

FPC Briefing: BASIC positions-Major emerging economies in the UN climate change negotiations

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Cooperation among developing countries has long been a key feature of the international negotiations under the United Nations Framework Convention on Climate Change (UNFCCC), which marked its twentieth year in 2012. From the beginning of the UNFCCC process, developing countries have held the common position that developed countries bear the greatest historical responsibility for climate change - and a corresponding obligation to take the greatest action prevent it.

The 2009 Copenhagen climate summit, with its unprecedented gathering of heads of government, saw closer cooperation between four major emerging economies, as distinct from the much larger group of developing countries. In the years since Copenhagen, these so-called BASIC countries - Brazil, South Africa, India and China - have continued to work together in the UNFCCC process. This briefing aims to provide a snapshot of BASIC cooperation at recent climate summits and to examine the dynamics of the negotiations between the BASICs and developed countries, between the BASICs and other developing countries and among the members of this grouping.

The UN climate framework distinction between developed and developing countries

The distinction drawn between the responsibilities of developed and developing countries predates the formal UNFCCC process. In 1991, a year before nations adopted the Framework Convention on Climate Change, China hosted the Ministerial Conference of Developing Countries on Environment and Development. The resulting Beijing Declaration stated that 'the developed countries bear the main responsibility for the degradation of the global environment'.

Article 3 of the 1992 Framework Convention, agreed at the Rio Earth Summit, formalised the distinction: 'The Parties should protect the climate system ... on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof'.

The principles of 'equity' and 'common but differentiated responsibilities' (CBDR) are broad and subject to different interpretations. A recent UNFCCC submission by the Like-Minded Developing Countries group (including China and India) sets out the approach that has generally been taken by developing countries. The submission states that CDBR is 'a concrete treaty application of the scientific and environmental fact that the historical contributions of Parties to climate change – i.e. their historical responsibility – are differentiated'. Historical responsibility continues to be a 'valid' consideration because 'developed countries continue, by and large, to be the largest per capita historical emitters of anthropogenic greenhouse gases, to have the largest share of global income in both aggregate and per capita terms, and to reap the benefits of the contribution of their historical emissions to their current development status and high standards of living'. The submission argues that 'the [climate change] mitigation regime needs to ensure equitable access to atmospheric space and sustainable development for developing countries'.¹

From the first UNFCCC conference of parties, developing countries have negotiated as a bloc called the Group of 77 and China (G77). 131 developing countries are members of the G77, which has often addressed the formal negotiations through a single spokesperson and made submissions to the UNFCCC on behalf of its members.

¹ 'Implementation of all the elements of decision 1/CP.17, (a) Matters related to paragraphs 2 to 6; Ad-Hoc Working Group on the Durban Platform for Enhanced Action (ADP)', Submission by the Like-Minded Developing Countries on Climate Change, 13 March 2013 [<http://unfccc.int/bodies/awg/items/7398.php>].

BASIC cooperation since Copenhagen

In the lead-up to the Copenhagen conference, China and India announced voluntary targets to reduce emissions intensity by 2020. Brazil announced actions to achieve a level of emissions in 2020 that would be at least 36% lower than business-as-usual projections. South Africa announced a 34% deviation below the business-as-usual scenario by 2020, with South Africa's emissions set to peak by 2025.

Hurrell and Sengupta identify these voluntary commitments as a 'significant shift' in the negotiating stance of the BASICs: 'For the first time in the history of the climate negotiations, these countries were willing to put hard numbers for climate change mitigation on the table'.² The BASICs' 2020 targets were subsequently included in the Copenhagen Accord's appendix on 'nationally appropriate mitigation actions'.

The story of the Copenhagen summit has been exhaustively told elsewhere. Heads of government arrived for the final, high-level segment of the talks to find the negotiation deadlocked. The Copenhagen Accord emerged from a series of informal consultations, including a meeting of BASIC leaders and US president Barack Obama.

India's lead negotiator, then-environment minister Jairam Ramesh, credits the meeting between the BASIC leaders and Obama with 'clinch[ing]' the Copenhagen Accord: 'It was at this crucial meeting that the BASIC group was able to get agreement on its proposals on global goals and on monitoring and verification. It was also able to ensure that the Copenhagen Accord was not legally binding and that there was no mention of a new legally binding instrument in the Accord.'³

The Copenhagen Accord was 'noted' rather than adopted in the final session of the conference because several countries objected. Among other things, the text included an agreement to cap global temperature increases to 2° Celsius; provided for developed countries to finance mitigation and adaptation actions in developing countries; maintained the language of 'common but differentiated responsibilities'; and distinguished between developed country 'quantified economy-wide emissions targets' and developing country 'nationally appropriate mitigation actions'.

Ramesh subsequently told India's parliament: 'a notable feature of this Conference that has been widely commented on is the manner in which the BASIC group of countries coordinated their positions ... The BASIC Group Ministers met virtually on an hourly basis right through the Copenhagen Conference. Within BASIC, India and China worked very, very closely together. I believe that the BASIC group has emerged as a powerful force in climate change negotiations and India should have every reason to be satisfied it has played in catalyzing the emergence of this new quartet.'⁴

In a diplomatic cable that was subsequently leaked, US deputy national security advisor Michael Froman stated: 'It is remarkable how closely co-ordinated the BASIC group has become in international fora, taking turns to impede US/EU initiatives and playing the US and EU off against each other. BASIC countries have widely differing interests, but have subordinated these to their common short-term goals. The US and EU need to learn from this co-ordination and work much more closely and effectively together ourselves'.⁵ Hallding, et al, identify several reasons for the close cooperation of the BASICs at Copenhagen. These include growing pressure on the major emerging economies to make mitigation commitments and the revelation of the so-called 'Danish Text', a draft agreement leaked to the Guardian which was widely seen by developing countries as an attempt by the United States and other developed countries to impose an outcome.

² Andrew Hurrell and Sandeep Sengupta, 'Emerging powers, North-South relations and global climate politics' (2012) *International Affairs* Vol. 88(3) 463, p 471.

³ 'Jairam Ramesh statement on Copenhagen Accord in Rajya Sabha', *The Hindu*, 22 December 2009 [<http://www.thehindu.com/news/national/jairam-ramesh-statement-on-copenhagen-accord-in-rajya-sabha/article69893.ece>].

⁴ *Ibid.*

⁵ Damian Carrington, 'US goes to Basics over Copenhagen Accord tactics', *The Guardian*, 3 December 2010 [<http://www.guardian.co.uk/environment/2010/dec/03/us-basics-copenhagen-accord-tactics>].

Additionally, the ‘fragmentation of interests within the G77 bloc’ potentially exposed the emerging economies, as large and growing emitters with different capacities for action to other developing countries.⁶ G77 disunity was on display in the closing plenary session when the representative of Sudan, who had acted as chief negotiator and spokesperson for the G77 throughout the conference, described the Copenhagen Accord as ‘an incineration pact’ which was based on the values that ‘tunnelled 6 million people in Europe into furnaces’.⁷

The BASICs continued to cooperate at the subsequent climate summit in Cancún in late 2010. In Cancún, the BASICs reached a common position on the controversial question of international consultations and analysis (ICA) of developing country mitigation actions, with China’s head of delegation Xie Zhenhua confirming that ‘the proposal by the Indian minister has been discussed within the BASIC and we have achieved a consensus’.⁸ The Cancun Agreements state that ‘international consultations and analysis’ are to be ‘non-intrusive, non-punitive and respectful of national sovereignty’.⁹ Nevertheless, Hallding, et al, argue that the outcome on ICA was a significant development, in which China ‘effectively agreed to international review of its domestic mitigation efforts’.¹⁰

The BASICs went a step further in presenting a united front at the 2011 conference in Durban, where China’s representative addressed the opening plenary session on behalf of the BASICs.¹¹ Tasneem Essop of WWF remarked that this was ‘the first time the BASICs are speaking as bloc’ at a UN conference of parties.¹² The BASICs continued speak through a common spokesperson at preparatory talks during 2012 and at the end-of-year Doha conference.

Following Copenhagen, The BASIC countries have held regular ministerial meetings on climate change. These meetings have been used to reaffirm common positions. For example, the joint statement following the February 2013 meeting ‘reaffirmed the centrality of the principles and provisions of UNFCCC process’, including equity and CBDR.¹³ The meetings have also been used to commission work that supports the common agenda, such as a 2011 paper by experts from BASIC countries on ‘Equitable access to sustainable development’.

The BASICs and the developed countries

The United States and other developed countries have placed growing pressure on the BASICs to accept mitigation commitments on the same basis as developed country mitigation commitments. Following the Durban summit, US climate envoy Todd Stern stated that the ‘key element’ of a new deal would be ‘to include all the major players in the same legal system kind of together’.¹⁴

A key goal of BASIC diplomacy has therefore been to preserve the long-standing UNFCCC distinction between developing countries, including the major emerging economies, and developed countries. The BASICs’ insistence on a second Kyoto Protocol commitment period has been central to this effort. While the developed countries which have agreed to be bound by the second Kyoto period only account for some

⁶ Karl Hallding, et al, ‘Together alone: BASIC countries and the climate change conundrum’, Nordic Council of Ministers, 2011 (study carried out by Stockholm Environment Institute), pp 20, 30.

⁷ Earth Negotiations Bulletin, Vol. 12, No. 459, 22 December 2009, p 8.

⁸ Urmi Goswami, ‘Ramesh’s ICA proposal gets support from BASIC countries’, The Economic Times, 8 December 2010 [http://articles.economictimes.indiatimes.com/2010-12-08/news/27622486_1_international-consultation-and-analysis-basic-countries-proposal].

⁹ ‘The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention’, FCCC/CP/2010/7/Add.1, para. 63.

¹⁰ Hallding, et al, p 75.

¹¹ China’s representative identified a second Kyoto Protocol commitment period as the main priority for the Durban summit. Earth Negotiations Bulletin, Vol. 12, No. 524, 29 November 2011, p 2.

¹² Pilita Clark, ‘China throws climate talks into confusion’, Financial Times, 5 December 2011 [<http://www.ft.com/intl/cms/s/0/306566e8-1f4b-11e1-90aa-00144feabd0.html>]

¹³ Joint Statement issued at the Conclusion of the 14th BASIC Ministerial Meeting on Climate Change, Chennai, India, 16 February 2013.

¹⁴ Alex Morales, ‘China rules out new climate “regime”, setting up U.S. conflict’, Bloomberg, 21 November 2012 [<http://www.bloomberg.com/news/2012-11-20/china-sets-up-u-s-conflict-by-ruling-out-new-climate-regime.html>]

fifteen percent of global emissions, Kyoto 'tangibly implements the [BASIC] group's interpretation of the principle of differentiated responsibilities'.¹⁵

More broadly, the BASICs have positioned themselves as upholding the principles and intent of the Convention, with the intent of keeping the onus on developed countries to make a proportionately larger contribution in dealing with climate change. Prior to the Doha conference, for example, Brazilian climate envoy Andre Correa do Lago stated: 'The original idea when negotiating the climate change convention is developed nations will take the lead in reducing their emissions and in providing the resources for developing nations to change their economy that will be necessary for their efforts. This is not happening.'¹⁶ At the pre-Doha meeting of BASIC ministers in Beijing, the ministers 'noted with consternation that the mitigation contribution by developing country parties is much greater than that by developed country parties who should take the lead in combating climate change. [The ministers] object to any attempt to transfer to developing countries the commitments and obligations of developed countries'.¹⁷

The disagreements over the developed/developing country 'firewall' have resulted in an ongoing contest to define the parameters of the negotiation and the significance of conference outcomes. So whereas US envoy Todd Stern has referred to the Convention's 'equity' principle as 'a distraction that would tend to drive people back into the old paradigm and we didn't want to go there',¹⁸ and EU climate commissioner Connie Hedegaard has described the post-Durban negotiations as 'crossing the bridge from the old climate system to the new system',¹⁹ a joint statement of BASIC ministers recently declared: 'The Durban Platform is by no means a process to negotiate a new regime, nor to renegotiate, rewrite or reinterpret the Convention and its principles and provisions. As agreed by all Parties, both the process and the outcome of the Durban Platform are under the Convention, in accordance with all its principles and provisions, in particular the principles of equity and common but differentiated responsibilities and respective capabilities.'²⁰

As we have seen, the BASICs have taken on significant voluntary mitigation commitments. Hurrell and Sengupta see these commitments as evidence of 'greater implicit acceptance on [the BASICs'] part that their "emergence" as key powers in the international system, their growing emissions, and their growing "respective capabilities" have also given them a commensurately greater responsibility'.²¹ Nevertheless, that these commitments are voluntary is itself an expression of the CBDR principle.

The BASICs within the wider developing countries group

As the emissions of BASIC countries continue to grow, the major emerging economies have been called upon to accept greater commitments by developing as well as developed countries. For example, the representative of Chile within the UN negotiations recently warned that CBDR 'should not be interpreted in a way that blocks ambition or evades responsibility, and that development and climate protection should be seen as complementary, and not clashing, goals'.²² At the Durban conference, the spokesperson for the Alliance of Small Island States directly linked the development of emerging economies with the low-lying islands' predicament: 'This little island is where I get my dignity from. I shouldn't be transported somewhere else by the whims and fancy of others who want to develop. While they develop, we die. Why should we accept this?'²³

¹⁵ Hallding, et al, p 96.

¹⁶ Morales.

¹⁷ Joint Statement Issued at the Conclusion of the 13th BASIC Ministerial Meeting on Climate Change Beijing, China 19-20 November 2012.

¹⁸ Morales.

¹⁹ Earth Negotiations Bulletin, Vol. 12, No. 567, 11 December 2012, p 28.

²⁰ Joint Statement issued at the Conclusion of the 14th BASIC Ministerial Meeting on Climate Change, Chennai, India, 16 February 2013.

²¹ Hurrell and Sengupta, p 474.

²² Earth Negotiations Bulletin, Vol. 12, No. 555, 8 September 2012, p 5.

²³ Subhabrata Bobby Banerjee, 'A climate for change? Critical reflections on the Durban United Nations climate change conference' (2012) Organization Science Vol. 33(12) 1761, pp 1779-80.

As other developing countries call on China and the other BASICs to do more, the distinction between major emerging economies and developed countries can be blurred. At the UNFCCC meeting in Bonn in April-May 2013, Chilean negotiator Andrés Pirazzoli stated: 'I would like to see China commit. There is this game between the US and China. They are both waiting for the other to make a move ... I would like to see these two nations being more ambitious, that would raise the bar for the world'.²⁴

In addition, the existence of a growing number of distinct developing country coalitions within the G77 has given rise to opportunities for joint positions between developed and developing countries that are at odds with BASIC members. At the Durban summit, for example, the Least Developed Countries and the Alliance of Small Island States supported the EU 'roadmap' for a second Kyoto period and a new global agreement by 2015, while India withheld agreement until the final session 'huddle'.²⁵

An ongoing priority of BASIC cooperation has therefore been to maintain a united front with the wider G77 group of developing countries. Representatives of the G77 have been invited to participate in the BASICs' regular meetings, and BASIC ministerial statements have repeatedly stressed the importance of developing country solidarity. Following a November 2012 meeting in Beijing, a joint statement of BASIC ministers 'stressed the utmost importance of the unity of G77 and China, and reaffirmed the commitment of BASIC countries to continue working together to strengthen it. Ministers stressed that BASIC countries share deep concerns about the urgency of tackling climate change, particularly with [Small Island Developing States], [Least Developed Countries] and Africa, and reiterated their continued efforts to enhance South-South cooperation'.²⁶

The issue of climate finance is one tangible area in which the BASICs have made common cause with the broader G77 group. In Durban, for example, the BASICs called on developed countries to 'carry out their commitment they have made in ... giving financial assistance to help developing countries deal with climate change'.²⁷ The BASICs repeatedly called for the 'fast-start finance' promised by developed countries in Copenhagen to be allocated to African states, small island states and the Least Developed Countries,²⁸ while ruling themselves out as candidates for the funding.²⁹

The BASICs as between themselves

The BASICs have shown themselves able to sustain common positions in the climate negotiations from Copenhagen onwards. They have cooperated in UN negotiations and have met regularly at ministerial level to reaffirm common positions. However, recent negotiations have also revealed limits to BASIC cooperation.

At the 2011 Durban conference, India was left as the final holdout to an agreement based on the 'EU roadmap', which among other things called for a new legal framework covering all countries, developed and developing, to be agreed by 2015. The disagreement turned on the addition of the ambiguous phrase 'legal outcome' to the text calling for a 'protocol or legal instrument' to be agreed by 2015. Early on the final morning of the summit, the EU and a number of other parties objected to the phrase 'legal outcome', claiming that its inclusion would weaken the agreement.

Brazil supported the adoption of a legally binding agreement and claimed that the delegates were 'on the verge of approving the most important result after the Berlin Mandate' (which led to the Kyoto Protocol).³⁰ However, India strongly objected to a deal based on a 'protocol or legal instrument', with Indian

²⁴ Saroja Coelho and Carla Bleiker, 'Climate negotiations inch closer to global pact', Deutsche Welle, 3 May 2013 [<http://www.dw.de/climate-negotiators-inch-closer-to-global-pact/a-16790521?maca=en-rss-en-all-1573-rdf>].

²⁵ Earth Negotiations Bulletin, Vol. 12, No. 534, 13 December 2011, p 30.

²⁶ Joint Statement Issued at the Conclusion of the 13th BASIC Ministerial Meeting on Climate Change Beijing, China 19-20 November 2012.

²⁷ Banerjee, p 1779.

²⁸ Hallding, et al, p 94.

²⁹ 'Australia offers \$599m to protect poor countries from climate impacts', ABC PM, 10 December 2010 [<http://www.abc.net.au/pm/content/2010/s3090567.htm>].

³⁰ Earth Negotiations Bulletin, Vol. 12, No. 534, 13 December 2011, p 27.

environment minister Jayanthi Natarajan refusing to 'write a blank cheque and sign away the livelihoods and sustainability of 1.2 billion Indians without even knowing what the EU roadmap contains'.³¹ Natarajan declared that 'India will never be intimidated by threats' and asked: 'Are we being made the scapegoats?' The minister stated that 'we will not give up the principle of equity'.

The chair of the conference, South African international relations minister Maite Nkoana-Mashabane, invited India and the EU to form a 'huddle' to resolve the dispute. They were joined by other parties including China, the United States, South Africa and Brazil. A proposal to include wording on 'equity' in the text was rejected by the United States. The United States' suggestion to replace 'legal outcome' with the phrase 'outcome with legal force' was 'emphatically supported' by Brazil, and both India and the EU accepted this new wording.³² The resulting 'Durban Platform' contained no mention of 'equity' and incorporated the language on an 'outcome with legal force' proposed by the United States.

So when it came to the final plenary session and the post-midnight 'huddle' of delegates, India found its position opposed by both developed and developing countries (as Sengupta observed: 'You know your negotiating strategy is in trouble when countries ranging as far as Norway in the developed world to partners like South Africa and neighbours like Bangladesh start quoting Gandhi and Nehru back to you.')

The differences that emerged in Durban over the nature of the 2015 agreement point to the different developmental and CO2 emissions profiles of the BASIC countries. In 2011, per capita gross domestic product for India was \$1,509, compared to \$5,445 for China, \$8,070 for South Africa and \$12,594 for Brazil.³⁴ While China's per capita emissions are now similar to the EU level, 138 countries had a higher rate of emissions per capita than India.³⁵ So while South Africa has announced that its emissions will peak between 2020 and 2025, and Chinese policymakers are considering the introduction of an emissions cap,³⁶ India clearly faces very different emissions and developmental challenges. Indeed, Hurrell and Sengupta conclude that India 'has as much in common with the least developed countries as with the other BASIC states'.³⁷

Conclusion

Cooperation among the BASIC countries has been a significant factor in recent UN climate change negotiations. At the pivotal Copenhagen summit, the four countries perceived common interests and worked together closely. Regular ministerial meetings in the time since have been used to reinforce the BASICs' common positions. As standard-bearers for the principles of CBDR and equity, the BASICs have worked to maintain the broader G77 united front of developing countries. Ultimately, however, BASIC cooperation is constrained by major differences in the developmental and emissions profiles and mitigation capacities of the four countries. The difficult work of negotiating a new global deal on climate change by 2015 will continue to test the limits of the BASIC countries' common ground.

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³¹ Nitin Sethi, 'Firm India forces climate breakthrough at Durban', The Times of India, 12 December 2011 [<http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&Source=Page&Skin=TOINew&BaseHref=CAP/2011/12/12&PageLabel=13&EntityId=Ar00100&DataChunk=Ar01301&ViewMode=HTML>].

³² Pilita Clark, 'Climate change: The great regrouping', Financial Times, 14 December 2011 [<http://www.ft.com/intl/cms/s/0/5f3a2868-2654-11e1-85fb-00144feabdc0.html#axzz2TogTwwLI>].

³³ Sandeep Sengupta, 'Lessons from the Durban conference', The Hindu, 14 February 2012 [<http://www.thehindu.com/opinion/lead/article2890130.ece>].

³⁴ 'GDP per capita (current US\$)', World Bank, [<http://data.worldbank.org/indicator/NY.GDP.PCAP.CD>].

³⁵ Pilita Clark, 'Climate change: The great regrouping', Financial Times, 14 December 2011 [<http://www.ft.com/intl/cms/s/0/5f3a2868-2654-11e1-85fb-00144feabdc0.html#axzz2TogTwwLI>].

³⁶ Leslie Hook and Pilita Clark, 'China eyes cap on carbon emissions by 2016', Financial Times, 27 May 2013 [<http://www.ft.com/intl/cms/s/0/61cd4ec6-c6b1-11e2-a861-00144feab7de.html#axzz2WpSHigLy>].

³⁷ Hurrell and Sengupta, p 472.