

## ORAL HISTORY

### *Climate Change Negotiations: Guarding the “Overriding Priorities”*

**Chandrashekhar Dasgupta**, *a member of Prime Minister’s Council on Climate Change, a person who has been intimately connected with the entire debate on the subject since the beginning and presently a Distinguished Fellow at The Energy and Research Institute [TERI], narrates the evolution of the climate change debate, concerns and the nitty-gritty of negotiations, the ‘confusing signals’ sent out by India during the Copenhagen Conference (2009) and before the Cancun Summit (2010), the present state of play and what the future may hold.*

*Indian Foreign Affairs Journal (IFAJ)* : We are grateful to you for agreeing to talk to us on an important subject that the entire world is now focused on and is attempting to find a solution to. You have been involved in the climate change debate since the very beginning - since 1988, for more than two decades now, when it was first introduced in the U.N. It was then considered more of an esoteric meteorological subject than a political issue. How did you, as a diplomat find yourself at the centre of these negotiations? Would you kindly take us through the debate since those early days?

*Chandrashekhar Dasgupta (CD)*: Well, I was fully and intimately associated with the negotiations leading up to adoption of the UN Framework Convention on Climate Change (UNFCCC) in 1992. I was the Deputy Permanent Representative of India to the UN at New York, when the subject of climate change was first brought before the Second Committee in 1988. In 1989, I was transferred to New Delhi as Additional Secretary in the Ministry of External Affairs (MEA) responsible for International Organisations. Thus I continued to be directly concerned with the subject till the UNFCCC was opened for signature at the Rio Summit in 1992. In 1993, I went on other assignments in Beijing and Brussels and was no longer directly involved in the negotiations. However, I continued to follow the negotiations closely and was present at Kyoto in 1997 at the session where the Kyoto Protocol was adopted. I was there as an NGO representative, having accepted, with MEA’s approval, an invitation from

TERI to participate in a side event. This gave me an opportunity to witness the negotiations.

After my retirement from the Foreign Service in 2000, the Ministry of Environment and Forests (MoEF) brought me back into the negotiations as a member of the Indian delegation, up to the Copenhagen Conference in 2009. Since then, I have been a close observer but not a direct participant in the negotiations.

In the early days of the climate change negotiations, some people were surprised that a Foreign Service officer should involve himself in negotiations in what was then regarded as a purely scientific subject best left to meteorologists or environmentalists. However, it seemed to me that climate change was not only an environmental issue of the highest importance, but also that negotiations on the issue would have huge implications for the development prospects of developing countries. The major source of emissions of carbon dioxide – the principal greenhouse gas – is combustion of hydrocarbon fuels. Basically, therefore, any climate change agreement is an agreement aimed at regulating, directly or indirectly, the levels and patterns of the use of hydrocarbon energy – coal, oil and natural gas. Obviously, therefore, a climate change agreement could potentially have the most far-reaching implications for our development. For this reason, I felt it deserved priority and I had absolutely no doubt that in years to come the climate change negotiations would rise to the top of the international agenda as its economic implications came to be fully understood.

There was a question, of course, as to who should lead the negotiations – the Ministry of External Affairs (MEA) or the Ministry of Environment and Forests (MoEF). We pointed out that these negotiations were being held under a decision of the UNGA. These were UN negotiations and not United Nations Environment Programme (UNEP) negotiations. Had they been UNEP negotiations, of course it would have fallen within the purview of the MoEF. Since these were UN negotiations we thought that while the MoEF should rightly take the lead in policy coordination and policy implementation oversight, when it came to the negotiations, it would be appropriate for MEA to take the lead. I am glad to say that the then leadership in the MoEF, Secretary Rajamani in particular, were very pragmatic and were more concerned about the promotion of national interests rather than petty questions of departmental turf. Our contention was accepted and we worked in close cooperation and harmony with the MoEF throughout these negotiations. There was absolutely no question

of any departmental turf battle. I am deeply grateful to Mr Rajamani and others in the MoEF for the cooperation and support which we received from them.

*IFAJ:* Between 1988, when the subject first came up at the UN, and December 1990, when the General Assembly (GA) passed the resolution formalising arrangements for launching of negotiations, you were a witness to all these activities. How did the world look at this subject? Were the developed countries already digging in with their now known positions? Were the developing countries unaware of this? What was the atmosphere during those early days in the negotiating rooms?

*CD:* In the early 1980s, many scientists actually thought that we were about to witness a new Ice Age! However, evidence had been accumulating that human activities might be inducing global warming and in two important conferences, held in Villach (Austria) and Bellagio (Italy) in 1985 and 1987, the scientific community sounded a call for action on climate change at the political level. This sensitised environmental ministries in many capitals about the importance of the issue.

However, when Malta first introduced the subject of climate change in the UN agenda in 1988, the diplomatic community in New York was largely unprepared. In the Second Committee, it came as a surprise to most of the diplomats. They hardly had any prior knowledge of the issue.

In 1989, I was back in New Delhi, as Additional Secretary in the (MEA) responsible for International Organisations and the Climate Change negotiations continued to be a subject under my charge. A. Gopinathan, who was with me at New York, continued to handle this issue at the UN with great skill.

*IFAJ:* The first round of negotiations in February 1991 at Chantilly, Washington, D.C. was confined to questions relating to the organizational structure of the negotiations. Was the North-South divide clearly visible even at this point? Were they down playing this connection between development and environment?

*CD:* There was, indeed, a clear North-South divide. In fact, the division was evident even earlier, during the UNGA debates. Having said that, I should add that there were considerable differences during the negotiations within the North - particularly between the US and the Europeans – as well as within the South. The EC called on all developed countries to stabilise their emissions at 1990 levels by 2000. The US rejected any time-bound stabilisation target, leave alone reduction targets. Within the group of developing countries, on the one hand, you had countries whose economies

were mainly dependent on oil exports and who were, therefore, unenthusiastic about climate change mitigation; while, on the other hand, the group also included low-lying island states which are threatened by physical extinction as a result of climate change and, which, therefore, wanted maximum action on mitigation. Then there was a central group, including India, China and many other countries, which provided a sort of balance to the group. So, there was a deep North-South divide but there were also divisions within the North, as well as within the South. The negotiations therefore assumed a complex character.

*IFAJ:* India did manage to bring some sort of balance and unity among the South ... .

*CD:* Yes, we made a vital contribution. Early in the negotiations, we took the initiative of tabling, in the form of a “non-paper”, the draft of a comprehensive climate change convention. All too often, the developing countries lose out in multilateral negotiations because they leave it to the developed countries to take the initiative in framing the issues and tabling the initial negotiating texts. Developing countries make their entry at a later stage, in a purely defensive mode, instead of acting as *demandeurs* from the outset. I was determined that this should not happen in the climate change negotiations. Hence the Indian “non-paper”, which I drafted over a weekend, assisted very ably by Ajai Malhotra.

The “non-paper” set out the complete text of a convention that would require developed countries to reduce their emissions by an agreed percentage in a defined time-frame. Developed countries would also be required to provide financial and technological support to the developing countries in order to enable them to respond to climate change. Developing countries had no binding mitigation commitments but they might enter into contractual agreements to implement mitigation actions on condition that the full incremental costs were met by developed countries. We insisted that the convention must not require developing countries to divert scarce resources from their overriding priorities of economic and social development and poverty eradication.

Our “non-paper received broad support from other developing countries, including China. However, the oil exporters group had reservations regarding the deep emission reduction provisions for developed countries, while the small island countries were unenthusiastic about the unqualified exemption from binding emission commitments accorded to developing countries. G-77 and China, as a negotiating group, endorsed many – but not all – elements of

our “non-paper”. We were able to make significant progress in the negotiations through G-77 and China but, at a certain stage, we found it necessary to work through a smaller core group consisting of some 54 developing countries, without in any way breaking ranks with the G-77. The point is that we should certainly function as responsible members of G-77 but we should never allow ourselves to become prisoners of the group. When the group cannot reach a consensus, or when our national interests so require, we should not hesitate to act independently of the group.

I must mention here the contribution of Deepa Wadhwa. A skilful negotiator, she had a fine sense of timing – a very important factor in any negotiation. She made a highly valuable contribution to the successful outcome.

I do not wish to burden you with further details of the negotiations. It will suffice to mention that we were able to protect our “overriding” developmental priorities. The UN Framework Convention on Climate Change does not require developing countries to take on binding emission mitigation commitments, specifically recognising that “economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties”. It requires developed countries to stabilise and reduce their emissions but falls short of prescribing specific numbers. This unfinished work was taken up at Kyoto.

*IFAJ:* The Kyoto Protocol was the first visible result and today it governs the climate change debate. At the time of adoption of the Protocol the North-South divide was still visible but at that time there was the group called “emerging economies” who called for an equity-based treaty. What were the main issues during the negotiations leading up to the protocol?

*CD:* I was not involved in the post-Rio negotiations leading up to the Kyoto Protocol. T.P. Sreenivasan played a prominent role in the earlier stages of the post-1992 negotiations, particularly in shaping the “Berlin Mandate”, which laid down the parameters for Kyoto. The Kyoto Protocol is a treaty under the umbrella of the Framework Convention and is, therefore, an equity-based treaty.

*IFAJ:* The popular conception pushed by interested parties is that the Kyoto Protocol has been superseded by ‘agreements’ at subsequent Conferences of Parties (COP) ... .

*CD:* There are indeed a number of influential developed countries which would like to bury the Kyoto Protocol and replace it with a loose “pledge and review” agreement on the lines of the Copenhagen Accord. This approach

has quite rightly been rejected by the developing countries. Negotiations continue to be conducted along two tracks – a Convention track, including but not limited to the Copenhagen Accord; and a separate Kyoto Protocol track to set the quantified emission reduction commitments of the ratifying developed country for the post-2012 period, as required by the protocol.

Even if the developed countries refuse to honour their obligations under the Kyoto Protocol to accept quantified emission reduction commitments for a post-2012 commitment period in a timely manner, the protocol will not expire after 2012. The protocol may enter into a state of suspension or hibernation but it will remain legally alive indefinitely, unless the developed countries formally withdraw from it. The protocol can re-emerge from a period of suspended animation if and when developed countries are once again prepared to resume their obligations.

It is essential to keep the protocol alive because that is the treaty to which the international community must revert if it is to take meaningful actions on climate change. A number of studies, including those conducted by UNEP and the Stockholm Environment Institute (SEI), show conclusively that the commitments inscribed by the developed countries under the Copenhagen Accord are grossly inadequate, even under the most optimistic assumptions. The SEI and other analyses also show that the voluntary mitigation actions that developing countries plan to take will have a far greater impact than the pledges of the developed countries.

Indeed, the type of commitments many developed countries announced under the Copenhagen Accord are mostly smoke and mirrors. Take the US commitment, for example. The US has pledged itself to reduce its emissions by a certain percentage but only if the climate bill goes through the Congress. There is no hope that the bill will pass in the foreseeable future; indeed, the Administration has long ceased to take any step in this direction. Thus the US “commitment” was written in vanishing ink! Or take the Canadian “commitment”: Canada has pledged to implement it if the US bill – not Canadian legislation – is approved! The Canadians know full well that this is a most improbable prospect. So, this, too, is smoke and mirrors. I am not saying that no developed country is taking any serious measures. The European Union and a few other developed countries like Switzerland and Norway are indeed taking measures that are not insignificant – even though they are certainly inadequate.

*IFAJ*: About the recent decision of Australia, which does not worry much

about climate change – having huge landmass, huge resources and huge per capita, to go for ecologically better practices. Do you see a cleavage in the Northern bloc – the Europeans being joined by Australia arguing for the US to come down to some extent in their emission levels?

*CD:* It would be premature to say that Australia is in fact changing course. Let’s put it like this: there are proponents of change, including important personalities in the Australian government, who have floated some rather modest proposals for mitigating emissions. But these proposals are very strongly opposed by powerful forces in Australia, including interests connected with the huge coal industry. Let us remember that the last government was voted out of office because it was pushing similar proposals.

More generally, developed countries which are blessed (or cursed, according to one’s point of view) with ample hydrocarbon resources are doing little to hasten the transition to a new economy based on renewable and nuclear energy. Countries which are not so blessed, for example, the Europeans and, to some extent the Japanese, are taking some significant actions in this direction because they do not have the same vested interest in maintaining the current global energy order. (Fukushima has had an adverse impact in this regard.)

*IFAJ:* US Vice President Al Gore took the Kyoto Protocol as a personal project and pushed it through in the negotiations. We also saw how President Obama salvaged COP 2009 when things were not moving well ....

*CD:* I see it as a repetition of an old story. From time to time, US leaders have tried to promote a transition to renewable energy, for energy security or climate change reasons. They have not been successful, largely due to opposition from oil and coal interests. After the first oil shock, President Nixon, for the first time, announced that the US would make a massive shift to renewable energy, in order to sharply reduce its dependence on Middle East oil. He felt that the US must not remain dependent for its energy requirements on a politically volatile and unstable region. He failed to deliver. President Clinton, in his first Earth Day message in 1993, committed the US to return to its 1990 emissions by the year 2000, in keeping with the Framework Convention on Climate Change signed the previous year. He, too, failed to deliver. US emissions continued to rise quite sharply. In 1997, Vice-President Gore pushed through the Kyoto Protocol, as you have mentioned. Soon thereafter, the US walked away from the protocol, because of Congressional opposition. Now we have President Obama coming to office with good intentions but having to

ultimately cope with a very powerful lobby in the US which does not want to see an early transition to a new energy order. Obama has all but abandoned his initial plans for domestic action on climate change. So what we are witnessing is another act of a cyclical historical drama, in which US Presidents pledge action on a shift to renewable energy on grounds of energy security and/or climate change mitigation, but eventually fail to implement their pledges. They fail to overcome the strong resistance from lobbies connected with oil and coal interests.

*IFAJ:* In the recent past new groupings – Russia-China-India-Brazil (BRIC) – has come up, attempting to influence the world agenda on economic matters. We have also seen Brazil, South Africa, India, China (BASIC) coming together, especially at Copenhagen, trying to bring in some balance. What will be the scenario at COP 17 at Durban in November 2011?

*CD:* BASIC is playing a crucial role in the climate negotiations. BASIC is a very important group comprising of four developing countries which are also major economies. They are being targeted by the developed countries, which want to shift a large part of their responsibilities under the Convention to the shoulders of developing countries. That is why the BASIC countries are acting in concert with one another to protect the equity-based Framework Convention and Kyoto Protocol. Their views are not identical on every issue but there is a large measure of commonality in their positions.

In Durban, I expect to see the BASIC group maintaining their close coordination. Of course, South Africa will have a certain special responsibility as the host country but this should not interfere with its role as a BASIC member.

BASIC should be distinguished from BRICS because Russia is a member of the latter but not of the former. As an emerging economy, Russia shares many common interests with India, China, Brazil and South Africa. However, this does not apply to the climate change negotiations, in which Russia's position differs from BASIC. The Russian stance in the climate change negotiations is largely shaped by the fact that it is a developed country and a major exporter of hydrocarbon fuels (petroleum and natural gas).

*IFAJ:* Will the Durban COP in November 2011 be similar to the previous COP 2006 where everyone was talking in their own language and went home or do you expect a move forward?

*CD:* I don't think it would be realistic to expect the Durban COP to achieve truly substantive results, for the simple reason is that important developed



countries are not prepared to accept commitments that are even remotely commensurate to the scale and urgency of the problem. We may, however, hope to see some progress on procedural issues. This may be possible under skilful chairmanship by South Africa. It would be unfair to the host government to expect more.

*IFAJ:* The Indian position has been very clear – from the beginning till today; from the day of Mrs. Gandhi’s 1972 Stockholm pronouncement. We have been consistent about our approach. But somewhere around 2009 it looked as though (and widely reported as such) that India had slightly softened her stand and had accepted the argument that she needs to accept some additional commitments. Is that correct?

*CD:* Well, I would like to look at it somewhat differently. The previous environment minister did, indeed, send out some confusing signals before and during the Copenhagen (2009) and Cancun (2010) conferences. These signals were inconsistent not only with the national positions adopted by successive governments in New Delhi ever since the inception of the climate change negotiations but also with policy statements by the Prime Minister as well as the environment minister’s own statements in parliament. I would, therefore, prefer to treat these as ‘confusing signals’ rather than as a shift in policy. Statements by the present environment minister have been on the correct lines so far and this has helped to clear up the confusion.

I strongly criticised the former environment minister for his inconsistent positions in the negotiations. I would like to add, however, that despite my differences with him on this account, I have high regard for his lively intelligence and wide-ranging intellectual interests. I once told him, only partly in jest, that I was keeping my fingers crossed that he would be promoted to cabinet rank – and moved to another ministry! This has actually come to pass.

*IFAJ:* While once you were directly involved in policy advice and policy formulation, of late, through your lectures and writings these days, you are involved in raising the awareness of people at large on this subject and preparing them for the future ... .

*CD:* I am no longer involved in the negotiations but I have some connection with domestic policy formulation as a member of the Prime Minister’s Council on Climate Change. I believe that we must be prepared to face the very real prospect of climate change. The developed countries are responsible for the excessively high emissions that have precipitated climate change but they are

not implementing mitigation measures on the appropriate scale. So, what should India do in such a situation?

First and foremost, we must ensure that our people have a capacity to adapt to, or cope with climate change. Today, our people lack the capacity to cope even with annual seasonal changes, leave alone the drastic impacts of future climate change. Every year, a billion Indians pray for a good monsoon. When our prayers are answered, the newspapers carry the welcome news on the front page but inside pages also carry reports of thousands of people being isolated by floods, of roads, bridges and culverts being washed away and of flimsy rural dwellings being destroyed by strong winds. In short, our present infrastructure cannot cope even with benign seasonal change.

So, the first priority is to build up our coping or adaptive capacity. We must expand and strengthen our physical infrastructure – buildings, roads, bridges, coastal protection structures, etc. – on a massive scale. We need to climate-proof our agriculture by developing drought resistant plant varieties, improved agricultural practices, introducing water conservation measures, increasing water storage capacity, and so on. We must develop our human resources in order to enable traditional farmers to switch over to new, scientific techniques, or to move to other occupations in the industrial or services sectors.

In other words, we need accelerated economic and social development. The resources required for adaptation can come only from rapid development. If we fail to maintain high growth rates and implement effective poverty eradication measures, future generations of Indians will be devastated by climate change. As the UN Framework Convention on Climate Change states, “economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties”. (This was our formulation and we had to overcome strong resistance from the developed countries in incorporating it in the convention.)

Some argue that we should cap our emissions even if it means slowing down our growth rates. In my view, this is a recipe for disaster. Our per capita emissions are very low. They are a small fraction of those of developed countries, about one-third of the global average and just over half of the average figure for developing countries. Capping our low emissions would make very little difference to global warming but would seriously impede our development programmes and nullify efforts to build up our coping capacity against climate change. Our future generations would be devastated by the

impacts of climate change.

I must emphasise that this does not mean that we should do nothing to moderate the inevitable increase in our emissions. We should certainly utilise every possibility of moderating our emissions where this can be achieved without diverting scarce resources from our overriding developmental imperatives. In particular, there are major opportunities for adopting cost-effective energy efficiency and energy conservation measures. These promote our development objectives, while also yielding important co-benefits for climate change mitigation. We should avail ourselves fully of every such opportunity.

Our National Action Plan on Climate Change is an ambitious and comprehensive programme encompassing adaptation as well as mitigation. If we are successful in implementing the Action Plan, we will have made a meaningful response to the challenge posed by climate change.

*IFAJ:* Any personal anecdote you would like to share with us?

*CD:* Well, I can tell you about something that happened at the Copenhagen summit. On the evening of the final day of the conference, the negotiations appeared to be deadlocked. The Danish Prime Minister was chairing a restricted meeting of some two dozen countries in an effort to make breakthrough. Chancellor Angela Merkel, President Sarkozy and Secretary of State Hillary Clinton were among the participants. At the same time, the leaders of the BASIC countries were meeting in another room to coordinate positions in the last lap. Our environment minister and the special envoy (Shyam Saran) were with the PM at the BASIC meeting. I was occupying the Indian seat in the other meeting.

Suddenly, I felt a hand on my shoulder. I turned around and discovered to my utter astonishment that President Obama was standing behind me. I could scarcely believe my eyes! Obama said, “I want to meet your Prime Minister urgently. Please convey this to him. I am meeting Premier Wen at 7 p.m.”

I hastened to the other meeting as soon as I could. PM had already received Obama’s message through other channels. At precisely 7 p.m., there was some movement among the security personnel standing outside and the plate glass doors were flung open. President Obama stood at the entrance. “Premier Wen, are you ready to receive me?” he asked. The Chinese premier stood up and made a gesture of invitation. Obama sat down next to President Lula of Brazil, facing Wen.

I conveyed to PM in a nutshell the salient developments in the other

room, drawing his attention to the attempt of developed countries to push through a resolution calling for converting our voluntary national initiatives into legally binding treaty obligations within a year. I emphasised that it was essential to prevent this move.

When PM spoke at the meeting with Obama, he referred to India's ambitious plans to combat climate change, stressing that he would be able to secure support in parliament only if these were voluntary nationally formulated plans, not if they were in the nature of an international treaty obligation. In response, Obama said, "I have great respect for Prime Minister Singh. We must listen carefully to his words." At an appropriate moment, PM asked me to intervene in order to make the point I had mentioned to him earlier. I did so, explaining our opposition to the proposal for converting our voluntary mitigation actions into a binding treaty obligation.

After the conclusion of the BASIC-Obama meeting, I rushed to the other conference room in order to prevent passage of the offending resolution. My intervention drew angry murmurs from some EU leaders but Chancellor Merkel observed that, though she strongly disliked the Indian position, an understanding had been reached between President Obama and Prime Minister Singh and this understanding had to be respected. Obama had obviously briefed the EU leaders after his meeting with the BASIC leaders. The proposed resolution was dropped.

I thought this might be of interest in the context of continuing efforts to convert the Copenhagen Accord into a legally binding treaty.

*IFAJ:* Finally, let us turn to the more general question of the environment. Smt. Indira Gandhi, then Prime Minister of India, travelled to Stockholm in 1972 for the United Nations Conference on Human Environment. She told the gathering that "poverty is the worst polluter". By stating as such, she highlighted the link between environmental conservation and elimination of poverty. Her call decisively linked the two: "poverty and pollution" - what today we call "development and climate change", and that philosophy continues to guide us today. So, from 1972 to 1988, it took around 16 years for the world to move decisively in the direction that Indira Gandhi had indicated.

*CD:* The Stockholm conference, as you have mentioned, was called the UN Conference on the Human Environment. At this conference, Mrs. Indira Gandhi introduced a new concept - that poverty eradication is essential in order to protect the environment. The broad point she made was that you cannot protect environment effectively without development and poverty eradication. Thus, she introduced a new developmental dimension in the discourse - "environment and

development”. Incidentally, she was the only Head of Government participating in the conference, other than the Prime Minister of the host country Sweden. I think the reason why she chose to attend the Stockholm Conference in the first place was to emphasise the linkage between environment and development.

In 1983, a UN commission called the World Commission on Environment and Development (WCED) was appointed, chaired by Gro Harlem Brundtland (who went on to become the Prime Minister of Norway from 1986-89). Popularly referred to as the Brundtland Commission, the WCED further developed and popularised the broad political concept of “sustainable development” in its report, recognising the interdependence between development and environmental protection.

The next step forward was the Rio Summit of 1992. Significantly this was called the UN Conference on Environment and Development. The theme introduced by Mrs. Indira Gandhi at Stockholm had by now become well-established – you could not talk about environment without talking about development.

I fear we are now witnessing moves to weaken the interconnection between environment and development. A vaguely defined concept called the “green economy” is being pushed. This could lend itself to shift the focus away from the developmental imperative recognised in the concept of “sustainable development”. Even though the term “green economy” has not been clearly defined, yet it has been accepted as a concept in UNGA resolutions because of strong support from some very powerful countries.

Developing countries are not, of course, blind to their interests. They want to retain the focus on sustainable development. Thus the relevant agenda item for “Rio+20” - the United Nations Conference on Sustainable Development, which will be held in Rio de Janeiro, Brazil, in June, 2012 – the concerned agenda item reads, “green economy in the context of sustainable development”. I think it is essential to ensure that this vaguely defined concept – deliberately left vague – does not displace the concept of sustainable development. Otherwise the focus would shift to simply environmental protection, downgrading the development aspect.

*IFAJ*: Thank you very much Sir for your recollection and sharing of interesting events and issues that are, in fact, crucial for scholars, policy makers and the academia on a subject that the entire world is striving to come in terms with and how Indian delegation managed to guard our national interest while balancing our international obligations.

