in 2012.

The Action Plan responds to the 2007 findings of the Fourth Assessment Report (AR4) of the Intergovernmental Panel on Climate Change (IPCC).⁶ AR4 is made up of four separate documents: Working Group I Report: The Physical Science Basis (released Feb. 2, 2007); Working Group II Report: Impacts, Adaptation and Vulnerability (released April 6, 2007); Working Group III Report: Mitigation of Climate Change (released May 4, 2008); and finally,

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² Indeed, the diplomatic conference on climate in Bali appeared to be one of the most undiplomatic of proceedings with reports of acrimony, boos, and crying by diplomats on the way to the outcome. See *Bali Forum Backs Climate “Road Map”*, Washington Post, Sunday, Dec. 16, 2007, p. A01; *Climate Plan Looks Beyond Bush’s Tenure*, N.Y. Times, Sunday, Dec. 16, 2007, p. 1.

³ 31 I.L.M. 849 (1992).

⁴ Also called the “Bali Roadmap”. Decision -/CP.13, FCCC/CP/2007/L.7/Rev.1 (14 Dec, 2007)(decision numbers have yet to be issued for Decisions taken at COP 13), available at: http://unfccc.int/files/meetings/cop_13/application/pdf/cp_bali_action.pdf.

⁵ 37 I.L.M. 22 (1998).

⁶ available at <http://www.ipcc.ch/ipccreports/assessments-reports.htm>.

the Synthesis Report (released Nov. 17, 2007). The Synthesis Report, like the three Working Group Reports, contains a 23 page Summary for Policymakers.

In particular, the Action Plan notes the AR4 conclusion “that warming of the climate system is unequivocal, and that delay in reducing emissions significantly constrains opportunities . . .”. It also recognizes the contribution of AR4 Working Group III that “deep cuts in global emissions will be required” to meet the ultimate objective of the FCCC of “stabilizing greenhouse gas [(GHG)] concentrations in the atmosphere at levels that would prevent dangerous anthropogenic interference with the climate system.”

This Note sets out the background to the Bali Action Plan, including the AR4 Summary for Policymakers. It also outlines the key features of both documents.⁷

Background

In 1992, the international community adopted the FCCC as its first legal response to the problem of climate change. In addition to its ultimate objective, Article 3 of the FCCC recognizes “common but differentiated responsibilities” of states for the historic contribution to the problem and in terms of resources that can be mobilized in response. Accordingly, Article 4.2 provides that Parties set out in “Annex I” to the Convention – developed states and countries in transition – must “aim” to return to their 1990 levels of anthropogenic emission of carbon dioxide and other GHGs by the year 2000.

In 1995, the 1st COP of the FCCC determined that the commitments provided in Article 4.2 were not adequate and adopted the “Berlin Mandate” to drive the negotiation of a GHG “limitation and reduction objective within specified time frames”. The Berlin Mandate ultimately led to the adoption of the Kyoto Protocol to the FCCC in December 1997. The Protocol commits Annex I parties to reduce their overall emissions of six GHGs by an average of 5% below 1990 levels between 2008-2012 – the first commitment period – with specific reductions (or increases) varying from state to state. The Kyoto Protocol also charged the COP with serving as Meeting of the Parties (MOP) to superintend the Protocol.

Subsequent COPs /MOPs finalized rules and operational details for the Kyoto Protocol in the Buenos Aires Plan of Action (1998) and the Marrakesh Accords (2001). These rules and details include flexibility mechanisms, reporting requirements and methodologies, land-use change and forestry treatment, compliance structures, adaptation and mitigation practices. In 2004 at COP 10, the parties began to investigate the politically-sensitive issue of how commitments to combat climate change could be met and strengthened in the post-2012 period, after Kyoto’s first commitment period ended. In December 2005 at COP 11 of the FCCC and Kyoto COP/MOP 1, the parties created a new subsidiary body under the Kyoto Protocol – the *Ad Hoc* Working Group on Further Commitments for Annex I parties under the Kyoto Protocol

⁷ For a detailed account of the 13th COP to the UNFCCC, see *Summary of the Thirteenth Conference of the Parties to the UN Framework Convention on Climate Change and Third Meeting of the Parties to the Kyoto Protocol*, 12 Earth Negotiations Bull. (No. 354, 18 Dec. 2007), available at <http://www.iisd.ca/climate/cop13/>.

(AWG) to work on the extension of the Protocol – and a series of workshops under the FCCC, called a “Dialogue,” that would examine long-term cooperation under the FCCC.

In the lead up to COP 13 and the Bali Action Plan, the AWG and FCCC Dialogue met four times. In August 2007, at its fourth session, the AWG adopted a number of conclusions based on the AR4 of the IPCC. These included the need to start dramatic reduction of GHGs with the next 15 years and return to far below half of 2000 levels by mid-21st Century in order to safely stabilize GHGs concentrations at the lowest possible levels. In order to achieve this level of stabilization, Annex I parties as a group would need to start reducing their GHG emissions between 25%-40% below 1990 levels by 2020.

In arriving at the Bali Action Plan, the work of the IPCC was relied on and was influential. The IPCC is an independent, intergovernmental scientific body established in 1989 by the World Meteorological Organization and the United Nations Environment Programme. The function of the IPCC is to objectively assess the latest expert studies and findings in order to provide decision-makers with relevant scientific, technical and socio-economic data about climate change. In 1990, the IPCC 1st Assessment Report assisted in driving agreement leading to the FCCC. The IPCC 2nd Assessment Report, in 1995, was instrumental in its input into the negotiations of the Kyoto Protocol. In 2001, the 3rd Assessment Report assisted the COP and COP/MOP to reach agreement on the regime rules and operational details referred to above.

The IPCC AR4

On November 17, 2007, the IPCC released its Summary for Policymakers for the Synthesis Report of the AR4. The Synthesis Report summarizes six years of review of scientific literature by experts from around the world, convened under the auspices of the IPCC’s Working Groups I, II, and III.⁸ From the beginning, each subsequent Assessment Report has strengthened the scientific consensus and confidence that global warming is occurring and its impacts on our climate and natural systems are due to human activities. AR4 continues this trend.

Generally, the IPCC Policymaker Summaries (including the one excerpted below) focus on conclusions and projections that have a fair degree of *certainty* or *confidence* in order to help ensure their relevance. In order to understand the Summary, it is important to be aware that the IPCC utilizes a description of certainty based on a sliding scale of likelihood. Thus, if something is “virtually certain” there is a 99% or greater chance that it will occur; “very likely” > 90%; “likely” > 66%; “more likely than not” > 50%; “less likely than not” < 50%; “unlikely” < 33%; “very unlikely” < 10%; “exceptionally unlikely” < 1%. In terms of confidence in prediction, the IPCC employs the collective expert subjective opinion of the authors of an assessment. The sliding scale of confidence runs: “very high” is roughly a 9 out of 10 chance; “high” is roughly 8 out of 10; “medium” is 5 out of 10; “low” is 2 out of 10; and, very low is roughly 1 out of 10.

In terms of confidence and certainty, the following items in the Synthesis Report Summary for Policymakers are worth noting.

⁸ See <http://www.ipcc.ch/ipccreports/assessments-reports.htm>.

Observed changes in climate and their effects

Warming of the climate system is **unequivocal**, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level.

Observational evidence from all continents and most oceans shows that many natural systems are being affected by regional climate changes, particularly temperature increases. For instance, it is **very likely** that over the past 50 years cold days and nights have become less frequent, and hot days and nights have become more frequent and **likely** heat waves have become more frequent.

There is **medium confidence** that other effects of regional climate change on natural and human environments are emerging, although many are difficult to discern due to adaptation and non-climatic drivers.

Causes of Change

Most of the observed increase in globally-averaged temperatures since the mid-20th century is **very likely** due to the observed increase in anthropogenic GHG concentrations. It is likely there has been significant anthropogenic warming over the past 50 years averaged over each continent (except Antarctica).

Global greenhouse gas emissions due to human activities have grown since pre-industrial times, with an increase of 70% between 1970 and 2004.

Carbon dioxide (CO₂) is the most important anthropogenic GHG. Its annual emissions grew by about 80% between 1970 and 2004. The long-term trend of declining CO₂ emissions per unit of energy supplied reversed after 2000.

Global atmospheric concentrations of CO₂, methane (CH₄) and nitrous oxide (N₂O) have increased markedly as a result of human activities since 1750 and now far exceed pre-industrial values determined from ice cores spanning many thousands of years.

There is **very high confidence** that the net effect of human activities since 1750 has been one of warming.

Human influences have:

- **very likely** contributed to sea level rise during the latter half of the 20th century;
- **likely** contributed to changes in wind patterns, affecting extra-tropical storm tracks and temperature patterns;
- **likely** increased temperatures of extreme hot nights, cold nights and cold days;

Projected climate change and its impacts

There is high agreement and much evidence that with current climate change mitigation policies and related sustainable development practices, global greenhouse gas emissions will continue to grow over the next few decades.

Continued greenhouse gas emissions at or above current rates would cause further warming and induce many changes in the global climate system during the 21st century that would **very likely** be larger than those observed during the 20th century.

The long-term perspective

There is **high confidence** that neither adaptation nor mitigation alone can avoid all climate change impacts; however, they can complement each other and together can significantly reduce the risks of climate change.

- Adaptation is necessary in the short and longer term to address impacts resulting from the warming that would occur even for the lowest stabilization scenarios assessed.
- Unmitigated climate change would, in the long term, be **likely** to exceed the capacity of natural, managed and human systems to adapt. The time at which such limits could be reached will vary between sectors and regions.
- Early mitigation actions would avoid further locking in carbon intensive infrastructure and reduce climate change and associated adaptation needs.

In order to stabilize the concentration of greenhouse gases in the atmosphere, emissions would need to peak and decline thereafter. The lower the stabilization level, the more quickly this peak and decline would need to occur. To stabilize below 490 parts per million, emissions must peak by 2015 and then start to decline.

The Bali Action Plan

Arguably, the most important Decision taken at COP13 was the consensus adoption of the Bali Action Plan. The Decision creates a process and sets out a two year agenda to enable the parties to establish a multilateral framework on post-2012 issues in 2009 at COP15 in Copenhagen, Denmark. Reaching agreement on the Bali Action Plan, however, was difficult.

The wording to address mitigation of GHGs by developed and developing states was particularly contentious and gave rise to rancor. Before consensus was reached, the United States was isolated in its insistence that developing countries commit to binding mitigation actions for GHG reduction, before it would agree to long-term action of its own under the FCCC. In the end, the proposal by India to use text referring to “nationally appropriate mitigation

actions” by developing countries was accepted by all other states and the U.S., in the final hours, decided to join the consensus.

The Action Plan establishes a new FCCC subsidiary body known as the *Ad Hoc* Working Group on Long-term Cooperative Action under the Convention (AWGLCA). The new Working Group is responsible for overseeing the process established under the Action Plan to develop a framework for addressing climate change post-2012. There are five major aspects that the AWGLCA must address as part of the process.

Shared vision

First, the AWGLCA must attempt to develop “a shared vision for long-term cooperative action, including a long-term goal for emissions reduction.” The vision should be in accordance with the provisions of the FCCC and it should pay particular attention to the principle of common but differentiated responsibilities and respective capabilities.

Enhanced action on mitigation

Second, the AWGLCA must address “enhanced national/international action on mitigation of climate change (e.g., action to reduce sources or enhance sinks of greenhouse gases). In doing so, a range of factors should be considered. These include, perhaps most importantly, the “measurable, reportable and verifiable nationally appropriate mitigation commitments or actions” by developed states; and “national appropriate mitigation actions” by developing states, “supported and enabled by technology, financing and capacity building, in a measurable, reportable and verifiable manner.”

Enhanced action on adaptation

Third, the AWGLCA process must address “enhanced action on adaptation” (e.g., adjustment of human or natural systems in response to actual or expected climate stimuli, which moderates effects or exploits beneficial opportunities). These actions include: vulnerability assessments; the development of capacity and response strategies; the development of strategies related to risk reduction, disaster reduction, risk management, and risk sharing; and, promotion of economic diversification as a means of resilience.

Technology development and transfer

Fourth, the AWGLCA process must address ways to enhance “action on technology development and transfer to support action on mitigation and adaptation.” This includes consideration of: ways and means to remove obstacles to the transfer of technology and access to affordable environmentally sound technologies; the provision of financial and other incentives to promote technology transfer; ways to accelerate the transfer of technology; and cooperation on research and development.

Financial resources

Finally, the Bali Action Plan requires AWGLCA to address mechanisms to enhance “action on the provision of financial resources and invest to support action on mitigation and adaptation, as well as technological cooperation. This includes consideration of: improved access to financial resources and support; development of positive incentives for enhanced implementation of mitigation strategies and adaptation action by developing states; development of innovative funding mechanisms; and the development of incentives for adaptation actions.

Time will tell whether the President of the Conference in Bali was correct when he said on December 15, 2007: “The decisions we have taken in Bali together create the world’s road map to a secure climate future. The governments assembled here have responded decisively in the face of new scientific evidence and significant advances in our thinking to collectively envision, and chart, a new climate-secure course for humanity”.⁹ Still, the COP in Bali created a platform for negotiations with a clear deadline for the adoption of an agreement on the post-2012 Kyoto period.

⁹ Rachmat Witoelar, *The Bali Roadmap*, Address to Closing Plenary by President of the U.N. Climate Conference, Bali (Dec. 15, 2007), available at: http://unfccc.int/files/meetings/cop_13/application/pdf/close_stat_cop13_president.pdf