

# **TOWARDS A JUST & EQUITABLE CLIMATE CHANGE POLICY: A politico-moral call by Signatories of the African Climate Appeal<sup>1</sup>**

The African Climate Appeal is hosted by:  
The Forum for Environment  
PO Box 10386,  
Addis Ababa, Ethiopia  
Tel: +251-115-521662  
Fax: +251-115-521034  
Mail: ffe@ethionet.et

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<sup>1</sup>This document has been prepared by and for various environmental activists and civil society leaders who are signatories to the African Climate Appeal. It has been widely circulated to various stakeholders in civil society in Africa for their inputs. The final has been drafted for African Climate Change Appeal by Dr. Alfred Omenya, the Director of Eco-Build Africa Trust and Lecturer at the Department of Architecture and Building Science, University of Nairobi. PO Box 22746-00100 GPO, Nairobi. Tel: +254-(0)20-3004-4984; cell: +254-(0)723-883-912.  
E-mail: [info@ecobuild-africa.com](mailto:info@ecobuild-africa.com) or [aomenya@uonbi.ac.ke](mailto:aomenya@uonbi.ac.ke)  
Web: <http://www.ecobuild-africa.com>

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## EXECUTIVE SUMMARY

*This appeal recommends to African governments to formulate a strong common position in international climate change negotiations to avoid being overpowered by the developed North and by the G77 and China.*

*On a general level, the Appeal calls upon African Governments to:*

- *Ensure that the common position is proposed by strong, well coordinated and informed teams of negotiators.*
- *Develop relevant climate change legislations, policies and programmes nationally and to improve on the overall resource governance frameworks.*
- *Factor-in climate change into national poverty reduction and development plans.*
- *Create sustainable development frameworks, which go beyond socio-economic, environmental and institutional sustainability, to also encompass climate change.*
- *Develop mechanisms of technology transfer internationally and technology development in our nations.*
- *Develop home-grown policy frameworks that reflect the aspirations, the principles and the positions of Africa's people, which can be used in the international negotiations, with equity and justice as its pillars.*
- *Ensure that climate change related policies nationally and internationally are pro-poor people.*

*On a more detailed level, African governments should negotiate legally binding contributions to the international Adaptation Fund kitty based on current and historical responsibility for climate change and ability to pay. They should advocate for an international levy 'on all flexible mechanisms' to be used to raise funds for the Adaptation kitty and to negotiate ways of dealing with the bureaucratic bottlenecks in access to the planned Adaptation Fund. African governments should negotiate for a Special Adaptation Fund for Africa and finalise their national adaptation plans of action (NAPAs) and programmes for implementation.*

*African governments should ensure that there is equity in geographical distribution of Clean Development Mechanism (CDM) projects and that this is entrenched in the international policy process. They should negotiate for the requirement of up front funding of CDM projects to be waived for many African countries who cannot afford it. The appeal calls upon African countries to embark on the development of CDM capacities and projects including capacity building and development of centers of incubation for CDM projects. African governments should explore possibilities of accessing grants to provide upfront funding for CDM projects and also project development and financing through bilateral arrangements.*

*Africa must develop good policies relating to land use, land use change and forestry, even as they fight for inclusion of these into the funding mechanisms of the UNFCCC. These areas include: avoided deforestation, afforestation, reforestation, agro-forestry, enhanced natural regeneration, re-vegetation, reduced tillage and sustainable agriculture. Africa must deal with the question of good governance, including development of accountable political systems and elimination of corruption.*

## 1. GAPS IN AFRICA'S APPROACH TO CLIMATE CHANGE NEGOTIATIONS

Africa's governments' positions on climate change policies locally and internationally are relatively weak, even as the continent receives most impacts of climate change and remains the most vulnerable. Individual African countries' voices continue to be drowned in international negotiations. Nationally, in most African countries, non-existent, weak and poorly integrated policies on climate change continue to hamper the countries' abilities to deal with the impacts of climate change and also to negotiate the most relevant policy options internationally.

For the last few years, the major spaces for international climate change policy, the United Nations Framework Convention on Climate Change (UNFCCC) and its conference of parties (COP) have been teasing out issues that are going to affect not only climate change policies, but a whole array of other policies from such diverse sectors as forestry, agriculture, energy, construction, transportation, etc. These policies have implications, globally, regionally and nationally. The major milestone in this policy development will be the meeting in Copenhagen in December 2009, when key elements of the Post-Kyoto climate regime will be agreed on<sup>2</sup>.

International policy discussions have been dominated by the economically stronger developed countries and the richer and often better organized developing countries from the South, leaving most of the African countries with a weak voice in the negotiations. African countries' concerns and policy issues and interests remain vague and weakly represented in the UNFCCC process, in spite of being members of G77 and China. Even where the positions are clear, they are defeated through stronger, better organized lobbying from the North; or the priorities of other members of G77 and China. African positions seldom reach the negotiating table at the UNFCCC. There are several reasons for this:

- Inadequate understanding of climate change policy internationally and what this means for the local policy space, especially amongst policy makers and negotiating teams from Africa.
- Vague understanding of how climate change policy can be integrated into general development policies and programmes in the continent.
- African countries suffer from scattered and limited technical back-up on factual information that would be useful for policy makers. For example information from academic and research institutions in many African countries seldom reach the policy makers and implementers.
- African countries are only able to send small delegations to climate change negotiations. These delegations are often poorly prepared and get overwhelmed by the negotiations. The delegations are weakened further by lack of continuity. A weak institutional culture, also limits the extent to which African delegations share the resources and information they acquire in the international negotiations with colleagues at home.

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<sup>2</sup> See Dr. Alfred Omenya (2008) Towards Copenhagen: Little Progress on Issues of Concern to Africa in Poznan Climate Talks. Nairobi: Eco-build Africa Trust (unpublished internal report)

- In many African countries, in spite of the obvious dangers from climate change, other issues such as hunger, poverty or conflicts limit the extent to which national governments prioritize climate change policies.
- On the political front, Africa suffers from poor resource governance, and poor general governance, resulting in weak policy frameworks and the destruction of natural resources.

The African Climate Appeal makes a politico-moral call to government leaders, both in Africa and the rest of the world, to act urgently on climate change before it is too late for the millions of vulnerable people in Africa. It is in the same breath that the signatories of the African Climate Appeal have developed this policy paper, having in mind that strong, unambiguous, common African position would go a long way in clarifying the continent's priorities in climate change regimes nationally and internationally.

***The Signatories of the Appeal recommend to African governments:***

- 1.1. *To formulate a strong common position in international climate change negotiations to avoid being drowned by positions of the developed North and those of their collective bargaining block, G77 and China.*
- 1.2. *To form strong, well coordinated and informed teams of negotiators, drawing on technical, socio-economic and political information in and about the continent useful in climate change policy negotiations internationally.*
- 1.3. *To develop relevant climate change legislations, policies and programmes nationally. To deal with concerns of poor natural resource governance and destruction of natural resources in African countries.*

## **2. POVERTY REDUCTION AND RIGHT TO SUSTAINABLE DEVELOPMENT**

The report of the Intergovernmental Panel on Climate Change<sup>3</sup> confirms that Africa will be the most impacted continent but has contributed the least to climate change because of its low *per capita* fossil energy use; hence low greenhouse gas emissions. However, as a result of its weak adaptive capacity, the continent is the worst affected by climate change. Climate change makes it more difficult for Africa to achieve national poverty reduction targets and sustainable development objectives. If climate change is not considered, gains in poverty reduction cannot be sustained in the long term. Climate change is a matter of life and death for many poor people in Africa. We note with concern the current global distribution of resources. For example the amount of money needed, globally, to realize Millennium Development Goals (MDGs) was estimated by Oxfam at US\$ 100 billion in addition to the current development aid<sup>4</sup>. This is a fraction of the US\$900 billion bailout to the American financial institutions that has been approved by the US government.

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<sup>3</sup> Intergovernmental Panel on Climate Change (IPCC): 2007. *Fourth Assessment Report*

<sup>4</sup>Watkins and Amadi, 2003: 236.

Right to development brings two of the greatest challenges of our time together, i.e. the challenge of poverty and the challenge of climate change. It is unrealistic to expect that people who are still entangled in poverty would direct their meager resources to fight climate change. Further, climate change regime must not erect unnecessary barriers in the development paths of poor countries.

Current trends of global economic development point to the fact that it is difficult to develop without commensurate emissions of green house gases. Currently, right to development translates almost directly into rights to emit green house gases. The level of technology available in Africa, and many developing countries, would not allow for cleaner production and sustainable development. Even in the developed North, development trends still follow green house gas emission patterns. However, development must take cognisance of the ultimate goal of climate change interventions: *“stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic[human] interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development proceed in a sustainable manner”*<sup>5</sup>

The conflict between reduction of emissions and development must be resolved before a comprehensive and workable international climate change policy would be possible. While the rich countries have been the ones largely responsible for the climate change problem, it is clear that all countries must contribute to emissions reductions to reach the targets that have been specified internationally for stabilization of the climate system. However, it is the rich countries that must pay for the emission reductions. Currently, most of the positions being taken by the developed North will only constrain development in the Africa.

For sustainable development to be achieved there is need to adopt environmentally friendly technologies so that African countries avoid the wrong paths taken by industrialized north. Currently, technology transfer, from the North to Africa is constrained by lack of financial commitments from the North and by uneven markets that favour the North. Technology transfer is held hostage by intellectual property rights; this is based on the unfounded premise that technology transfer should only happen in the context of the market.

African countries should explore bilateral and multi-lateral access to climate friendly technologies. The countries should create centers for technology development and diffusion. Further, they should also seek assistance within the convention to advance some of these issues.

***On poverty reduction and right to development the signatories of the Appeal recommend to African governments:***

- 2.1.1. *To include climate change into national poverty reduction programs and development plans.*
- 2.2. *To develop sustainable development frameworks, which go beyond socio-economic, Environmental and institutional sustainability, but which also encompasses climate change.*

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<sup>5</sup>United Nations Framework Convention on Climate Change, 2002: 5.

2.3. *To concentrate on effective mechanisms of technology transfer internationally and technology development nationally.*

### **3. CLIMATE EQUITY AND JUSTICE**

African countries should not forget key issues relating to equity and climate justice that they have advocated for in the past, but which risk being ignored in international climate change negotiations. The Convention and the Protocol have been implemented in an inequitable manner, benefiting Northern countries and stronger economies in the South.

While there is no legal or moral basis for inequitable access to the clean atmosphere, the Kyoto Protocol entrenches just that; ensuring that the polluter remains the key beneficiary in the international climate change regime. The same case is replicated nationally in many African countries where the meager interventions rarely reach the most deserving and marginalised poor people. Rich countries and people around the world have been currently and historically responsible for green house gas emissions and climate change, yet attempts to put the climate change into this historical context continue being opposed.

There are various models being suggested that would build-in equity and justice into the future climate change regime. One of these is '*contraction and convergence*', advocated for by the Global Commons Institute, London. Contraction and Convergence proposes equal rights of all humans to emit greenhouse gases and tradable *per capita* entitlements based on this right. The other is the Green House Development Rights (GDR) and its 'right to development in a climate constrained world', supported by the Heinrich Boell Foundation, Christian Aid, Stockholm Environment Institute and EcoEquity. Greenhouse Development Rights Framework proposes protection of development equity in the context of 'common but differentiated responsibilities'. It proposes to relieve the burden of fighting climate change from those individuals who are struggling to meet their basic livelihood needs by proposing an effort sharing model based on a balance between responsibility for climate change with economic capacity; thus tempering CC's blanket proposal on equity based on historical responsibility. These concepts have their own loopholes, but they are a starting point towards a progressive climate change regime that is based on equity and rights.

'Equity' is a principle that must be incorporated in all local and international climate change policy positions by African countries and defended accordingly. At national level climate policy must desegregate the rich and the poor, where the former contribute most to the problem while the latter bear the consequences. Adaptation measures must prioritize the poor, before extending to all. If that is not the case then the inequities that are inherent in the international climate change regime risks being replicated nationally and regionally.

***On climate equity and justice the Signatories of the Appeal recommend to African governments:***

*3.1. To develop a home-grown policy framework that reflects the aspirations, principles and positions of Africa's people, which can be used in the international negotiations, with equity and justice as its pillars.*

*3.2. To ensure that climate change related policies nationally and internationally are pro-poor.*

#### **4. ADAPTATION DEFICIT**

It is the poor people in Africa who are left to worry about rebuilding homes after floods. They are the ones to deal with loss of livestock due to unusual droughts. They have to pay the price for poor harvests. With very limited capacity they have to change their lifestyles so that they are not exterminated by the impacts of climate change.

There is need for African governments and the international community to develop more nuanced responses to adaptation needs nationally and internationally. The urgency to adapt is especially noticeable amongst the millions of poor African families who everyday have to evolve coping mechanisms to deal with the vagaries of climate change, such as disease, droughts, floods and destruction of infrastructure. In absence of national adaptation programmes and international support for adaptation, it is these poor people who bear the costs of dealing with a problem they did not cause<sup>6</sup>. While the UN climate convention has been supporting the development of National Adaptation Plan of Action (NAPAs) for the Least Developed Countries, so far some 27 African countries have developed these plans<sup>7</sup>. Almost half the countries have yet to put in place their adaptation plans. Internationally, a non-desegregated adaptation policy is being negotiated with similar structural problems as the CDM of the Kyoto Protocol. This will definitely limit the capacity of African countries to access adaptation funding<sup>8</sup>.

Previously, three adaptation funds have been developed in the UN climate change convention to address adaptation needs. The Special Climate Change Fund was created to fund projects in capacity building, adaptation, technology transfer and climate change mitigation. The Least Developed Countries Fund was designed to help the Least Developed Countries make their National Adaptation Programs of Action (NAPAs). The Bali Adaptation Fund, the most recent, is to be the most comprehensive fund to finance various adaptation needs, especially of developing countries.

All these funds have not been able to address concerns of African countries on adaptation, namely: access, adequacy and equitable geographical distribution. The funds are largely inadequate and inappropriately structured; currently relying on a 2% levy on CDM projects.

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<sup>6</sup> UNFCCC Financial Mechanisms

<sup>7</sup> [http://unfccc.int/cooperation\\_support/least\\_developed\\_countries\\_portal](http://unfccc.int/cooperation_support/least_developed_countries_portal)

<sup>8</sup> See Bali Adaptation Plan and Poznan resolutions on adaptation

Access to the funds has been made difficult, among others, by bureaucratic bottlenecks of the Global Environmental Fund and the World Bank. This problem has been diagnosed but the position of African governments on their preferred way forward remains vague. Lastly, the funds are structured in a way that replicates many structural problems manifest in the CDM resulting in eschewed access in favour of stronger economies from developing countries. This issue has largely been ignored in the last three conferences of parties (COPs) (Nairobi, Bali and Poznan). The issue must be revisited by policy makers in Africa because of the continent's special position as being most vulnerable, yet with the least capacity to adapt and also with the least technical, institutional and human resource capacities to compete for funds from a general international kitty.

***To address climate change adaptation, the Signatories of the Appeal call on African governments to:***

- 4.1. To negotiate legally binding contributions to the adaptation kitty by developed countries based on the current and historical responsibility for climate change and ability to pay.*
- 4.2. Advocate for an international levy 'on all flexible mechanisms' to be used to raise funds for the Adaptation kitty.*
- 4.3. Negotiate ways of dealing with the bureaucratic bottlenecks in access to the planned adaptation funds.*
- 4.4. Negotiate for a Special Adaptation Fund for Africa.*
- 4.5. Finalise their national adaptation plans and programmes for implementation.*

## **5. A CALL FOR REFORM OF THE CLEAN DEVELOPMENT MECHANISMS**

If there is a reason for cynicism in Africa on international climate change policy, it is related to Clean Development Mechanisms (CDM). This was the only mechanism in the UNFCCC and its Kyoto Protocol where Africa and other developing countries could participate in the international climate change regime. For more than a decade since its inception, CDM delivered nothing to Africa. There have been concerns of lack of equity in geographical distribution of CDM projects. By 2008 there were 1186 CDM projects worldwide, but only about 40 in Africa; most of them in South Africa.

Currently, the heavier the polluter amongst developing countries, the more likely they are to get CDM projects. This shows why these projects are almost exclusively limited to China, Brazil, India and South Africa, who are leading in green house gas emissions amongst developing countries. Most countries in Africa lack the capacities to develop CDM projects. They are also unable to raise upfront funding for the projects. This has been recognised in Nairobi, Bali and Poznan. So far, nothing has been done about these problems, especially the unequal continental and country distribution of these projects. The mechanisms suggested through various UN related agencies, bilateral investments and private sector engagements are all outside of the convention thus cannot be enforced as international policy.

CDM-frameworks, including the requirement that sustainability is built into the projects is still lacking in many African countries. CDM-related institutions and capacities are absent in most African countries. The Appeal signatories are worried that we head to Copenhagen with a similar litany of concerns as in the past but with no practical proposals from African governments of how to overcome these problems.

***On the CDM, the Signatories of the Appeal call on African governments to:***

*5.1. Ensure that equity in geographical distribution of CDM projects is entrenched within the international policy process.*

*5.2. Negotiate for the requirement of up front funding of CDM projects to be waived for many African countries who cannot afford it.*

*5.3. To embark on development of CDM capacities and projects including capacity building and technology transfer and centers of incubation for CDM projects.*

*5.4. To explore possibilities of accessing grants to provide upfront funding for CDM projects and also project development and financing through bilateral arrangements.*

## **6. NEED TO RECOGNIZE AFRICA'S CARBON SINKS**

Africa provides some of the most extensive sinks for carbon, including extensive forests and uncultivated land. However, we see an increase in destruction of forests and degradation of arid and semi-arid lands. Discussions within the UN climate change convention have not fully engaged this question of the carbon sinks in Africa. It took several years to recognise afforestation as a CDM activity. A lot of current support to afforestation is happening bilaterally outside of the UNFCCC space.

In Bali, this agenda was limited to modalities of emissions reporting. The focus was on good practice of reporting emissions reduction relating to land use, land use change and forestry. Discussions centred on the limit of small scale afforestation and reforestation CDM project activities. IPCC has shown that deforestation accounts for about 20% green house gas emissions. Many developing countries started discussions on reducing emissions from deforestation and forest degradation (REDD) in Bali, in spite of technicalities involved in measuring avoided emissions. In Poznan progress on this matter met opposition. For example there was the refusal by several Northern countries to recognise indigenous peoples' rights in conserving forests.

In Poznan African Ministers from 26 countries launched the Bio-Carbon initiative outside of the convention. It is meant to complement the REDD initiative. Their political call, which the appeal supports, is for expansions of eligibility of resources provided under the convention to include a full range of bio-carbon solutions beyond the current REDD initiative. Pressure should be put in the UNFCCC process so that Forestry, Agriculture and Land Use will be included in the protocol and Convention's carbon markets and CDM. The Bio-carbon initiative envisages that there will be credits for a forestation, reforestation, agro-forestry, enhanced natural regeneration, re-

vegetation, reduced tillage and sustainable agriculture. The point is: REDD is not enough to deal with African's concerns about carbon sinks.

Weak policies nationally, population growth, reliance on firewood for fuel worsen the problem of destruction of forest cover in Africa. Poor agricultural practices, e.g. slash and burn, and degradation of arid and semi arid lands are adding to this problem. Weak natural resource governance, weak management systems and corruption only compound the problem.

***On protection of Africa's sinks the Signatories of the Appeal call on African governments to:***

- 6.1. *To develop good policies covering areas like: afforestation, reforestation, agro-forestry, enhanced natural regeneration, re-vegetation, reduced tillage and sustainable agriculture, nationally. These activities have other added benefits, e.g. avoided deforestation contributes to conservation of biodiversity and protection of livelihoods, in addition to carbon sequestration.*
- 6.2. *To advocate for policies on afforestation, reforestation; agro-forestry; natural regeneration, re-vegetation; reduced tillage and sustainable agriculture to be included into international climate change policy.*

## **7. CONCLUSIONS**

The Signatories of the African Climate Appeal call upon African leaders to develop home-grown policies and a common position on international climate change regime that reflects the aspirations, the principles and the positions of Africa's people. Such policies must be pro-poor, to assist the most affected group by climate change, yet the least responsible for the problem. Equity and climate justice must be built into climate change policies, nationally, regionally and internationally.

The Signatories of the African Climate Appeal call upon national governments in Africa to develop policy coherence, across various sectors in respect to climate change. This will ensure that efforts towards poverty eradication, millennium development goals and sustainable development are not threatened by impacts of climate change. Sectoral policies should be supported by overarching climate change policies, plans and programmes.

The signatories further call upon African governments and the internationally community to prioritise adaptation policies for the poor. The architecture of the UNFCCC agreements must ensure that such policies would work for the poor avoiding the pitfalls that have beleaguered the CDM which has neither worked for the poor African countries nor for the poor individuals and communities in Africa. We urge African governments to develop quality adaptation policies and programmes to deal with the impacts of climate change on the most vulnerable.

Through this paper, the Signatories of the African Climate Appeal call to the international community, especially the industrialized North, to stop green house gas emissions, causing global warming and climate change, by taking deeper emissions cuts (80% of the 1990 levels), as

recommend by the IPCC, that will guarantee scientifically verifiable stabilization of GHGs. This can only be realised through emissions caps complemented by other actions.

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