



# UJAE Unions for Jobs And the Environment

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## Newsletter

January 2011

### Member Unions

Brotherhood of Locomotive  
Engineers

International Brotherhood  
of Boilermakers,  
Iron Ship Builders,  
Blacksmiths, Forgers  
and Helpers

International Brotherhood  
of Electrical Workers

International Brotherhood  
of Teamsters

Marine Engineers Beneficial  
Association

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Transportation • Communications  
International Union

International Association  
Of Plumbers and Pipe Fitters

United Food and Commercial  
Workers International Union

United Mine Workers  
of America

United Transportation Union

Utility Workers Union  
of America

### President

Bill Cunningham

### Cancun Climate Talks Kick the Can to Durban

Gene Trisko

The 16<sup>th</sup> Conference of the Parties to the UN Framework Convention on Climate Change (FCCC) met in Cancun, Mexico, from November 29 to December 11. The meeting concentrated on picking up the pieces after the failure of the Copenhagen Accord advanced in 2009 at COP-15 by the U.S., China, India and Brazil.

The Accord sought to unify the two major negotiations underway in the UN FCCC process since the 2007 Bali meetings: an agreement to extend the Kyoto Protocol among the EU, Japan and other signatories – involving new targets and timetables for reductions in the 2013-2020 timeframe - and development of a broader global agreement to reduce greenhouse gas emissions among industrial and developing nations.

The U.S. persuaded China, India and other major developing nations to join the Copenhagen Accord with pledges of voluntary reductions. However, the last-minute Copenhagen negotiations failed to win UN support due to the objections of some developing nations. The Accord was subsequently merged into a much larger negotiation text on “Long Term Cooperative Actions” (LCA).

UN representatives spent last summer and fall working through the lengthy LCA text, with little progress. In Cancun, the Chairman of the LCA group sought to break the logjam with a new, brief text. After two weeks of negotiations, her draft text was expanded and many provisions were bracketed, indicating remaining areas of disagreement.

More than 50 individual nations submitted emission reduction pledges to the UN following Copenhagen, including the U.S. The US commitment for a 17% reduction below 2005 emissions, with much more aggressive reductions by 2050, was explicitly linked to the enactment Congressional climate legislation. Efforts to enact climate legislation failed in the 111<sup>th</sup> Congress, and prospects for comprehensive legislation appear dim in the new Congress.

### Regional Factions Proliferate

Cancun marked a growing division among negotiating blocs such as the “G-77 and China,” with separate subgroups emerging to represent particular regional or economic interests. Dialogue and consensus became more difficult to manage. By the end of the meetings, two decisions were reached: the formation of a new Green Climate Fund to protect against deforestation in developing nations and to promote similar programs, and creation of a Climate Technology Center to aid technology transfer from industrial countries to developing nations. Operational details and funding

mechanisms for these programs will await further actions at the next COP scheduled in Durban, South Africa, in December 2011.

A decision also was reached to include carbon capture and storage (CCS) within the “Clean Development Mechanism” established under the Kyoto Protocol. This will enable developing nations to earn tradable emission credits for CCS projects. China, in particular, stands to benefit from this program because it is rapidly outpacing the U.S. and other nations in CCS commercial demonstration programs.

The agreement to move ahead with deforestation protection was widely anticipated in advance of the meeting, since the principal components of the program were agreed upon in Copenhagen. Adding a technology transfer program was important to developing nations, who have long argued for their rights to technology transfer under the original Rio treaty.

### **Japan Throws a Curve Ball**

Early in COP-16, Japan announced that under no circumstances would it support or agree to an extension of the Kyoto Protocol for a second commitment period. Kyoto is scheduled to expire in December 2012, raising concerns about a “gap” in climate programs if Kyoto lapsed before a new global agreement is reached. Programs such as the European Trading System for CO<sub>2</sub> emissions would expire, along with their private and governmental infrastructure and financial support.

Japan’s announcement puts enormous pressure on the Durban meetings to develop a comprehensive global agreement – with or without a second phase of the Kyoto Protocol. But the number of issues that are yet to be agreed upon remains formidable. It remains uncertain whether Japan will persist in its opposition to a second phase of Kyoto, given the broad support by developing and some developed countries for the continuation of this program, despite its lack of U.S. participation.

### **Presidential Politics Adds Complexity**

The Durban meetings will be held just before the next U.S. presidential election cycle begins in 2012. Development of a comprehensive climate agreement in Durban may not necessarily be welcomed by the Obama Administration, as this would create pressure to sign the agreement in 2012, potentially in the heat of the campaign. With the President’s successful recent efforts to move to the center of the political dialogue – and with the prospects for persistent high levels of unemployment and Congressional inaction on climate change – pressing for action on a new international climate treaty could be perceived as risky.

An alternative outcome for Durban that avoids the risk of a “gap” in the Kyoto agreement would involve an extension of current Kyoto commitments for two or three years – to December 2014 or 2015. Kyoto would continue to operate, while the UN process seeks to resolve the many contentious issues left on the table at Cancun.

A short list of issues remaining to be agreed upon includes the levels of financial commitments from industrial countries to developing nations for a host of programs ranging from adaptation to “capacity-building” (in Copenhagen, Secretary of State Clinton pledged international support at a level of \$100 billion annually starting in 2020); the levels of reductions and related terms for any developing country commitments (voluntary or otherwise); the reduction levels for industrial nations after 2012, including nations that have not submitted commitment pledges; enforcement mechanisms for industrial and developing nations; methods for accounting and transparency of developing country commitments; and whether Russia will be able to use billions of tons of “hot air” CO<sub>2</sub> credits that it has available from Kyoto in a subsequent agreement.

## **The State of the Global Economy**

The European Union's recurring debt crisis, unacceptably high unemployment and slow growth prospects in the U.S., and the decline of domestic political support for "cap-and-trade" programs will all figure in the calculations of developed nations in Durban. President Clinton's famous adage, "It's the economy, stupid," is sure to weigh upon the proponents of quick action to forge a comprehensive international agreement. More cautious approaches, such as an extension of the Kyoto Protocol, could gain support since this would provide additional time to assess global economic conditions before finalizing new legally binding agreements.

## **The G-20 Option**

If a global agreement continues to elude the UN process, President Obama could turn to the G-20 leaders – including major developing nations like China and India - to seek the framework for an international agreement. It is widely agreed that the UN FCCC process is the forum for achieving a new global climate protocol or amendment to the FCCC. However, an agreement among the G-20 with promises of substantial assistance for lesser developing nations and countries most vulnerable to climate change could provide the framework for such a protocol or amendment. The combined political weight of the G-20 could help cut across the regional factions that have delayed progress since Bali.

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Gene Trisko serves as General Counsel of UJAE. He is an attorney in private practice in Berkeley Springs, WV. Gene has represented the United Mine Workers of America as an NGO at every major UN climate negotiation since the 1992 Rio Treaty.

## **Trade Unions at Cancun**

Bill Cunningham

The International Confederation of Trade Unions (ITUC) hosted daily morning meetings during the climate negotiations in Cancun. Meetings included a summary of current negotiations and side events. These summaries were helpful because negotiators held simultaneous meetings covering different issues. Also summarized were side events put on by government and private organizations which covered discussion and interpretation of the actions of negotiators as well as technical and science issues related to the negotiations.

Of particular interest to many of the trade union representatives were side events that the ITUC and affiliated unions sponsored. The Norwegian ITUC affiliates sponsored a series of side events in a "World of Work" (WOW) program. Speakers at WOW reported on a variety of issues including ITUC positions on negotiation issues and problems that affiliate unions around the world are facing.

At a WOW side event, an ITUC speaker fleshed out the Just Transition issue making six points. First, governments must adequately research the impact of proposed policies on workers (a process that has not yet taken place); second, consultation by government with workers and employers about climate policies and their impact is needed; third, employer-worker initiatives in the workplace to devise means to reduce greenhouse gas emissions should take place; fourth, social protection programs for workers displaced by climate change or mitigation are needed; fifth, investment by governments in industrial processes is required in different sectors; sixth, training of workers for jobs in the green economy must be provided.

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