Historical Responsibility
The Concept’s History in Climate Change Negotiations and its Problem-solving Potential

May, 2006
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# Commonly used Acronyms and Abbreviations

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<th>Description</th>
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<tr>
<td>AGBM</td>
<td>Ad Hoc Group on the Berlin Mandate</td>
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<td>CDF</td>
<td>Clean Development Fund</td>
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<tr>
<td>CDM</td>
<td>Clean Development Mechanism</td>
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<tr>
<td>CH₄</td>
<td>Methane</td>
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<tr>
<td>CO₂</td>
<td>Carbon dioxide</td>
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<tr>
<td>COP</td>
<td>Conference of the Parties (to the UNFCCC)</td>
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<tr>
<td>COP/MOP</td>
<td>Conference of the Parties serving as Meeting of the Parties to the Kyoto Protocol</td>
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<td>G-77</td>
<td>Group of 77</td>
</tr>
<tr>
<td>INC</td>
<td>Intergovernmental Negotiating Committee</td>
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<tr>
<td>IPCC</td>
<td>Intergovernmental Panel on Climate Change</td>
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<tr>
<td>JJ</td>
<td>Joint implementation</td>
</tr>
<tr>
<td>JUSSCANNZ</td>
<td>Japan, the USA, Switzerland, Canada, Australia, Norway and New Zealand</td>
</tr>
<tr>
<td>MATCH</td>
<td>Ad hoc group for the Modelling and Assessment of Contributions of Climate Change</td>
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<tr>
<td>N₂O</td>
<td>Nitrous oxide</td>
</tr>
<tr>
<td>PPP</td>
<td>Polluter Pays Principle</td>
</tr>
<tr>
<td>SBSTA</td>
<td>Subsidiary Body for Scientific and Technological Advice</td>
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<tr>
<td>UNCED</td>
<td>United Nations Conference on Environment and Development</td>
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<tr>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
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<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
</tr>
<tr>
<td>USCANZ</td>
<td>The USA, Canada, Australia and New Zealand</td>
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I

Introduction and Background
Global Warming, Ethics, Equity and the Climate Change Regime

The climate change issue might justly be argued to exist on a global scale. Nevertheless, the perspective that the climate change issue is a global one is not the same as saying that it gets a global consequence. It does not. Climate change, so to speak, is a problem but not one problem, or in other words it is a problem with many different faces. Yet, although for different reasons, a large proportion of the world’s human inhabitants have recognised the climate issue as real and problematic.¹

Out of those who think of climate change as problematic, quite a fair few, not least voices from the South, would agree to the statement that it is unfair that rich people of the North emit greenhouse gases while small islands in the South, with comparably very little blame for the human induced greenhouse effect, get washed over by the sea. Social scientist Ambuj Sagar formulates the dilemma for the economically poorest in the South:

These countries have not contributed substantially to the enhanced greenhouse effect, but may be quite vulnerable to the impacts of a changing climate, and lack the capabilities to mitigate adverse impacts or adapt as needed.²

Many commentators argue that to a very large part the problem have arisen in the North. This has happened due to historic actions in the North, not least the so-called industrialisation. Today, economically poor countries fear that they will not be allowed the same development as the North has enjoyed – for good and bad – in the past, i.e. a development with more or less unregulated access to the atmosphere as a sink for emissions. Southerners also fear that they have to pay for a problem that they, more or less, have not partaken in creating. Simply put, they fear that the North will not tackle their historic responsibility.

On the other hand, it is common to hear people in the North claiming that climate change is too an important issue to let large parts of the world continue to emit greenhouse gases without regulations. They often claim that the problem is a global one and thus that combating it requires global and united action. In essence, they think in lines with the claim that the so-called com-

mon heritage of mankind cannot be sacrificed due to Southern envy on past Northern actions.\textsuperscript{3}

Both views are understandable.

The above discussion indicates that there are different views on what is fair and just in relation to the climate change issue. So when ‘leaders of the world’ get together to discuss problems due to climate change and to outline the response to handle these problems, they do not simply decide on technical environmental issues. Implicitly or explicitly, they build an ethical framework in which responsibility is allocated and obligations are distributed among the human inhabitants of earth.

\textsuperscript{*}

The concept of equity is not straightforward. Normally the notion that all people have equal rights and obligations is accepted. Hence, a cornerstone in achieving equity would be to make equal rights available for every person. In the climate change context, achieving equity implies distributing equal rights to use the atmosphere. Historically this has not been a hot issue. The access to services provided by the atmosphere has been free to use for all humans as they please, although with important local exceptions. However, as climate change began to be perceived as a problem the search for solutions started. The intergovernmental community was not slow to follow. Discussions on international regulations of the atmosphere have been a high priority in the intergovernmental community at least since the nineteen-eighties.\textsuperscript{4} In 1992, most nations of the world\textsuperscript{5} agreed to a Framework Convention on Climate Change (UNFCCC, Framework Convention), negotiated under the supervision of the United Nations. It states that the convention’s parties “should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity”.\textsuperscript{6} Nonetheless, when it comes to agreeing on what equity actually is, it has become obvious that the principle of equal rights, commonly adhered to, is not easily translated into practice.\textsuperscript{7} Numerous proposals for allocating rights to the atmosphere have been suggested – consequently, several ethical frameworks have been proposed, some explicitly and some implicitly.

In this connection, it is not surprising that national representatives have had a hard time reaching consensus decisions on how to handle the climate change, an issue full of political nuances and material consequences.

\textsuperscript{*}

\textsuperscript{3} Henrik Selin and Björn-Ola Linnér, 2005, \textit{The Quest for Global Sustainability – International Efforts on Linking Environment and Development}, CID Graduate Student and Postdoctoral Fellow Working Paper number five; Science, Environment and Development Group, Center for International Development at Harvard University, p. 8.


\textsuperscript{5} As of the 24 of May 2004, 189 countries have ratified the convention. For the status of ratification, see \text{www.unfccc.int}.

\textsuperscript{6} \textit{United Nations Framework Convention on Climate Change}, 1992, UNFCCC, article 3.1.

This thesis focuses on one principle for how to distribute rights and restrictions to the atmosphere based on outspoken ethical arguments, namely the principle of historical responsibility. Proponents of historical responsibility argue that past greenhouse gas emissions should be accounted for when deciding on who is responsible for today’s mean surface temperature increase. This principle is in stark contrast to the UNFCCC Kyoto protocol’s way of allocating responsibilities, i.e. calculated on present emissions. Implemented on a global scale, historical responsibility would definitely get large consequences in comparison to today’s international climate change regime. But the picture of what these consequences would look like is still somewhat blurred, dependent on both scientific uncertainties and policy options.

The concept of historical responsibility has been blocked in the international climate change negotiations in the sense that it has not reached into a final agreement, i.e. a protocol to the Framework Convention. Still it has been debated. Ever since 1997, when the concept was first introduced in a comprehensive manner before the climate change negotiators, it has survived as a viable alternative approach in the eyes of many countries’ delegates. In effect, as this study will show, despite the marginalisation of historical responsibility within international negotiations, it has turned out to be a highly vigorous concept.

It is due time to track the history of historical responsibility throughout the negotiations. If different approaches to the concept are found, it would be important to analyze what they look like and what different consequences they would get if implemented. It is important to understand what problems historical responsibility aims at solving and perhaps could solve if implemented.

This is important exactly because historical responsibility is an alternative for policymakers and negotiators looking for options to the present climate change regime. The Kyoto commitment period ends in 2012. Before then it would be useful if a new agreement was negotiated to take its place. This was something that negotiators could agree on during the Montreal negotiations in late 2005. However, as of yet no one knows what such a new agreement, if reached, will look like. Historical responsibility is one possible way forward that lifts equity to the fore.

Achieving an agreement perceived as equitable is important for at least two reasons: Firstly, according to Peter Haas, effective or good global governance requires, among other things, “the establishment of common norms of expected behaviour for a variety of different actors”8. What further is, North-South conflict lines are, as Adil Najam notes, “unlikely to disappear either by ignoring them or wishing them away”9. Thus, if one wants to achieve effective governance in the climate change context, the above-sketched North-South conflict need to be discussed and resolved. Since historic responsibility combines all equity principles on which there are overlapping UN consensus, putting it on the UNFCCC agenda would function as a perfectly good way of illuminating North-South conflicts centred on different

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perceptions of equity. This would be motivated, as mentioned, since dialogue on equity needs to be lifted to the fore if common ethics and norms are to be established. Secondly, it is equally important since the Framework Convention states that the “Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities.” This motivates studies of historical responsibility, a concept that lifts equity to the fore rather then hiding it behind the quest for efficiency, a focus that in fact risk being a misconstruction precisely because it only implicitly addresses equity, creating distrust and suspicion among Southern negotiators. As economic professor Stephen DeCanio states:

Nothing has been more destructive of progress and consensus in the climate change diplomacy than the focus on efficiency to the exclusion of equity concerns.

**Aim and Research Questions**

This thesis’ aim is to analyse how the concept of historical responsibility has been used and framed in the climate change negotiations. The thesis will also investigate historical responsibility’s potential as policy to further climate change negotiations beyond North-South deadlocks.

Five focus areas will operationalise the aim. The areas are structured around the following questions:

1. How was the concept of historical responsibility introduced into the international climate change negotiations and how has it evolved since?
2. What are the perceived problems that the concept of historical responsibility aims at solving?
3. What responses have the concept received?
4. What different approaches to historical responsibility exist outside UNFCCC?
5. What role can historical responsibility play in future negotiations beyond North-South deadlocks?

The first question tracks the history of historical responsibility in the UNFCCC. The analysis following this question is the thesis’ most elaborated, and the result will be presented in chapter three. The answer provided forms a basis for further analysis. Questions two and three address both merits and problems in relation to the concept’s problem-solving potential. The analysis results are presented in chapter four and five. The fourth question is intended
to draw attention to how the concept has been framed in proposals presented outside UNFCCC with the aim to move negotiations forward and which are centred on historical responsibility (chapter six). In answering the fifth and final question, the thesis' conclusions will be summarised and discussed with focus on how the concept can be used to bypass the North-South gridlock (chapter eight).

In large, the thesis will follow the same disposition as the questions. However, initially it will deal with the thesis' points of departure in theory, method and historic context. In addition, before the summarising discussion in chapter eight, chapter seven will more thoroughly reconnect the analysis to its historic context. This is done as a means to underscore the answers provided to the first question.
2

Point of Departure
–
Theory, Method and Historic Context

Theoretical and Methodological Framework

As mentioned above, the thesis’ most elaborated section deals with the history of historical responsibility in the climate change negotiations. This analysis will be presented in chapter three. Although the theory and method outlined below can be seen as a general view on knowledge and science that apply for the whole thesis, it is specifically intended to explain the points of departure for the analysis in chapter three. The theories used in chapter four to seven will be discussed in more detail in respective chapter. The reason for doing so, instead of presenting them in this chapter, is simply to ease the reading of the thesis; the theories are outlined when they apply on the empirical sources, which make the theoretical connection to the analysis easier to follow. However, to get a better overview of the thesis’ theoretical basis a brief summary of the theories of chapter 4 – 7 will follow the discussion of theory and method used in chapter three.

The next chapter, thus, will track the history of historical responsibility in the international climate change negotiations while providing an answer to this thesis’ first research question. Answering the question is motivated just because no one has written this history before. Simply put, it has news value. But there is an even more important dimension to this question. Over and over again, history is motivated by the idea that you can learn from the past. Yet, there is more to it than just learning. Who wheel the ways in which history is perceived also influences the ways in which future is built. Deciding to write the history of historical responsibility is, in a way, to contribute to the reproduction of a discourse or discourses, or at least to add in keeping a discussion alive. To decide to write something’s history is politics. If this reasoning is extended it is fair to say that all science is politics. All choices of what to and not to study, and how to do it or not do it, get discursive implications.

Scientists sometimes try to avoid getting the epithet political. Nevertheless they are, whether they want to or not, precisely that. It is, of course, possible to stick to pre-set rules for the conduct of science but objective science is not possible. Science is not neutral. Merely conducting science is to take part, to conform to a special set of rules for knowledge production. Rules and regulation can differ between and within discipline but they are not value free.
In other words, the choice of topic for this thesis has more to it then its aim; it will hopefully enhance the understanding of historical responsibility. This study will do so by adding a storyline on how the concept has been discussed in the climate change regime. The storyline could be helpful when evaluating difficulties while trying to reach a consensus decision. It could contribute to a fruitful development of the concept's problem-solving potential. It may do so by clarifying what historical responsibility stand for and how antagonisms could be overcome.

However, claiming that science can never become objective is not the same as to advocate that anything goes. Scientific knowledge is produced according to a set of discursive rules that differ from other types of knowledge-production. One of the more obvious of these rules is the demand on transparency concerning sources of information, methodology and theory, as well as demand on validity and reliability. The demand for transparency thus motivates a discussion on the theoretical and methodological framework to the following chapter.

Transparency can be obtained by telling the reader what has been done and what sources have been used. In this thesis, this is done by expounding the theoretical and methodological framework (below), by using representative quotations and by using a system of footnotes for references to sources. Validity (that the used method can be applied on the sources to achieve the thesis' aim) and reliability (the method's precision) is obtained by choosing a method and theory that corresponds to the aim. But to be able to discuss an adequate theory and method one needs to know the primary sources' characteristics. As a matter of fact it is ineffective to choose theories and methods for interpretation without first knowing, for example, if it is observations, documents or interviews that should be analysed. Therefore, it is appropriate to start with setting up a few demarcations concerning the material of interest for the analysis.

**Demarcations**

Setting up demarcations is, of course, also a form of method. Though this is usually done in a pragmatic manner and will be so in this thesis too. The aim tells what should be at the centre of attention and primary sources are chosen as a matter of course to this aim. However, this is not wholly unproblematic since there are often options even within the focus of attention. Because of this, a brief discussion on the next chapter's demarcations will follow.

In answering the thesis' first question the demarcation is set to the UNFCCC. True, other forums for climate change negotiations exist. All the same, in this thesis, the negotiations under the auspices of the United Nations are understood as the most international of these forums. UNFCCC, of course, interacts with the rest of the world in a complex, discursive manner. Yet, a too holistic

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15 Göran Bergström and Kristina Borèus, 2000, pp. 35.
16 Göran Bergström and Kristina Borèus, 2000, pp. 36.
perspective, though admittedly favourable, also becomes too extensive and generalized to comply with the discursive rules for scientific reliability. At least when scientific knowledge is produced by one person and under a very limited timeframe, as is the case with the production of this thesis. Therefore, to uphold the thesis’ accuracy in analysing the history of Historical responsibility, a narrow focus on the negotiations under the UNFCCC will be applied.

Having said this there are two pragmatic reasons for not conducting observations of meetings and interviews with participants; it is too late for observations, and interviews, polls or the like have been regarded as too time consuming. If more unconventional methods are excluded, left to study ought to be textual remains of the negotiations. These remains are not lacking in numbers, in fact they are very abundant. Thousands and thousands of pages have been written in relation to the climate change negotiations under UN auspices. Thus, once again it is appropriate to limit the focus of attention. In the following chapter, the focus will be on official reports from meetings of the Intergovernmental Negotiating Committee on the UNFCCC (INC), the Conference of the Parties to the UNFCCC (COP), Ad hoc Group on the Berlin Mandate (AGBM), Subsidiary Body for Scientific and Technological Advice (SBSTA) and the ad hoc group for the Modelling and Assessment of Contributions of Climate Change (MATCH) as well as follow-ups of seemingly relevant references referred to in these reports. Reports from the Subsidiary Body for Implementation (SBI) have been studied too but found less interesting in relation to the aim since they do not directly address historical responsibility.

The primary source of information for the analysis, therefore, consists of reports from UNFCCC’s official institutions that are published by UNFCCC’s secretariat at its homepage.

This method for access of primary sources has been complemented with a second method. The complementary method tracks discussions on historical responsibility via a special section on the Brazilian proposal – a proposal to the negotiations on the Kyoto protocol based on historical responsibility – at the UNFCCC homepage. In this section, documents in relation to the Brazilian proposal have been collected: important conclusions by the SBSTA, decisions by the COP, documents in relation to expert meetings on the subject, evaluations of the proposal, publications on related topics et cetera. This is a very good source for discussions on the Brazilian proposal. However, since the Brazilian proposal is based on historical responsibility, it is also a good source of references to UNFCCC discussions on historical responsibility more generally, not least responses to ditto.

Reports from the MATCH are not published by the UNFCCC. Still they have been studied, not least due to the seemingly close ties between SBSTA and MATCH. According to MATCH’s website, the group was established following a mandate given by the SBSTA and the thematic page on the Brazilian proposal links to the MATCH. Therefore, reports published at MATCH’s homepage have been studied too.

As the analysis moved on, the choice of going through these documents grew from an understanding of their centrality in the discussion about the Brazilian

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18 See www.unfccc.int, follow the left hand sidebar and click – Methods and Science – Other Methodological Issues – Brazilian proposal. The homepage’s section on the Brazilian proposal was studied during November 2005.

proposal and historical responsibility, which also explains why other documents have been excluded from the analysis.

To finish this discussion I will return to the issue of reliability and validity. Admittedly, the reliability – the method’s precision – in relation to this thesis’ first question would gain on extending the primary sources with interviews and/or media coverage of meetings. This analysis therefore, primarily becomes an analysis of how historical responsibility was introduced into the climate change regime as seen through official UNFCCC documentation. Seen in this light, the analysis’ reliability ought to be very high. How the sources are interpreted, of course, also affects the reliability. However, that is an issue dependent on the author’s historical social background as well as the choice of theory behind the method of analysis, and such questions are more important for the validity, the method’s applicability, than for the reliability.\(^{20}\) A few more words will be said about the precision, but it is primarily addressed in the above text. Instead, the focus now will turn to the choice of tools, i.e. theory and method, for interpretation.

_Hermeneutics or Putting Together a Jigsaw Puzzle_

Tracking an issue throughout the international climate change negotiations is like putting together a jigsaw puzzle consisting of official documents. In doing so, hermeneutics, the science of interpretation, provide a useful framework for how to approach this puzzle. However, we need to be mindful of the fact that the theory, or theories, of hermeneutics imply that the author have broad as well as deep context knowledge. When studying something like climate change negotiations, with actors from all around the globe all with different backgrounds as well as interplay of actors at different levels in the world decision hierarchies et cetera, such context knowledge is hard to obtain without large simplifications. A theory in line with the Marxist grand narrative, or something like the world system theory of Immanuel Wallerstein\(^{21}\), could be useful in doing a context comparison and in seeking answers to why agents act as they do. However there is a risk of oversimplifying when using these kinds of grand theories to explain (non-)actions and their motives. Despite so being, I will return to such a contextualisation with the rather grand narrative of world system and dependency for reasons that will become apparent.

There are other theories that could be seen as less stipulating or more encompassing – theories that do not fall back on international economics as a last instance – in explaining (non-)actions and motives. Nevertheless, the problem with these theories such as David Harvey’s theory of dialectics\(^{22}\), is that the context vary with space and time, i.e. with processes constantly (re)constituting the context. They might be good explanatory theories but again, such theories would be hard to apply to the climate change negotiation processes unless the analysing author had exceptional deep and broad context knowledge. What further is, such knowledge is in a way unattainable considering knowledge can arguably be compared to holding a perspective or perspectives and one author cannot hold all possible perspectives at the same time. Comparing something with an all-embracing infinite context, with

\(^{20}\) Göran Bergström and Kristina Boréus, 2000, p. 36
the words of Laclau and Mouffe the field of discursivity, ought to be impossible without demarcations.\footnote{Ernesto Laclau and Chantal Mouffe, 2001, \textit{Hegemony and Socialist Strategy – Towards a Radical Democratic Politics}, p. 111.} This is so, if for no other reasons, simply because the author’s view of things would collapse due to internal antagonisms, i.e. conflicts between different perspectives of this and that.\footnote{Fredrik Sunnemark, 2004, “Ideologiteori och tvänvetskap – Om aspekter och begreppssimport” in \textit{Tvänvetskap – Fält, perspektiv eller metod} edited by Fredrik Sunnemark and Martin Åberg, pp. 29.} Setting up demarcations, on the other hand, could be seen as putting these theories in the same category as grand narratives that actually are nothing but theories with clear demarcations. This is not the same as to neglect that multiple stories or perspectives do exist, as will be discussed more at a later stage. Thus, since it ought to be impossible to be all-embracing – and arguably also unnecessary since, if it was possible to reproduce something exactly as it is, one could look to the original rather than the copy – this thesis will be in favour of theories with clear demarcations as compared to fussy or more indistinct theories. The hermeneutic demand for broad and deep context knowledge, therefore, has been put aside. Before returning to this subject, a few words need to be spent on the nature of hermeneutics. The method of hermeneutics is to put parts together to a whole and to project this whole on the parts to gain a wider understanding of these and, thus, to gain an even better understanding of the whole. All this is done in an explorative manner, in search of a less simplifying and more complex perspective. The method is backed up by the theory that claims that the understanding of parts of something is better in comparison to its whole as well as the whole is better understood when the parts are put together. This way of working with interpretation is usually referred to the by now very famous hermeneutic circle.\footnote{Søren Kjørup, 1999, \textit{Människovetenskaperna – Problem och traditioner i humanioras vetenskapssteori}, pp. 247-266.}

To return to the discussion on demarcations; in this thesis ‘the whole’ has been restricted to a very specific context, i.e. the UNFCCC negotiation process itself. In other words, parts of the negotiation process have been put together to the whole process, but the parts have been changed as the picture of the whole emerges. All this is done without a broad understanding of for example the world system or a deep understanding of for example the specific Brazilian delegation’s cultural background or personal histories. Important and interesting perspectives might be lost. But there are gains too. In short, the reliability ought to be strengthened since anecdotal evidence of this and that – made to fit a specific theory or perspective – are more or less sorted out.\footnote{See for example David Silverman, 2001, pp. 32.}

With this being said, the analysis in this chapter has been done in at least three obvious stages: At first, a summarizing text was composed. Parts were put together to form a whole. As the parts formed a whole, a second stage in the analysis emerged. The whole shaped an understanding of the meaning of the parts. A pattern emerged which was hard or impossible to detect by simply looking at the parts. This pattern gives new meaning to the parts and enables a deeper understanding and interpretation of ditto. Therefore, by looking at the whole, it was possible to go back and interpret the bits and pieces again. Thus, a third stage of analysis emerged. It consisted of reading the
parts again with a renewed understanding of the whole. With this in mind, it was possible to add more interpretations to the descriptive text outlined by the first stage of the analysis as well as detecting where pieces were missing and to search for them in the available sources.

Of course, this formed a new whole that enabled new insights to the understanding of the parts. New interpretations became possible. Eventually the parts and the whole form equilibrium, and the hermeneutic circle is closed (in this case within the specific context limited by demarcations).

However, as new critics and researchers on discourses have shown, such equilibriums or harmonies are usually a fraud or, at least, only exist at certain levels of a text. The text might harmonise on the ‘surface’ but is usually full of conflicts and antagonisms when analysed in accordance to, for example, Paul Ricoeur’s hermeneutics of suspicion or Michael Foucault’s archaeology of texts as well as his discursive theory.27

But again, these theories imply a large context knowledge that, for reasons mentioned above, would be hard to obtain in relation to this thesis’ subject of analysis. Despite this, such theories do have a value to add to this paper. The different theories on what a discourse is and how such a discourse works can help to elucidate important aspects of the discussion process. They can put words to and explain phenomena in the discussion process as such, useful for to understand how the discussion on historical responsibility preceded in the climate talks. This is not to say that this thesis’ analysis is a discursive one. As such, it would have to be far more extensive in relation to the context.

**Discursive Theory or Multiple Stories and Historical Narratives**

Before turning to the history of climate change negotiations, two points commonly ascribed to discursive theory have to be extended. Firstly, it shows that a story could be told in many different ways. According to John Law, phenomena or happenings can be seen as overlapping patchworks.28 Once again using the jigsaw metaphor, one phenomenon could be depicted in many puzzles. Telling a story in text presupposes a narrative that limits the possibilities to present this patchwork in a way that lives up to its complexity. A written story-narrative is very much two-dimensional. Simultaneously telling multiple stories would require a more whole way of story-telling, maybe such as theatre or likewise. In other words, telling a story is to exclude others.

On the other hand, it ought to be impossible to account for all stories and their overlaps. Bearing this in mind one would probably do right if telling only one story as long as claims for telling the only true narrative are excluded. This is said, not surprisingly, since the discussion on historical responsibility tracked and analysed in this thesis only tells one story. It tells the story as it emerges from official documents produced within the frames of the UNFCCC and interpreted according to scientific rules as well as perceptions formed the author’s social historic background. As such, it ought to be valid.

In theory, anyone telling this story, upholding the same point of departure as taken here, would probably end up with similar results. In practise, this is

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impossible considering the difference between authors’ social history. However, due to scientific discursive rules the results still ought to be somewhat similar.

The second point in connection to discursive theory relates to the power inherent in telling a story. Discursive theory convincingly highlights that telling a story is to produce a reality. In short, it stipulates that there is no fixed physical world that can be studied in an objective manner. Saying something about something is also to create or uphold an image of this something. An apple is, in this perspective, not a physical reality but many physical realities connected to interpretations. The story told here reproduces an enormous amount of taken-for-granted discourse. To highlight this, a discursive analysis of this thesis would come in handy. Doing one such analysis would probably be rewarding but also demanding. Deconstructing takes time and the time for writing this thesis is limited. Yet, discussing the categories of North and South as an example of stipulating categories could encourage the reader to see this thesis not as a fixed and factual perspective, but as a text full of hidden ambivalences, reproduced so-called truths and exclusions of alternative interpretations. It could again highlight the fact that this is, although a useful one, only one story of many multiple such.

When the categories North and South are used in this thesis, they refer to the global North and South. They should be seen as geographical categories although the global North includes countries in the geographic South and vice versa. For example, Australia, situated in the southern hemisphere, is included in the North. The North also implies economically richer countries while Southern countries are often more poor, sometimes dramatically so. This is how the categories are used. So far so good.

But by using these categories, one gets the feeling that this is how it is. That the North and South are clear-cut categories; that a state either belongs to the North or South; that states are the most important actors in climate talks; that economics is a universal measurement and so on. This is the picture more or less produced by these implications, attaching meaning to the concepts of North and South. In a way, this picture is also representative. At one level, this is the jigsaw puzzle to be laid. In the international climate change talks, state representatives are in focus and their opinions about this and that are often tied to groupings that roughly match the geographical categories of a global North and South. As Adil Najam has noted in relation to the South, international environmental negotiations often see an “easily identifiable sense of shared identity and common purpose” among the South, despite “specific differences.” If one is to talk of a geographical global North and South, climate change negotiations might be the best example of an arena where these categories hold.

Yet again, there are, as Law conveniently shows us, multiple stories to be told. The relative level of economic richness measured in GDP tells only a part of the story on the state of economics in a country. There are often large informal sectors as well as different welfare systems not always accounted for in GDP. Thus, even if GDP is used as a measure, an enormous greyscale regarding levels of economic development emerge. It is hard to see how this

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31 See for example Richard Lipsey et al., 1999, Economics, pp. 478-479 (relating to omissions in GDP calculations).
greyscale fit into two clear-cut categories. Further, the global South and North could arguably be seen as social categories. There are very poor inhabitants also in rich countries and very rich inhabitants in poor countries. As such, there is usually a North and South also within the geopolitical boundaries of nation-states. \(^2\) Regarding actors in climate change politics, state representatives are dependent on a complex web of human and non-human opinions and actions. \(^3\) Lots could be said about this but it ought to be hard to pinpoint any factor as the most important.

The reader should be aware of that this text produces realities that might hold in some contexts but not in others.

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Whit this being said, the need for further discussions on how discursive theory has been used is limited. Some of the merits of discursive theory have been highlighted above. Then again, as also touched upon, there are problems with choosing which alternative stories to present and which not to present. Therefore, it might arguably be equally right to present one perspective rather than many, while at the same time not claiming to capture the truth but one truth. However, discursive theory also presents perspectives on how a discourse is produced. It point to what strategies are used and what rules these strategies set up etc. Using this part of discursive theory enables researchers to highlight actors and their favoured perspectives and strategies, which they use to gain control over or to fulfil other aims in a discussion process.

For the purpose of doing this – understanding and explaining the discussion process on historical responsibility focused on in this thesis – I find three different discursive theories useful. These are the theories of Foucault (as seen through Johan Hedrén), Maarten Hajer, and Ernesto Laclau and Chantal Mouffe. \(^4\) The theories will not be expounded here, but they will be referred to in the analysis backing up statements concerning the logic of discourse.

**Chapter three’s Theory and Method in Summary**

The aim of this thesis is the first and foremost demarcation. The second is the operationalisation of the aim into questions. The third has been the focus on electronically published INC/COP/AGBM/SBSTA/MATCH reports and complementary documents on the UNFCCC/MATCH websites. These demarcations have formed the empiric ground on which the analysis rests. It has also been set up as to guarantee reliability. The actual analysis has been conducted in line with the circle of hermeneutics, without contextualising further

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\(^3\) See for example Kal Raustiala, 2001, “Nonstate Actors in the Global Climate Regime” in *International Relations and Global Climate Change* edited by Urs Luterbacher and Detlef F Sprinz, p. 95 (relating to non-state actors); and Detlef Sprinz and Martin Weiß, 1999, “Domestic Politics and Global Climate Policy” in *International Relations and Global Climate Change* edited by Urs Luterbacher and Detlef F Sprinz, p. 71 (relating to domestic actors).

than within the demarcations set up, i.e. the focus on limited material within the UNFCCC website. The research has been explorative and open-ended. It has not been made to fit any ‘grand-narrative’ theory with the risk of making the analysis anecdotal. Neither has it been made to fit any all-explaining theoretical narratives or theories that try to encompass all possible perspectives. However, one storyline has been chosen, i.e. the story as it is presented in the official documents within the UNFCCC and interpreted in line with claims on validity. In addition to this, discursive theory has been used to explain how the discussion process has evolved, i.e. to put illuminating words on otherwise hard-to-explain phenomena.

**Chapters Four to Seven’s Theory and Method in Summary**

*Chapter four:* Chapter four deals with the concept’s problem-solving potential and makes use of theories of justice and pragmatism as well as justice and efficiency. In it, commonly used categories in relation to justice are identified and connected to theories about overlapping consensus, arising from John Rawls. The theories are applied to the UN system and results in a categorisation of principles of justice on which the UN have arrived at overlapping consensus. The concept’s level of fairness is judged against to what level it addresses these overlapping consensuses or not. However, the discussion is then problemised by way of scrutinising it with a post-modern critique. Finally, the chapter addresses the question of equity in relation to pragmatism and efficiency. In theories on justice, fairness is often depicted as opposite to pragmatism and efficiency – or at least highly incompatible. However, the view favoured in this chapter is that justice and efficiency can be compatible if the context against which they are judged is changed. What is just can be seen as efficient if prevailing framings are changed. This argument is backed by discursive theories, especially in connection to theories of discursive periphery and the discursive field of infinite possibilities.35

*Chapter five:* Chapter five addresses the concept’s response, as it has been outlined in peer-reviewed articles on the topic of historical responsibility in the climate change context. The method for selecting articles has been to search for specific keywords among Linköping University’s electronic resources. Keywords have been chosen as to represent both Northern and Southern framings of historical responsibility and climate change. The thesis again arrives at discussing justice and pragmatism, and as such repeats some of the core statements of the previous chapter. Thus, it again makes use of theories of justice and pragmatism/efficiency. Discursive theory has been used too as a means to anchor arguments regarding the concept’s problem-solving potential.

*Chapter six:* Chapter six briefly outline how historical responsibility has been used in proposals put outside the UNFCCC negotiating forum. The first step of analysis consists of finding sources of interest. A strict demarcation has been used as a means to make the discussion scientifically possible and transparent. The analysis therefore emanate from a report made to order by the Pew Center on climate change, outlining different proposals to climate change regimes. A qualitative reading of the main source, and a categorisation of its content, has been the basis upon which further sources have been located which, too, has been studied in a qualitative manner. The second

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35 Cf. Johan Hdrén, 1994 (periphery); and Ernesto Laclau and Chantal Mouffe, 2001 (discursive field).
step has been highly descriptive with a focus on outspoken connections to historical responsibility. The discussion is primarily intended to open up for future research, not least on how these proposals could be applied and used in the UN system to further historical responsibility’s problem-solving potential.

Chapter seven: Chapter seven consider whether the argument for disregarding the Brazilian proposal holds in comparison to the Kyoto protocol. The analysis from chapter three is compared to a literary study of the Kyoto protocol, mostly as it looked when agreed on in 1997. The literature consists of sources used throughout the whole thesis. The comparison lacks of scientific reliability and validity but the chapter is less intended to be scientifically ‘correct’ then it is a means to touch upon a delicate subject in need of more research. The conclusions, therefore, are brief and somewhat vigilant; however, the hermeneutic understanding of parts and whole still make the discussion motivated and of value as an attempt to reconnect the analysis to a wider context (see above).

The History of Climate Change Negotiations

The reminder of this chapter will focus on the history of international climate change negotiations. It will start with the prelude to UN negotiations on climate change as well as on how the UNFCCC was negotiated. It then turns to the international talks following the establishment of the UNFCCC, that is to say the talks during the so-called Conferences of the Parties to the Framework Convention (COP). It summarises these international negotiations from COP 1, via the introduction of the Brazilian proposal during 1997 pre-COP 3 negotiations, to the establishment of the Kyoto protocol during COP 3. This backdrop specifically ought to be of importance in trying to answer the thesis’ first question and in general for the discussion although the thesis.

The outline below has been intended to reflect a summary of established history of international climate change negotiations. The summary is based in several sources, most notably by Bodansky, Grubb, Najam, and Linnér and Jacob. Some words have to be shed on criticism of the sources: The sources have been compared among themselves both as a means to check tendency and – although ‘truth’ is understood as a discursive settlement – veracity. They have also been checked against primary documentation (most notably UN resolutions on the protection of global climate, the UNFCCC and the Kyoto protocol) as to check tendency and veracity against primary sources. Even though I have not attempted to meet the demand on bibliographic completeness – such completeness ought also to be impossible to achieve – the sources used have been selected with representativity between Southern and Northern perspectives in mind. To come up to the nearness-criterion, often mentioned in literature on criticism of sources, sources by the above mentioned autors have been complemented with the anthology Negotiating Climate Change through which the negotiators of the UNFCCC speak. The nearness-criterion is also cowered by the studied UN documentation. The

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36 For discussion on the classical criticism of the sources criterion, see Anders Florén and Henrik Ågren, 1998, pp. 62-71.
The authenticity of the primary documentation ought not to be of any problem considering they are all accessed through UN internet based archives.

The Establishment of Intergovernmental Negotiations on Climate Change

Despite early knowledge of human induced global warming – the issue was known already at the end of the 19th century – climate change did not become a subject for the international political agenda until the late 1980s and early 1990s. This is in part due to the lack of scientific consensus that characterised the early scientific debate on the greenhouse effect and global warming.38

However, scientific understanding of and consensus on climate change consolidated throughout the years, not least due to more powerful computers enabling complicated climate modelling. This coincided with relatively extreme physical phenomena such as heat waves and drought, public opinion, pressure from certain NGOs and, finally, media attention. All of these aspects made the intergovernmental community interested in the issue of climate change.39

In 1988, governments around the world agreed to mandate the UN Environment Program (UNEP) and the World Meteorological Organisation (WMO) to establish an Intergovernmental Panel on Climate Change, IPCC. The IPCC was to assess the impact of climate change and produce realistic response strategies. Later the same year, the UN General Assembly approved the IPCC as the intergovernmental expert panel and referred to the climate as a “common concern of mankind”40. The ‘common concern’ rhetoric reflects how global warming quickly had become an issue for the intergovernmental community in the late 1980s. An international, or at least intergovernmental, climate change regime began to take shape.41

In September 1990, an ad hoc group – i.e. a group for a special purpose – of government representatives, initiated by UNEP and WMO, met in Geneva to prepare for future international negotiations on climate change. However, the group could not decide on in what forum negotiations were to be held, under auspices of IPCC or the UN. The global South wanted the more political body of the UN to handle the issue instead of the more technically oriented UNEP and WMO or IPCC, preferred by the North.42 In the end, the South was successful in their demands; in December, that same year, the UN General Assembly decided “to establish a single intergovernmental negotiating process […] for the preparation by an Intergovernmental Negotiating Committee [INC] of an effective framework convention on climate change”43. Although the North-South conflict on environmental issues goes back at least to the 1972 UN conference on the Human Environment, the struggle over in which international forum climate change was to be addressed was one of the first times that the North-South conflict appeared in the climate change talks.44

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41 Daniel Bodansky, 2001, p. 28.
42 Daniel Bodansky, 1994, p. 60.
UN resolution further stated that the INC had to hold its first of five meetings in February 1991. A deadline was set too; an agreement was to be negotiated before June 1992. The deadline, thus, coincided with the UN Conference on Environment and Development (UNCED).

**The INC and the UNFCCC**

Consequently, the INC had only but one and a half year to negotiate a framework convention for climate change. The UN General Assembly had limited the INC's means to five sessions with a maximum duration of two weeks each. Nevertheless, a consensus agreement was reached in time for the UNCED.

This comparably amazing negotiation-speed, with which an agreement was reached on such a complex issue, is usually explained to have been possible due to a big opinion putting political pressure on the negotiators, to the fact that the deadline coinciding with UNCED – a topic well covered by the media – and finally due to a transparent negotiating process. In the end this made it hard for anyone country to block the negotiations since no one wanted to be seen as the party that made the negotiations impossible.45

Still, negotiations initially stalled due to conflicting perspectives, not least across the North-South divide.46 However, a consensus was eventually reached, much due to a deliberately vague and ambivalent language as well as the exclusion of binding commitments. In this way, the Convention fitted different countries' perspectives simply because the text could be interpreted in many different ways. In addition, the exclusion of targets and timetables made the cost for compliance low. Finally, many of the more tricky issues were simply left for future Conferences of the Parties to the Convention to decide on, making it even more undemanding to ratify the Convention.47

The early climate change negotiations saw the formation of coalitions of states. However, Southern activity was rather low during this early stage. This has been explained by two reasons. Firstly, the climate change issue was originally defined as an environmental and technical problem, a framing usually preferred by the North. This definition hid connections to the development dimension. The Southern focus on development was not included in this framing making it less appealing for the South to participate in the talks. Secondly, a lack of means meant that the South simply could not afford to send delegates even if they wanted to. They also probably found it hard and costly to achieve the level of technical expertise needed to understand the issue in the way that is was framed by the North.48 Thus, the first coalitions appeared within the North. Yet, in the early 1990s, counties of the South became more active. They stressed the links between the environment and development. Consequently, the climate change issue got more complex. The fact that the intergovernmental community decided that negotiations should be held under UN auspices, and not under IPCC, in effect foretold the future

45 Daniel Bodansky, 2001, p. 32.
48 Daniel Bodansky, 1994, pp. 59-60; Daniel Bodansky, 2001, p. 28 and p. 30; and, for discussions on framings and capacity, see Björn-Ola Linnér and Merle Jacob, 2005, pp. 409-410.
direction of the negotiations, i.e. that the negotiations would not merely centre on technical issues. Negotiations would also stress the development dimension of environmental issues. This outcome was a sign of the South’s increasing activity in the issue. However, like the North, the South did not consist of a coherent group with consensus on all subject matters. Oil producing countries questioned the natural science of climate change while low laying coastal states and islands wanted the strongest commitments of all negotiating countries. In between these two stood most other countries of the South, including Brazil, India and China.  

The following alliances hold for most discussions on intergovernmental negotiations on climate change: The Group of 77 plus China (G-77+China, at the time of writing numbering over 130 members) stressed the need for countries of the South to let their emissions “grow to meet their social and development needs”\(^{49}\). They wanted no commitments for the South. On this they agreed. On the issues of targets and timetables for the North, the group could not agree. Sub-groupings within the G-77 took on different perspectives. These are the Alliance of Small Island States (AOSIS); southern members of the Organization of Petroleum Exporting Countries (OPEC); and finally the economically poorest countries of the South that spoke as a group under the title Less Developed Countries (LDC).\(^{51}\)

The second main group was the EU (at that point of time still the European Community, EC) and most other OECD countries. This group wanted targets and timetables for the North.

The last major coalition was the Umbrella Group, a very loose group of Northern countries (among the more prominent are the USA, Japan, Canada, Australia, New Zeeland, Norway and Iceland), agreed on some issues although they did so for highly different reasons. A more consolidated sub-grouping within the Umbrella group was formed. It is called USCANZ (short for the USA, Canada, Australia and New Zeeland, later also including Japan, Switzerland and Norway, forming the JUSSCANNZ coalition).\(^{52}\)

On some issues the coalitions were formed across the North-South divide. However, on the issue of North’s historical responsibility, the South stood united represented by the G-77+China while the North was more scattered. Especially the large industrializing Southern countries such as China, India and Brazil stressed Northern responsibility.\(^{53}\) The South wanted a political economic framing to complement the Northern biophysical framing. They wanted to include a development dimension and stressed questions of equity in relation to an unequal world-system in a North/South context.\(^{54}\)

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These groupings negotiated the UNFCCC. As mentioned above, and as preferred by the JUSSCANNZ group, the Convention does not contain any targets and timetables. This sure made it easy for the 1990’s contemporary critics to pass the judgment that the Convention was too indistinct and not near suffi-


\(^{50}\) United Nations Framework Convention on Climate Change, 1992, preamble.  


\(^{54}\) Daniel Bodansky, 2001, p. 30-31; Adil Najam, 2005, pp. 228-229; and Bjöörn-Ola Linnér and Merle Jacob, 2005, p. 408.
cient to solve problems related to climate change. Yet, the Convention is based on a framework model. A framework convention is meant to establish legal and institutional frames for future negotiations. As such, the Framework Convention on Climate Change succeeded.\textsuperscript{55} The key institutions established by the Convention are as follows:

1) COP – Conference of the Parties.
2) SBSTA – Subsidiary Body for Scientific and Technological Advice.
3) SBI – Subsidiary Body for Implementation.
4) Secretariat.

Countries that have ratified the Framework Convention are known as Parties. The Conference of the Parties is the main negotiation body in which decisions are taken. The two subsidiary bodies advice the COP. The secretariat is serving the subsidiary bodies and the COP.\textsuperscript{56}

Besides setting the institutional framework, the Framework Convention established a number of principles upon which the future negotiations would rest. These have been identified as the more important principles:

1) The principle of common but differentiated commitments.
2) Technological and financial transfers.
3) National Communications.

The first of these principles rests upon two key statements recognised by the UNFCCC preamble. Firstly it acknowledge “that change in the Earth's climate and its adverse effects are a common concern of humankind”.\textsuperscript{57} Secondly, it notices that

\textit{the largest share of historical and current global emissions of greenhouse gases has originated in developed countries, that per capita emissions in developing countries are still relatively low and that the share of global emissions originating in developing countries will grow to meet their social and development needs}\textsuperscript{58}

In accordance with these statements, the North and South should take on different commitments. Considering the North's responsibility in the greenhouse effect, they should take on stronger commitments. The UNFCCC therefore established three so-called annexes to the Convention. Annex I consists of parties to the Convention that have stronger obligations. It includes OECD countries and so-called Economies in Transition (EITs). Annex I is usually equivalent to the North. For reasons explained below, the second annex (Annex II) is the same as Annex I but without the EITs. The third annex is the non-Annex I countries, i.e. countries of the South. Non-Annex I Parties got fewer obligations as compared to Annex I. In fact, as mentioned above, Non-Annex I countries got the right to let their emissions grow.\textsuperscript{59}

The second of the three principles identified as important requires financial and technological transfers from North to South. The intention is that these transfers should assist the South in its strive for sustainable development. And this is when Annex II is important. Annex II parties (i.e. OECD countries)

\textsuperscript{55} Daniel Bodansky, 2001, pp. 33-34.
\textsuperscript{56} United Nations Framework Convention on Climate Change, 1992.
\textsuperscript{57} United Nations Framework Convention on Climate Change, 1992, preamble.
\textsuperscript{58} United Nations Framework Convention on Climate Change, 1992, preamble.
\textsuperscript{59} United Nations Framework Convention on Climate Change, 1992; and Michael Grubb, 1999, p. 41.
should transfer money and technology to Non-Annex I (i.e. the South) and to Economies in Transition (i.e. mostly former east countries).  

COP 1 to 3 – The Berlin Mandate and the Kyoto Protocol

The Intergovernmental Negotiating Committee, in its resolution on interim arrangements, decided that preparations for the first Conference of the Parties could start after the date of the UNFCCC signing but before the UNFCCC’s legal entry into force. The first Conference of the Parties, COP 1, could therefore meet in Berlin already in 1995. During this session, a committee to negotiate a protocol under the UNFCCC containing additional commitments for Annex I countries, was established. The mandate to negotiate a protocol was called the Berlin Mandate and the committee to handle this was called the Ad Hoc Group on the Berlin Mandate (AGBM). A deadline was set for 1997, coinciding with the COP 3 at Kyoto.

COP 2, held in Geneva in 1996, was important for two reasons. Firstly, tendencies to regress had begun to show. The IPCC’s Second Assessment Report, summing up the science of climate change, was questioned as well as the need for strengthening the UNFCCC commitments. The Geneva Ministerial Declaration countered this tendency of regress. It reaffirmed the decisions taken at Berlin meeting, as well as the IPCC’s authority as the world’s leading climate science body. Secondly, the conference clearly showed that if needed the consensus model applied thus far would be abandoned in the case of some back-striving countries trying to block negotiations.

At the third Conference of the Parties, held in Kyoto in 1997, a protocol under the Framework Convention negotiated under the Berlin Mandate, was adapted. The Kyoto protocol did not come easy. The AOSIS pressed for strong targets of 20 percent reductions in greenhouse gases compared to the levels of 1990. Commitments should be reached in 2005. They further wanted transfers of means for the purpose of helping with adaptation to climate change. The EU wanted 15 percent reductions compared to 1990’s emission levels to be met in 2005. The JUSSCANNZ group wanted less strict targets and flexible mechanisms as well as Southern commitments. They further stressed a longer commitment period. Brazil, backed by India and other Southern countries, wanted to calculate responsibility in relation to past emissions. The G-77+China refused to take part in the flexible mechanisms. OPEC wanted compensation because they claimed they would, economically, suffer proportionally worse by the Kyoto protocol. The LDC also wanted compensations because, according to their spokespersons, they would suffer worse by climatic change.

Negotiations were long; however, 12 hours after the official negotiation deadline an agreement on the protocol was eventually reached. At the time, half of the delegates had already fallen asleep.

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64 Michael Grubb, 1999, pp. 43-60.
In the following, a summary of fundamentals of the Kyoto protocol is presented:

Greenhouse gas basket containing six gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride. (The Protocol does not include the highly potent chlorofluorocarbon greenhouse gases because the Montreal Protocol already regulates them).

Sink enhancement concerning land use, land use change and forestry in relation to carbon sequestration activities.

Emissions reductions set at about 5 percent average for Annex I countries (see Appendix I). Individual commitments vary in accordance to Annex B of the protocol (i.e. listing initial national commitments under the protocol).

Baseline year, on which emissions reductions are compared, was set to 1990 for most parties to the protocol.

A commitment period, when commitments should be reached, was set from 2008 to 2012.

Three Flexible Mechanisms (Kyoto Mechanisms) are allowed: 1) Joint Implementation (JI): An emission reduction project conducted by an Annex I party in another Annex I country may be calculated as an emission reduction in the first Annex I country. 2) Clean Development Mechanism (CDM): An emission reduction project conducted by an Annex I party in a non-Annex I country may be calculated as an emission reduction in the Annex I country. 3) Emissions Permits Trading: Annex I countries are able to trade permits reflecting emission reduction units. Trade only allowed within Annex I.

Stricter rules for National Communications (Annex I parties reporting and reviewing to the UNFCCC secretariat).

A compliance system was set up as to being able to address non-compliance.

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II

Analysis
Historical Responsibility in Climate Change Negotiations

How was the concept of historical responsibility introduced into the international climate change negotiations and how has it evolved since?

Historical Responsibility in the UNFCCC

Before the result of the analysis is presented, one thing has to be clarified: when talking about historical responsibility in the climate change negotiations one often refer to the Brazilian proposal. Tracking the concept’s history in the negotiations through the sources used in this thesis, therefore, is very much equal to tracking the history of the Brazilian proposal. The analysis, however, starts with the negotiations leading up to a ratified Framework Convention on Climate Change.

Early Climate Change Negotiations and the Brazilian Proposal

The concept of historical responsibility has been most elaborated in the Brazilian proposal to the negotiations on the Kyoto protocol. In May 1997, the Brazilian government acted on a mandate given by COP 1. It authorised Parties to submit proposals to a protocol under the Convention. This episode is very important to the history of historical responsibility in the UNFCCC. However, this was not the first time that historical responsibility was discussed in the climate change negotiations. To do justice to the historical narrative we need to shed a brief look at what happened before May 1997.

As mentioned in the background to the analysis, UN discussions on historical responsibility goes back to at least 1972. This means that when the UN climate change negotiations were first initiated, in the early 1990s, historical responsibility was not a particularly new agenda item. It is therefore not surprising that elements of the concept appear in discussions held by the INC. The concept, however, was not cast in a coherent manner during INC-negotiations, nor labelled ‘historical responsibility’. Instead, the negotiators discussed the Polluter Pays Principle (PPP) as well as the fact that the global

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North had emitted the largest part of GHGs. Historical responsibility combine the PPP with the fact that historic emissions mostly arise from the North, giving the PPP a temporal dimension.

Thus, elements of historical responsibility floated around in climate change before the introduction of the Brazilian proposal. However, the connection between the PPP and historical emissions of greenhouse gases became a lot more outspoken in the Brazilian proposal than it had ever been before in the negotiations.

In 1995, the time had come for the first COP. The participants of COP 1 decided to launch negotiations on strengthening commitments for the Convention’s Annex I countries. The so-called Ad Hoc Group on the Berlin Mandate (AGBM) got the task to conclude a proposal to a protocol. The aim was that the proposed protocol to the Framework Convention should be discussed, and hopefully adopted, at the third Conference of the Parties in Kyoto in 1997. Brazil acted on this mandate and sent in a proposal titled *Proposed Elements of a Protocol to the United Nations Framework Convention on Climate Change*. The key conclusion drawn by the proposal is that since the North is more responsible for the climate change due to its historic emissions, they should bear a larger part of the burden in combating it. The proposal therefore suggests that individual country burdens should be based on the relative levels of past emissions.

This is something rather different from claiming that the principle of common but differentiated responsibilities arises from the distribution of present emission-levels, as is implicated by the Kyoto protocol. It is different because basing responsibilities upon historic emissions ascribes the North a much higher liability for climate change than does responsibilities based upon present emission-levels. The higher Northern liability arises from the proposal’s way of using global mean surface temperature increase as an indicator of climatic change when calculating responsibility. With this indicator Annex I’s and non-Annex I’s responsibility is first equal at the point where their emissions have affected the temperature increase equally. According to the proposal, and most scientists would agree, such a point will be reached much later than a possible point where Annex I and non-Annex I emission-levels are equal. This is due to the simple fact that past emissions arising from Annex I parties are lots higher than non-Annex I’s ditto. Thus, again according to the Brazilian proposal, if present emission levels are used as the indicator, equal responsibility will be reached at around 2037 compared to 2147 if using temperature increase. Temperature increase as an indicator of climate change...
therefore gets a very different result when calculating responsibilities than does a focus on present time emissions.\footnote{The Brazilian proposal, 1997, pp. 10.}

The proposal also recommended compliance measures. If an Annex I Party failed to fulfil its obligations it should compensate the non-Annex I Parties (generally speaking, the global South) by paying a penalty to a Clean Development Fund (CDF). Non-Annex I Parties should be able to apply for means from the Fund to be used in projects combating climate change.\footnote{The Brazilian proposal, 1997, pp. 5 and pp. 6.}

In sum, the Brazilian proposal combined several principles of justice: retributive justice by referring to the PPP; distributive and intra-generational justice by attributing and distributing responsibility among present generations; and inter-generational justice by accounting for past generations’ actions while also bearing in mind the wellbeing of future generations.

For sure, equity related talks on the PPP, past emissions regulating responsibility etc had been held before the introduction of the Brazilian proposal, but they were more or less unrewarding as more than principles. These principles were, and are, quite vague and ambivalent. They are open for interpretation and thus have been shown easy to comply with for ratifying parties\footnote{Daniel Bodansky, 2001, pp. 33-34; Björn-Ola Linnér and Merle Jacob, 2005, p. 407; and Steve Rayner et al., 1999, “Equity Issues and Integrated Assessment” in Fair Weather – Equity Concerns in Climate Change edited by Ferenc L Tóth, p. 20.}; the important exception is the Convention’s principle of common but differentiated responsibility, operationalised through the divide of the world in Annex I and non-Annex I Parties. Nevertheless, as discussed above, this division only partly adjusts the historical responsibility built up by the North since burden-sharing rules of the Kyoto protocol picture responsibility from present emission levels.

What the Brazilian proposal did was in effect to take these principles and to define them, i.e. fill historical responsibility’s main arguments with quantifiable meaning. Using the language discursive theorists, the Brazilian government attempted to gain the preferential right of interpretation over the concept historical responsibility by forming a relatively coherent discourse on the subject. Simply put, with the proposal Brazil tried to concretise vague statements and easily ratified equity principles in climate change negotiations into a narrative that was possible to consider as an operational alternative to other criteria for attribution of responsibility and burden-sharing.

The Brazilian strategy got at least two effects: one) discussing a coherent version of historical responsibility in the climate change negotiations became virtually impossible without relating to the Brazilian proposal; and two) historical responsibility suddenly could not be disregarded as a loosely defined and easily reinterpreted principle that could suit any context. Therefore, as a serious alternative to other ways of burden-sharing, the Brazilian proposal became an issue that had to be tackled.

The Proposal Introduced, Discussed and Overtaken

The Brazilian proposal was introduced at the seventh session of the AGBM.\footnote{Ad Hoc Group on the Berlin Mandate 7 (Bonn 1997) – Implementation of the Berlin Mandate, 1997, Implementation of the Berlin Mandate – Additional Proposals from Parties, p. 2; Ad Hoc Group on the Berlin Mandate 7 (Bonn, 1997) – Report, 1997, Report of the Ad Hoc Group of the}
by the UNFCCC secretariat and the Ad-hoc Group’s chairperson, ambassador Raúl Estrada-Oyuela, who had received a mandate to do so during the AGBM 6.

At this same AGBM-session, the seventh, Estrada-Oyuela’s mandate was extended. He was asked to consolidate the negotiating text prior to AGBM 8 with the purpose of producing a more manageable, streamlined text. In preparing this text, Estrada-Oyuela aimed at excluding proposals that were, according to Michael Grubb “hopelessly unwieldy, complete non-starters politically, or outside the terms of the negotiating mandate”. The Brazilian proposal seems to have sorted under one or a few of these categories because Estrada-Oyuela excluded it, in its totality, from the consolidated negotiating text.

At the Group’s eighth session, held in October 1997, the negotiators concluded that they had not had enough time to consider the Brazilian proposal in full detail, neither during the seventh nor during the eighth session. However, Estrada-Oyuela agreed to make an oral statement on the subject in front of the upcoming Kyoto-conference. In the oral presentation he stated that the AGBM had not been able to consider the Brazilian proposal in full detail. Accordingly, the Conference’s delegates decided that the Subsidiary Body for Scientific and Technological Advice (SBSTA) should further discuss the Brazilian proposal. More exactly, the SBSTA should advice the COP on scientific and methodological aspects of the Brazilian proposal. The Conference also decided that the SBSTA should report back to the COP at its upcoming fourth session.

Nevertheless, this was not all that happened to the Brazilian proposal in Kyoto. During the negotiations’ final days, the G-77 requested to reintroduce a part of the Brazilian proposal. More precisely, they asked for the part relating to a Clean Development Fund.

After intense negotiations, three instruments were defined to contribute to the ultimate objective of the Convention to reduce GHG emissions: Emissions Trading, Joint Implementation, and Clean Development Mechanism (CDM). The CDM was intended to achieve this by transfer of cleaner technology to developing countries, which Annex I parties could count as certified emissions reductions to fulfil their target reducing emissions of six GHGs by at
least 5% below 1990 levels. The CDM originated from Brazil’s proposal of a Clean Development Fund.\textsuperscript{82}

It is interesting to note that the establishment of the CDM shifted focus from a lack of mitigation projects in Annex I countries to mitigation projects in non-Annex I countries.\textsuperscript{83} Critics to the CDM say that the mechanism help Annex I parties shy their historical responsibility rather than accepting it. The CDM, they claim, enables economically rich countries to keep emitting within their borders while using up cheap options for mitigation in poor countries, making it harder and more expensive for non-Annex I countries to carry through mitigation projects in the event of future obligations.\textsuperscript{84} In short, the original rationale of the Brazilian proposal was blocked and any traces of historical responsibility erased.

Accordingly, after COP 3, the Brazilian proposal ended up in the hands of the SBSTA. The story behind the establishment of the CDM helps explain why the SBSTA handled the Brazilian proposal as it did. The SBSTA, during its eighth session held in June 1998, decided that it needed not to consider the proposal’s suggestion for a CDF. The Subsidiary Body meant that the establishment of the CDM under the Kyoto protocol had outplayed the proposal by Brazil for a compensational fund.\textsuperscript{85} As such there would be no point in discussing the topic all over again, repeating the statements of the Parties during the Kyoto negotiations.

Left to consider, therefore, were scientific and methodological aspects of the remainder of the Brazilian proposal. The government of Brazil suggested that they would hold a workshop on this subject and the Subsidiary Body welcomed this suggestion.\textsuperscript{86} At SBSTA 9, conducted in November 1998, the Brazilian delegation informed the Body of its work so far. The Body merely used the wording that it “noticed” this instead of employing the customary phrase that it “welcomed” the information, which would have indicated a more well-built support.\textsuperscript{87}

Two days later, on the 11th of November 1998, the SBSTA acted on the request by the third COP and reported back to the Conference on its discussions relating to the Brazilian proposal. This was done in preparations of COP 4, which was held parallel to the ninth session of the SBSTA. The delegates at COP 4 took notice of the Subsidiary Body’s work and once again requested the Body to report back on the issue. This time the COP wanted to await any “relevant” information from the workshop to be hosted by Brazil. The SBSTA therefore was to report on this at COP 5 the following year.\textsuperscript{88}

\textsuperscript{82} Michael Grubb, 1999, pp. 102 and p. 113. For details on the CDM see Michael Grubb, 1999, pp. 221-247.

\textsuperscript{83} Björn-Ola Linnér and Merle Jacob, 2005, p. 408.

\textsuperscript{84} Adil Najam, 2005, p. 236.


At the same time, during COP 4, a parallel event took place. The Brazilian delegation organized an informal meeting on the Brazilian proposal. The participants discussed the topic in preparation of the upcoming workshop. The aim of the meeting was to exchange knowledge on the Brazilian proposal and, from doing so, identify areas of special interest for further discussion. The identified issues should be discussed at the forthcoming workshop with the goal of straightening out differences. Brazil sought a consensus discourse on historical responsibility and wanted this to be the main purpose, and main result, of the workshop.

The workshop – later renamed the first expert meeting – was held in Campinas, Brazil, in May 1999. Experts discussed a revised proposal and concluded that, while it was hugely improved compared to the original proposal’s calculation model, it still lacked precision in relation to a number of non-linearities. The experts also criticized that the revised copy did not account for land-based emissions and that some of its parameters were wrong. They also noticed that methane (CH₄) and nitrous oxide (N₂O) needed to be included in the model and that country specific data for land-based carbon dioxide (CO₂) and anthropogenic CH₄ and N₂O were meagre.

The meeting concluded that the identified errors should be adjusted. Further, and a bit surprising considering the focus on uncertainties, the meeting concluded that there was “sufficient scientific and technical basis for operating the Brazilian proposal.” The experts also called for a second expert meeting with a broader perspective, i.e. more experts as well as more diverse ditto.

The expert meeting’s chairperson, Luiz Gylvan Meira Filho – by then president of the Brazilian Space Agency – was to brief the upcoming tenth SBSTA-session on the findings of the expert meeting.

At the tenth session of the SBSTA, in June 1999, Meira Filho did as requested and informed on the results. Moreover, the Brazilian delegation presented a further updated version of the calculation model. The Group took notice of this but deferred the issue until the next session. Brazil’s invitation to inform the SBSTA on the findings of the expert meeting remained, thus the briefing started anew at the next SBSTA-session.

At this session, the Body’s eleventh held in late 1999, conclusions on the issue were comparatively abundant. The Subsidiary Body requested the UNFCCC secretariat to coordinate a review of the Brazilian proposal. All Parties should make all their information on the Brazilian proposal available at the UNFCCC website for the experts to access and evaluate. A deadline for

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the completion of the review was set to SBSTA 14.97 This became the prelude to the first of two expert meetings under the auspices of the UNFCCC. Simultaneously with the eleventh session of the SBSTA, the COP held its fifth session. The Conference listened to SBSTA’s conclusions and noticed that Brazil had presented an improved version of the calculation model. In accordance with the conclusions by the SBSTA, the COP decided to demand further work on the issue. The fact that the Cachoeira Paulista meeting had concluded that the Brazilian proposal was accurate enough to operate was shrouded in a fog of scientific uncertainties. The Conference made obvious that many parties did not want to discuss the proposal as a viable option to other responsibility attribution methodologies, not during this or future meetings. It simply did not request the SBSTA to report back on the issue.98 This was the last time so far that the UNFCCC’s primary deciding body discussed the Brazilian proposal or, for that matter, any other comprehensive version of historical responsibility.


The Discourse Turns Technical

By now it is obvious that the discussion on equity had ‘mysteriously’ disappeared. In its place followed a discussion on the method for calculations, which in turn would end in a discussion on how to represent climate change in a simple model in an accurate manner.

A substantially updated calculation model, presented by Brazil in January 2000 as a technical note, further enhanced this technical focus. The note corrected most of the identified imperfections in the 1998 revised calculation model. As such it would presumably end many discussions concerning faults in the calculation model. The Brazilian strive for consensus thus continued. However, the rules of the game had it that the discussion should not, anymore, centre on equity.

Despite the Brazilian activities on the subject, the rest of the scientific community was slow to act on the mandate given by SBSTA 11. Therefore, to be able to present a review of the proposal in front of the Subsidiary Body at its fourteenth session, the secretariat eventually decided to speed up the process by organizing an expert meeting. This was to be the first expert meeting on the Brazilian proposal organized by the UNFCCC.

As wished for during the first expert meeting, the second one – held in Bonn, May 2001 – was attended by a more diverse body of specialists of whom about half were from non-Annex I countries. However, the meeting is a telling example on how the issue of historical responsibility was narrowed down to a very technical definition of ‘scientific and methodological aspects’.

During the meeting, several experts emphasized that the issue of the relative share of responsibility for climate change have other angels of approach than the one presented in the debate thus far. However, those other perspectives, implying for example equity centred proposals, were not considered. Instead the meeting turned to an extremely technical debate, a line of discussion that had started already after SBSTA 8 but which seemed to have escalated to a technical inferno during the UNFCCC expert meeting. Although the participants could not agree on how to define ‘scientific and methodological aspect’ – both a broad and a thin definition was discussed – the meeting in effect adopted the thin definition by only discussing advanced technical aspects of the calculation model.

The technical discussion went as long as to include talks on emissions of carbon monoxide (CO) and oxides of nitrogen (NOx). These gases do affect the concentration of hydroxyl radicals (OH) that in turn affect the concentration of methane in the atmosphere and thus affect the temperature. These gases, CO and NOx, could be mathematically represented in the model as, according to the report from the meeting, “a useful feature even if CO and NOx are not


included in the attribution calculations.\textsuperscript{103} This is to say that the technical accuracy had become a purpose in itself. While CO and NO\textsubscript{x} are not important for the calculation of responsibilities, the experts reasoned, it does enhance the accuracy of the calculation model and is therefore important. The original Brazilian proposal aimed at attributing responsibilities to Annex I Parties relative to their historic emissions. The discussion at the expert meeting in Bonn, as the example above shows, sometimes went astray, if not far astray, from this purpose. A telling example of how discussion on historical responsibility within the climate change negotiations had, so to speak, taken a technical turn.

The experts, in line with the SBSTA's assignment, strived for 'objectivity'. The traditional view of thorough hard science have it that it is unbiased or, in other words, apolitical. Since equity is usually perceived as a politicised issue, while physics and maths is not, discussions on equity fell outside the definition. This exclusion, of course, is hard to regard as apolitical. Despite so, that was precisely the aurora in which historical responsibility was presented, i.e. an objective one.

This points at some interesting observations: The first is that issues regarded by the Brazilian government as unimportant considering its proposal's purpose were repeatedly lifted up as important by the reviewing experts. For example, the original Brazilian proposal ignored sea-level rise and temperature increase rate as indicators of climate change since they were both regarded as functions of the more important mean temperature increase.\textsuperscript{104} The experts at Bonn concurred; the two other indicators were further away from the historical emissions' sources in the cause-effect chain used to calculate responsibilities, and thus less important. Still, instead of dismissing sea level rise and increase rate as a question of secondary importance, effort was put into exploring the issue. If and why this would be important, for other reasons than technical accuracy, was not mentioned.

A second and related point of interest is that the benefits of simplicity sought after in the Brazilian proposal were totally ignored during the Bonn meeting. Brazil initially wanted a very simple policy maker model for the sake of transparency, and to enhance policymakers' ability to understand it.\textsuperscript{105} These merits were now more or less lost.

In summary, the seemingly well-defined boarders set up by Brazil around the concept of historical responsibility, early on begun to crack in its foundations under attack by a technical discussion-process. This process was furthered by the experts at the Bonn meeting which dramatically assaulted the Brazilian strive for its version of discursive closure. It might not have been done with bad intentions, in fact probably it was not. Nevertheless, it happened. The original focus on equity was lost along the way.

This is not to say that the issues raised during the Bonn-meeting were unimportant. The point made here is rather that other issues usually perceived as important, maybe more important, were not even touched upon. This specifically holds during the expert meeting, but also more generally – with some


\textsuperscript{104} The Brazilian proposal, 1997, p. 12.

\textsuperscript{105} The Brazilian proposal, 1997, pp. 12; and José Domingos Gonzales Miguez, 2002, “Equity, responsibility and climate change” in Ethics, Equity and International Negotiations on Climate Change edited by Luiz Pinguelli-Rosa and Mohan Munasinghe, p. 22.
important exceptions – during all discussions on historical responsibility within the climate change negotiations. These other issues, as mentioned above, relate to equity as well as the benefits of simplicity.

Reaffirmation of the Technical Focus

The report from the Bonn meeting lay before the delegates at SBSTA 14, held two months later, in July 2001. The quite extensive document provoked the Body to draw the conclusion that more research was needed on the issues approached by the experts at the Bonn meeting. In such a manner, the SBSTA continued to reaffirm the technical focus. The Body requested that the secretariat would continue its reviewing activities: to disseminate information on the issue; to organize yet another expert meeting; and to broaden the participation in the subject matter. The secretariat should report on its findings during the seventeenth session.\(^{106}\)

In late March, about half a year later, the coordinator of Method Inventories and Science at the secretariat, sent an open letter inviting research institutions to participate in a “coordinated modelling exercise”.\(^{107}\) Any research groups using simple climate models could participate. Firstly, in the so-called Phase I, they had to prove that their models corresponded to more advanced models’ results, such as results from Global Circulation Models. Secondly, in Phase II, they got an agreed set of parameters to calculate global mean changes in emission concentrations, temperature etc ascribed to four specific country regions. The aim was to validate the Brazilian proposal and other calculation models against each other. The results were to be discussed during the upcoming expert meeting.\(^{108}\) Validation of the proposal against other models was something that the experts at the first UNFCCC expert meeting (Bonn) thought of as important.\(^{109}\) The secretariat obviously picked up this idea and made it the main purpose of its next expert meeting.

It is worth noticing that the previously equal Northern and Southern participation was not reflected in the work during Phase I and II of the modelling exercise. It gathered participants from thirteen countries of which only one was a non-Annex I country.\(^{110}\) The one non-Annex I country was, of course, Brazil. The explanation for this phenomenon has probably to be sought among the need for funds and extreme expertise when conducting modelling exercises of this kind. In other word, disparities in knowledge production capacity clearly limited Southern participation. But the lack of Southern participation might just as much have had to do with the technical focus as such. Historically such a focus has often hid the connection between environmental and developmental issues. The governments of the South are usually more interested in environmental issues when its development dimension is openly discussed.\(^{111}\) There will be reason to return to this issue shortly but the narrative will first turn to the discussions and participation during the upcoming


\(^{111}\) Compare Daniel Bodansky, 2001, pp. 30.
meeting. It was to be the third expert meeting on the Brazilian proposal, the second under the auspicious of the UNFCCC, and it was held in Bracknell at the end of September 2002.

This thesis leaves no room to depict all that was discussed during the Bracknell meeting. In general it followed the previous pattern of discussing technical issues although the discussion during this meeting was even more technically detailed. Yet, besides the technical discussions it should also be noticed that the meeting left extensive room for consultation on tradeoffs between simplicity and scientific accuracy; the conclusion being that the choice between simplicity and accuracy was in some parts a policy choice.112 It is the second time that the discourse shows signs of an inherent ambivalence, the first sign appearing in the Cachoeira Paulista meeting’s conclusion that the proposal was in fact operational. As the discussions confined to technicalities, some voices in the discursive periphery113 questioned its absurdity in relation to the original purpose. They touched upon the question whether the model was not accurate enough for the use by policymakers. The answer seems, in part, to have been yes since the experts concluded that preliminary “calculations indicate the effects of primary greenhouse gases, such as CO₂, N₂O and CH₄, can be attributed to regional sources”114. Despite so, the scientist would not let go of the objective aura. Instead they concluded that the calculation model was to be further elaborated on. The next stage in the work was, according to the experts, to engage in Phase III. This would aim at making the calculation model more ‘robust’, i.e. to fine-tune the model so that it would correspond to measured reality. This became the path staked out for historical responsibility to walk down within the UNFCCC.

If the work of the secretariat is evaluated in line with the task allotted to them by the SBSTA, it succeeded at some points and failed at others. It succeeded in organizing a new expert meeting but dramatically failed when it comes to the task of broadening participation in the subject matter. The participating experts at the Bracknell meeting were more or less the same as the participants of previous meetings, however with lots less from non-Annex I countries. At least this holds for participants of exercises in Phase I and II as well as among the presentation-holders at the meeting.115

The experts from the Bracknell meeting gave some suggestion to SBSTA concerning possible future actions. The Subsidiary Body pretty much adopted these suggestions at the seventeenth session, held in New Delhi in late October 2002.116 The work on the Brazilian proposal should continue in line with the ‘thin definition’. More research should be put into assuring the model’s robustness, what the experts at Bracknell called “Phase III”117. The experts, and subsequently the Subsidiary Body, expressed hopes that participation in

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115 Subsidiary Body for Scientific and Technological Advice 17 (New Delhi, 2002) – Methodological Issues, 2002, pp. 16. (No list of participants available.)
this future work would include “developing country experts” and “other scientific groups”.

What might not have been the intention of the experts at Bracknell was that the SBSTA entirely referred the issue to the scientific community. The work was no longer to be conducted under the auspices of the UNFCCC. Regarding Southern experts’ participation, the Annex I research institutions were “strongly encouraged” by the SBSTA to cooperate with or host experts from non-Annex I countries to broaden their participation.

It comes near at hands to interpret this as a way of reproducing the discourse on historical responsibility. Instead of changing the discourse’s demarcations by broadening the focus to include other issues, experts from non-Annex I countries were to be encouraged or schooled to think in lines with the technical discourse already at hands. This is of course a way of broadening participation. Yet, it is also highly limiting since it is actually to broaden participation as long as the participants stick to the issues discussed. Therefore, for reasons mentioned above, when guiding the future work in a technical direction, the Body somehow contradicted its aim to broaden participation between experts from countries in the different annexes. It might have broadened country participation in terms of numbers, but not in scope.

Lastly, the Body decided to review the work of the scientific community at the Body’s twentieth and twenty-third sessions.

The governments of Brazil and United Kingdom acted on the SBSTA’s decision to refer the issue to the scientific community by sending out invitations to yet another expert meeting. It was to be held in Berlin, due September 2003.

Institutionalisation – the Establishment of MATCH

The Berlin meeting was to be the fourth expert meeting on the Brazilian proposal. During the meeting it was decided that an ad-hoc group for the Modelling and Assessment of Contributions to Climate Change (MATCH) should be established. MATCH’s ‘terms of reference’, regulating the group’s focus of attention, was drawn up. Simply put, it was decided that MATCH should work towards the objective of making the Brazilian proposal’s calculation model more ‘robust’ meaning, in this instance, more scientifically correct in the classical perspective of science as mirroring a physical reality.

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124 Although the report from the Berlin meeting claims to be the report of the third expert meeting on the Brazilian proposal, the Berlin meeting was in effect the fourth, counting also the 1999 Cachoeira Paulista meeting as an expert meeting.
125 Terms of Reference – Ad-hoc group for the modelling and assessment of contributions to climate change (MATCH), 2003, p. 2.
The creation of MATCH needs to be examined in more detail. After the SBSTA had decided to refer the issue to the scientific community, there ought to have been opportunities to redefine the discourse’s content. This possibility, admittedly, was constrained by SBSTA’s suggestions on the direction of future research. Nevertheless, the opportunity to reintroduce equity concerns, i.e. to broaden the definition of what ‘scientific and methodological issues’ actually should contain, was not seized. Instead, the establishment of MATCH more or less closed the definition. The Phase III, sought after by the SBSTA during its seventeenth session, had found its arena in the scientific community, organised around MATCH. As such, the establishment of MATCH represents an institutionalisation of the very technical discourse on historical responsibility. As Maarten Hajer has shown, the setting up of an institution around a discourse is an effective way of achieving discursive closure, i.e. to protect or border a concept from alternative interpretations or meanings.

At the Berlin-meeting, the present partakers noticed that the number of participating experts from the South were very low indeed. It was explained with lack of travel funds. A trust-fund to help finance travel cost for experts from the South was discussed but, at the time, no agreement was reached. There is reason to believe that the lack of travel funds plays a part in limiting the number of Southern experts. But, as mentioned by Southern participants at later meetings, travel funds are not enough. There is a general lack of knowledge-capacity within the South, particularly a lack regarding technical issues (in this case climate modelling) discussed at the MATCH-meetings. They claimed that additional funds for the development of climate models would be needed to make the process “inclusive”.

However, in this thesis’ perspective and worth mentioning again, schooling people in the workings of a closed discourse with characteristics in line with the one on historical responsibility, is not the same as an inclusive process. Funding such education have gains, but redefining the issue, most notably by broadening the definition to accept equity discussions and a complementary political economic framing, would most likely do a lot more to enhance the inclusiveness.

When it comes to the technical discussion, most of the issues were not new. In fact, most topics were in line with what had been discussed before. The research that started with the UNFCCC secretariat initiated phase I and II had continued and many of the models for calculating historical responsibility had been calibrated and updated. For example, Ben Matthews’ (Université catholique de Louvain, Belgium) interactive climate model and Atul Jain’s (University of Illinois Urbana-Champaign, USA) modelling of combined effects of CH₄, CO₂ and climate. Besides these kinds of efforts, historical data sets had been updated, accountancy for aerosols discussed, importance of greenhouse gases not regulated by the Kyoto protocol stressed, etc.

Nevertheless, for the purpose of this thesis the single most important finding was also a relatively new one. Michel den Elzen at the Dutch National Institute for the Environment had been active in the discussion on the Brazilian proposal ever since the beginning. Together with a research team, den Elzen

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had studied the influence of policy choices and scientific uncertainties on the responsibility calculations and presented their findings in a draft of the so-called MATCH paper number one. They concluded “that the impact of scientific uncertainties is still limited compared to the impact of policy choices.” Policy choices were to be regarded as at least as important as scientific uncertainties.

This is the first suggestion since Bracknell and Cachoeira Paulista that the Brazilian proposal, despite its scientific uncertainties, might in fact be operational. The findings imply that the proposal’s scientific basis, although problematic, is less important in a policy context. In the highly traditionally scientific discourse, this subject of study is rather surprising. If matters are brought to its head, the policy versus science-debate ought to have opened up possibilities to reintroduce discussions on equity into the discourse. At a minimum, the findings of den Elzen and others ought to be considered as an opening, however small, that somewhat blurred the discourse’s otherwise rather distinct frames.

The Berlin meeting also set up a timetable with deadlines for reporting to the SBSTA. The aim was to brief the Subsidiary Body on a continuous basis and to finalise the work in 2005. The first briefing report from MACTH lay before the SBSTA during its nineteenth session in December 2003. It was a one-page summary of the Berlin meeting basically saying that MATCH was established and that the group would continue to work on the Brazilian proposal. The SBSTA plainly “took note of” this report; that was all. The interest within the UNFCCC seemed quite lame indeed.

From Cologne to Reading

During the beginning of May 2004, the time had come for the fifth expert meeting, the second organised in the name of the MATCH. The meeting was held in Cologne, Germany. Once again, the participants of the meeting stressed that the MATCH ought to be an inclusive scientific group, i.e. to involve “all potential scientists worldwide that can contribute to the MATCH process.”

The experts at the Cologne meeting decided to report on its work to the SBSTA at its upcoming side event on the Brazilian proposal, the side event decided to be held by the participants at the SBSTA’s seventeenth session.

The side event was held in Bonn, June 2004. Not much can be said about this meeting considering no report or any list of participants is available. The only remains from this event published at the UNFCCC website are the short agenda and some presentations. Judging by these remains one thing can still be mentioned: MATCH, not surprisingly, seems to have played a very large part in delivering expert opinion to the meeting. If one looks for remains

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outside UNFCCC, a short note can be found in the *Earth Negotiation Bulletin*. Judging by this note, representatives from MATCH were in fact the only presentation-holders.\(^{137}\) The agenda and the available presentations point in the same direction; if the representatives from MATCH where not the only presentation-holders, at least they where the more important. The meeting-agenda simply refers to the following:

2. Progress reports by research institutions and scientists

2.1 Ad hoc group for the modelling and assessment of contributions of climate change (MATCH)
- Niklas Hoehne (Germany)
- Michel den Elzen (The Netherlands)
- Xiaosu Dai (China)

2.2 Others\(^{138}\)

The available presentations repeat the pattern of MATCH’s rather extensive presence at the event. Except for a seven-page slideshow prepared by UNFCCC – presenting the background to the event – the rest of the available presentations are prepared by Höhne, den Elzen and Dai. Counting a few “backup slides”, their slides amount to 46 and they are, so to speak, rather intense reading. If, at all, any ‘others’ presented any progress reports they have been excluded from the UNFCCC web-section on this side event.\(^{139}\)

There is a reason for going into detail on all of this. The available material at least hints that for some reason, discussing historical responsibility with the SBSTA was done by MATCH, not by the scientific community in general. This example was lifted to show the close ties between MATCH and the SBSTA. MATCH in fact seems to gain legitimacy by stressing the “mandate” given by the SBSTA during its seventeenth session.\(^{140}\) As MATCH’s *Terms of Reference* also shows, the group seems pretty much to have anchored its existence in this mandate. And as will be shown below, stepping outside the guidelines drawn by the SBSTA was a delicate subject within MATCH.

After Cologne, the work within MATCH continued but due to delays in the work on the so-called paper number two the next expert meeting had to be postponed from December 2004\(^{141}\) until April 2005.\(^{142}\) When this meeting eventually took place, in Rio de Janeiro, discussions on paper number two continued. Nonetheless, in connection to the aim of this thesis the discussions on paper three – investigation on the outcome of using different attribution models and scientific uncertainties – is more interesting. The experts

\(^{137}\) *Earth Negotiations Bulletin*, 2004 06 22, p. 2.


agreed that, due to the findings by the research team led by den Elzen, paper three’s aim had become obsolete.\textsuperscript{143}

The debate on what was to be instead is indeed interesting. Since the third paper’s original aim had been overtaken, some experts proposed an alternative goal. They suggested MATCH to develop a simple climate change attribution tool for use by policymakers. This tool should illuminate policy choices and make it possible for policymakers to test outcomes depending on such choices. The intent with this tool upholds striking similarities with the intention of the original Brazilian proposal. Nevertheless, others objected to this new aim claiming that the resources available to MATCH and to its experts were too limited; that the tool might become too complex for policymakers; and that scientific uncertainties would probably be hard to account for.\textsuperscript{144}

They further claimed that “developing a tool is going beyond what the MATCH group should do and in addition would be politically sensitive”\textsuperscript{145}. Eventually, the original aim with the paper was kept almost intact. Nevertheless, the proposal to develop a tool was kept too. The two ways forward were separated into two different areas of work. A draft for the third paper was to be developed before the upcoming expert meeting planned for October that same year.\textsuperscript{146} This draft was not to include anything on a possible attribution model for policy makers. This issue, the last mentioned, was left to be decided on in the future.

It is interesting to note that the development of a policymaker tool is characterized as “politically sensitive”\textsuperscript{147} and, thus, not part of MATCH’s mandate. This hints that the conventional view of science and politics persisted. With such a perspective it is not hard to understand why equity issues, usually perceived as a politically sensitive topic, seemingly naturally falls outside MATCH’s assignment. Then again, the fact that the group kept the proposal to develop a tool points to the above-mentioned ambivalence within the discourse. Development of such a tool challenged the strict technical definition of what scientific and methodological issues ought to be. This is also reflected in the response; the development of a tool would be to go “beyond what the MATCH group should do”\textsuperscript{148}. However, as it turned out the tool development idea was made more or less impossible. Once again the technical discourse was effective in achieving closure, but the discussion shows that its central focus was under continuous attack from ideas in the discursive periphery\textsuperscript{149}.

The tool was rendered impossible – the technical focus was reproduced – during the seventh expert meeting, in Reading, October 2005. By doing so the discourse once more blocked a proposal that was controversial in relation to its discursive rules. This was eventually done by simply deciding that MATCH should not cover the idea.\textsuperscript{150} However, pushing the issue of an attri-
bution model aside was made possible already during the previous Rio-meeting. Dividing the third paper into two parts opened for the possibility to handle them autonomously. In that way it was relatively easy to neglect one part while keeping the other in centre of attention.

**Nothing New in Montreal**

Even though discussions on historical responsibility will most likely continue, the story told in this thesis has almost reached an end. While so being, a little note of remembrance is in place. As stated above, during the negotiations leading to the Framework Convention many loose and vague ethical principles were discussed. Southern states repeatedly rested their arguments on different versions of the Polluter Pays Principle as well as the statement that the North, due to its guilt in climate change, should take the lead in combating it. As also mentioned, taken together this reasoning constitutes the basis for the concept of historical responsibility. Economic professor Stephen DeCanio recalls the basis for Southern arguments:

>In opposition, the developing countries feared institutionalization of something like current emissions levels (or ratios) that would condemn them to permanent economic inferiority because of the advantages the rich countries had derived from their historic reliance on fossil fuels to power the industrial revolution.\(^{151}\)

At least some of this reasoning also found its way into the Convention under the collective phrase “common but differentiated responsibility”\(^{152}\), an important principle paving the way for the divide of the world into Annex I and non-Annex I Parties. But it has also been characterised as a principle that permits “all parties to enjoy equity [...] while retaining quite different notions of what would actually be fair”\(^{153}\). Brazil concretised this principle by adding a calculation model that clarified individual parties’ responsibilities. What happened afterwards has been outlined above.

What has not been mentioned is that parallel to the story of the Brazilian version of historical responsibility – in this thesis characterised as a coherent approach – the South continued to use arguments resting on the PPP and past guilt even after Kyoto. This story falls outside the thesis’ empirical demarcations but, referring to secondary sources, it is worth spending a few words on this topic as to show that the backbone principles of historical responsibility has been and is at the core of international climate change negotiations.

Although the South do not engage in the use of a coherent view on historical responsibility – doing so would probably not be suitable in overarching negotiations – they still use the concept’s principles while the North, at least large parts of the North, has resisted such interpretations of equity all along. This holds not least for COP 11 and the first meeting of the Parties to the Protocol (COP/MOP 1) held in Montreal at the end 2005. In Montreal, G-77+China initially refused talks on future Southern commitments while demanding – resting on article 3.9 of the Kyoto protocol – that Annex I


\(^{153}\) Steve Rayner et al., 1999, p. 20.
would take its full responsibility for combating climate change. Other then
that, the negotiators agreed that talks on the future of the Kyoto protocol, as
well as the Convention, were needed. As such, the Montreal meeting was in
large, as Friends of the Earth Sweden puts it in its Climate News, “a meeting
about future meetings”.

However, if one looks to UN negotiations in general the divide between the
North and South has been a reoccurring theme all since the 1972 UN Confer-
ence on the Human Environment (UNCHE) held in Stockholm. The North,
holding a universalising perspective, has stressed that the humanity has
common interests and that it should work together in finding common solu-
tions. The South on the other hand has upheld a differentiating view criticis-
ing the ‘one world’ perspective. Southern spokespersons have claimed that
the world is unequal in many aspects and that interest and solutions are un-
equally distributed too.

As the Indian based environmental organisation Centre for Science and Envi-
ronment (CSE) proclaimed in a 1991 report written by Anil Agarwal and
Sunita Narain:

*Given this new founded interest in the so-called Our Common Future
and future generations, it is time for the Third World to ask the West,
whose future generations are we seeking to protect, the Western
World’s or the Third World’s?*

Consequently, the North has focused on issues such as ozone depletion and
global warming while the South wants to lift problems such as access to safe
drinking water and local land use degradation. The climate change negotia-
tions all too well reflect these tensions where the North has advocated com-
mon heritage while the South has recommended differentiating responsibil-
ities. The much-quoted phrase from the Framework Convention, “common
but differentiated responsibilities”, encloses both the universalising and dif-
ferentiating perspective.

As described above, the seventeenth session of the SBSTA decided that the
Body should reassess the work on the scientific and methodological aspects
of the Brazilian proposal during its twenty-third session. This session, the
twenty-third held in Montreal parallel to COP 11 and COP/MOP 1, was to
listen to an oral report provided by the Secretariat. The report should inform
on the work done on the Brazilian proposal since the seventeenth session.
And, also shown above, quite some work had been put in to this issue dur-
ing this period (October 2002 till November/December 2005). Still, in the
progress report on agenda item 11a (i.e. the agenda item regarding the pro-
sal by Brazil), the chairperson’s conclusion, and thus the Body’s conclu-
sion, was that “The SBSTA agreed to return to the consideration of scientific
and methodological aspects of the proposal by Brazil at its twenty-fourth ses-
sion (May 2006).” This did not come as a surprise to the MATCH group. It

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154 Björn-Ola Linnér, conversation with Björn-Ola Linnér at Linköping University, Centre for Climate
Science and Policy Research, 16 01 2006
158 Henrik Selin and Björn-Ola Linnér, 2005, pp. 7.
160 Subsidiary Body for Scientific and Technological Advice 23 (Montréal, 2005) – Provisional Agenda,
2005, Provisional Agenda and Annotations, p. 11; and Subsidiary Body for Scientific and
Technological Advice 23 (Montréal, 2005) – Progress Report on Agenda Item 11a, 2005, Progress
knew that the issue would not likely be discussed in Montreal but rather at the next SBSTA session due in May 2006. It left MATCH with another, due to delays, much-needed six months to finalise its work.  

Nevertheless, the by now not so surprising conclusion “to be considered at an upcoming session” leave the history of historical responsibility in the climate change negotiations hanging. However, as shown by the secondary literature, even though the Brazilian proposal no longer is an agenda item at COP and even though it has been marginalised within the SBSTA, the rational behind the proposal is very much alive in the negotiations. As such the concept is a highly vigorous one. The equity-centred conflict line between the North and South persists too.

**Observed Symmetries throughout the Discussion Process**

Considering this chapter’s focus – how historical responsibility was introduced into the negotiations and how it evolved thereafter – there are a few symmetries in this process worth observing when summing up the analysis. If one is to talk about a discourse on historical responsibility within the climate negotiations, these symmetries seem to be due to discursive rules regulating the content and discussion-form of the discourse.

**Males Overrepresented**

It has not been mentioned previously, but one cannot avoid noticing the male dominance in the discussion process. It is men that discuss. Somehow and for some reasons, women are gravely underrepresented. Since most reports from expert meetings on the subject contain lists of participants, it has been possible to track the sex-divide.

1) Informal meeting: 12 out of 12 participants are males.
2) Cachoeira Paulista: 12 out of 12 participants are males.
3) Bonn: 13 out of 14 participants are males.
4) Bracknell: 19 out of 22 persons conducting presentations are...
males.\textsuperscript{166}

5) Berlin: 36 out of 43 participants are males.\textsuperscript{167}
6) Cologne: 15 out of 21 participants are males.\textsuperscript{168}
7) Rio de Janeiro: 16 out of 21 participants are males.\textsuperscript{169}
8) Reading: 16 out of 20 participants are males.\textsuperscript{170}

What this means for the outcome of discussions on historical responsibility within the UNFCCC is hard to say, but being one telling feature of the discussion process it has been hard to ignore. Contextualised with a feminist angle of approach – why not Carolyn Merchant’s eco-feminist approach connected to other theories of a global patriarchate – these statistics could certainly be interpreted with interesting results in connection to historical responsibility and theoretical consequences on how nature is treated, as well as equity across the sex divide. Interesting as it might be, I will still leave it at this. Though, the reader should keep in mind that the overrepresentation of males opens up for discussions on yet another equity issue. This one divided along the lines of male and female rather then North and South. The discourse on historical responsibility within UNFCCC (and for much of the UN negotiations in general) is equally successful in excluding women as in excluding Southern participation. It is also interesting to note that at the UN level of the world system, the exclusion of women cuts across the North-South divide. It seems indeed to be a global hegemony worthwhile studying for to find ways to enhance the inclusiveness of women. While the South has organised itself around the G-77, although promising exceptions exists, women has of yet been unable to succeed in doing something of the like, on many issues of climate change probably struggling against men rather then with them.

Focus on the Brazilian Proposal – Exclusion of Other Perspectives

After the Brazilian proposal was introduced, the debate on historical responsibility has been held within its limits. More precise still, it has been held within certain parts of the proposal, i.e. those relating to the calculation model. On the other hand, the arguments behind historical responsibility have been used outside these discussions too, although in a less coherent manner and in ways that fall outside this thesis’ empirical scope. Yet, if one wants to discuss historical responsibility in the UNFCCC as more than principles, it seems impossible to avoid referring to the Brazilian proposal at the cost of other, in this context, peripheral approaches.

Before the Brazilian proposal was introduced, loose discussions on the PPP and responsibility for past actions were held. The Brazilian proposal focused this discourse, added a chain of equivalence to the principles that gave historical responsibility well defined boarders.\textsuperscript{171} It might be that this was good in the eyes of Northern actors since historical responsibility suddenly was more than equity; it was a simple climate model too. The politically controversial content enclosed by the discourse, i.e. controversial in the eyes of the North all along shying discussions related to equity, was pushed aside. Thus,


\textsuperscript{171} See Ernesto Laclau and Chantal Mouffe, 2001, pp. 127-134.
the focus on the Brazilian proposal also made it hard to reintroduce discussions on equity in relation to historical responsibility.

Besides all this, the story of the Brazilian proposal is also the story of a marginalised policy proposal. In the hands of the SBSTA, the issue turned technical. In fact, referring the issue to the SBSTA, as done by COP 3 at Kyoto, probably limited the possibilities to discuss equity. Considering SBSTA’s function as advisor on scientific (in its traditional meaning) and methodological issues, debate on equity (traditionally seen as outside the scope of science) was marginalised. The scientific community followed down the path cleared by the SBSTA and the UNFCCC secretariat.

As of yet, the coherent approach dealing with equity, at the nerve of in North-South conflicts, in connection to climate modelling has been marginalised. Simultaneously, its content referring to equity has been totally excluded from the agenda.

In sum, what is left is a marginalised climate model that everyone had to refer to while discussing historical responsibility in a coherent manner within UNFCCC. Equity, of course, fell behind because of this treatment and the status of the Brazilian proposal (being both central in UNFCCC discussions on coherent versions of historical responsibility while at the same time marginalised and technically framed within UNFCCC-discussions as a whole).

**Historical Responsibility, Biophysical Framing and Discursive Closure**

The overall aim with the technical focus seems to have been to present a model based on natural scientific principles. Objectivity being one of the most important corner-stones of the natural science excluded discussions on for example the benefit of deliberate simplifications or equity issues which are normally seen as more subjective matters. Technicality – in the sense technically professional – and objectivity, seemingly guaranteed by technical specialists, are corner-stones in the discussion on historical responsibility mirroring the classical perspective on science.

This makes one believe that the norms in large parts of the scientific community took overhand over policy discussions. Maybe this was the policymakers’ intention when they referred the issue to the Subsidiary Body for Scientific and Technological Advice, maybe not. Nonetheless, it sure became the outcome. The politically controversial Brazilian proposal was more or less diminished to a technical issue, controversial only in the sense that its calculations were perceived as inaccurate in reflecting the factual state of things.

It seems like, ever since the third Conference of the Parties referred the issue to the SBSTA, it became a technicality – in the sense a mere formality – to continue discussions on the matter. This especially holds after the Bonn and Bracknell meetings. This feeling is intensified by looking at the headings under which the proposal sorted throughout the negotiations. In 1997 the issue got the agenda-status as a proposed protocol to the convention. Today it has ended up as an issue reduced to any other matters. In between, the issue has had a few other labels. The headings have been as follows in chronological order:

A proposed protocol to the Convention
Scientific and methodological aspects
Methodological issues
Other matters
Any other matters

It is also reflected in the way the issue was more or less outsourced, though without as is usually done when outsourcing, financing the outsourced work. The Secretariat basically said; anyone who wants to conduct work for the UNFCCC and that wants to do it for free – help yourself! Of course, this might have been a way of keeping the issue alive within an organization with limited funds. Instead of giving up the issue by prioritizing something else, it is referred to the scientific community in hope of saving it as an agenda item. Yet, if the Parties to the Convention wanted, it could of course just as well have been prioritised in front of other issues.

The establishment of MATCH only strengthened the biophysical framing of the issue. The springing point in the North-South conflict – i.e. equity – was excluded by definition following SBSTA's recommendations. It might be that MATCH is too established as an organisation to redefine their terms of reference. However, as an active agent the organisation has real power resources to invest in changing power relations in connection to the North-South divide, power that could start bridging this gap. The same, of course, goes for the SBSTA or the UNFCCC trough COP. Yet, these institutions might be even more unwieldy. However, they are no mere structures acting on governments' initiatives; they are institutions active in framing issues and presenting conceptions of how the world functions. As such, they can do a difference in forming meaningful and equitable policy.

With this said, the overall conclusion is that the matter of historical responsibility was regarded more or less as a technicality, although with some scientific value, and definitely without any policy value. At least that is how the Brazilian proposal was and is handled within a technically oriented and male dominated dark corner of the climate change negotiations.

Some Points in Summary

From this discussion follows some concluding points that can be summarised as follows:

The Brazilian proposal was central in discussions on historical responsibility but marginalised within UNFCCC as a whole and framed in a biophysical manner.

Since all discussions on coherent versions of historical responsibility have to refer to the Brazilian proposal, they too become marginalised because there simply has not been any other forum to discuss coherent versions of historical responsibility in than that connected to the Brazilian proposal and the SBSTA

Since the discursive rules in this forum framed the issue in a biophysical manner, all discussions on coherent versions of historical responsibility automatically became technical too. Discussions on equity were simply suffocated. But it is also true that those engaged in elaborations on coherent versions of historical responsibility, with the exclusion of Brazil and to some degree China, came from Northern countries and that they seemingly did not do much to redefine the issue to include a political economic framing. The

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biophysical framing was strong indeed, and it successfully excluded peripheral critique.

From all of this follows that the main argument for disregarding the Brazilian proposal as a serious alternative to a burden-sharing mechanism seems to have been that it is too technically complex and scientifically uncertain. This has been made obvious both in words and in action: In words during COP 3, 4 and 5, and in action considering all expert meetings held in honour of scientific uncertainties. The biophysical framing of Brazil’s version of historical responsibility – as of yet the only coherent version put before the international climate change negotiators – has been and is indeed very strong.

Ironically, the technological focus – biophysical framing in form of a focus on accurate calculation models – is in it self a technology, a design of discussion or discursive feature, that confines talks on equity. This feature of the UNFCCC’s discourse on historical responsibility has, as shown, been repeatedly reproduced all since 1997, the time when the concept was introduced by the government of Brazil.

The perspective that technologies confine equity, thus, can refer to both the discussed matters within the discourse as well as the design of the discussion process as such. A powerful combination – the focus on technologies being a technology in it self – that increased in power when institutionalised in the incarnation of MATCH.

### Historical Responsibility and World System and Dependency

The analysis could be left to that. But there are important gains in relating the debate on historical responsibility to other contexts; here, to a much broader context. Thus, I will endeavour on a contextualisation of historical responsibility using a theoretical framework in line with theories of world system and dependency.

In a statement above was said that the analysis was “done without a broad understanding of for example the world system or a deep understanding of for example the specific Brazilian delegation’s cultural background or personal histories.” This excluded “important and interesting perspectives” for the sake of strengthening the thesis’ reliability. But as environmental historian Björn-Ola Linnér and Merle Jacob states: “through the use of an analytical framework one can select a small number of significant observations to illustrate a broader point”\(^\text{173}\). However subjective the choice of an analytical framework is in work it can function as a way of enhancing the understanding of an issue. On the other hand, as also noted above, there is a risk of being to axiomatic. Still – to paraphrase Linnér and Jacob – when using the case of historical responsibility within the UNFCCC negotiations as a “significant observation”, one is struck by the way it fits in the “analytical framework” of world system and dependency. Although it ought to be impossible to situate the analysis in all possible contexts, this was too an “important and interesting” a perspective to be ignored due to the match between the findings and the theory. In this connection it is worth emphasising that the em-

\(^{173}\) Björn-Ola Linnér and Merle Jacob, 2005, p. 404.
empirical findings have not been made to fit a theory, it is the theory that fits the findings.

The following contextualisation makes it possible, again with the words of Linnér and Jacob, “to understand the theoretical reasoning behind the arguments that have hitherto influenced the political positions of Southern states.”\textsuperscript{174} In other words, it presents a wider perspective on historical responsibility in the form of the Brazilian proposal, a proposal that was put forward by a Southern country and backed up by the South in general.

**World System and Dependency and ‘Environmental Colonialism’**

World system and dependency (WSD) theory is a nuanced perspective with many different approaches. However, the different approaches generally have some common ground. WSD, thus, can be characterised by some core assumptions. In what follows they are outlined in brief.

The present world economy makes up a hierarchy with a core and periphery. The periphery is dependent upon the core through what has been described as neo-colonial world trade and financial relations, and neo-imperialistic geopolitics. This world system arose during the 16th and 17th century, particularly in the European expansion and creation of an international market oriented world trade. Countries can belong to either the core or periphery, and grades of these, and they can move up and down in the world system hierarchy. Through use of the capitalistic system – especially strategies maximising benefits from enticing transnational corporations to perform preferred actions – developing countries can achieve metropolitan status while others might decay to dependent positions. However, the actual system – the stratified hierarchy of core and periphery – relates to the capitalistic world-market system and it will not change unless radical restructurings of the economic system take place.\textsuperscript{175}

The postmodern critique has redefined some of these assumptions. The geographic divide of countries achieving structural positions in the world system hierarchy has been shown too simplistic a categorisation. The core-periphery relation cuts across geographical boundaries. Instead, it is manifested in international social divisions. However, if generalised, countries still reflect some notions of a core and periphery in the world system. Economically rich countries of the global North generally inhabit more people belonging to the social stratification described as metropolitan, belonging to the core. At the same time, although the countries of the global South generally contain metropolitan elites, they inhabit much more dependent people than do countries of the North. The use of geographical North/South categories holds even more for climate change negotiations. Even though some countries might be more or less dependent, the global South has formed coalitions that underline their position in the world system, a position that to a large degree form arguments and possibilities in the negotiations. The same holds for the global North. Since the core-periphery relation is perceived as inequitable by the South it has, to a large part, also created the distrust between the North and South.\textsuperscript{176}

\textsuperscript{174} Björn-Ola Linnér and Merle Jacob, 2005, p. 404.


\textsuperscript{176} Ankie Hoogvelt, 2001, pp. 56-60; and Björn-Ola Linnér and Merle Jacob, 2005, p. 404
The WSD approach can very well be integrated to climate change negotiations and the issue of historical responsibility. In 1991 the Southern based environmental pressure group Centre of Science and Environment (CSE) commented on the report World Resources 1990-91 – A Guide to the Global Environment prepared by the US based “environmental think tank”177 called World Resource Institute (WRI):

Its main intention seems to be to blame developing countries for global warming and perpetuate the current global inequality in the use of the earth’s environment and its resources.178

The CSE stress that the WRI have overemphasised emissions from deforestation and rice production while downplaying emissions from burning of fossil fuels.179 They also stress that no separation of “survival emissions” as compared to “luxury emissions” have been done.180 Even further, that calculating per capita emissions show that, for example India with 16.2 per cent of the world’s population in 1990, used up six per cent of the world’s capacity to absorb CO2 while the same figures for the USA was 4.7 and 26. According to CSE, these figures are heightened by the “historical inequity” of consumption patterns and GHG emissions making North’s proportion of responsibility even higher, in fact much higher.181

With this in mind, stressing the importance of global action – which is one of the USA’s reoccurring demands – could easily be interpreted as extending the old imperial relationship between the North and South only cast in a new disguise. This is exactly how many Southern commentators, including CSE, have understood Northern one world rhetoric. They label these Northern demands on Southern action ‘environmental colonialism’.182 Heidi Bachram notes that on “almost all levels of emissions trading, colonial and imperialistic dimensions exist. […] The dynamics of emissions trading […] is a modern incarnation of a dark colonial past.”183 The CSE in particular claims that this form of neo-colonialism in large part can continue unprevented due to a lack of knowledge producing capacity in the South, which again leads to a discussion on the importance of framing.184

**Disparities in Knowledge Production**

This led the CSE to request Southern based climate change research. Anil Agarwal and Sunita Narain at CSE write that the emergence of carbon colonialism “emphasises the fact that Third World nations must undertake their own research in this area. They cannot depend on Western institutions to present a true picture of the global situation and safeguard their interests.”185

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177 Website: World Resource Institute, www.wri.org, 17 03 2006
179 Anil Agarwal and Sunita Narain, 1991, p. 3.
180 Anil Agarwal and Sunita Narain, 1991, p. 5.
183 Heidi Bachram, 2004, p. 16.
Agarwal and Narain are backed by many others, not least Linnér and Jacob. They have pointed out that the South possesses neither scientific infrastructure nor capacity to be able to participate in negotiations with a successful outcome. This holds for international negotiations in general and the climate change negotiations in particular. In the global warming context, Linnér and Jacob identify two reasons for this being the case: Firstly, the expensive investment in equipment and skilled labor needed to be able to conduct research on global warming and, secondly, the biophysical framing upheld by the North on expense of a political economic framing preferred by the South.

If the problem is presented in this manner, both sides need to notice that the discussion is on values and power relations – politics – not facts. Facts are a fraud in international negotiations, heavily loaded with power-relations. Facts are carefully produced and selected, giving political arguments an aura of objectivity. The capacity to produce such facts mostly lies in the hands of the North, giving Northern countries advantageous bargaining power resources that reproduce material North-South inequalities in the climate change negotiations’ discursive struggle on historical responsibility. In other words, the world system of peripheral (Southern) states that depend economically on core (Northern) states reproduces itself in climate change negotiations.

Maria Silvia Muylaert de Araujo with other colleagues at the University of Rio de Janeiro concludes that in connection to historical responsibility it is “necessary to show which gases are really important not only in terms of the climate system but also in terms of development patterns.” This fits very well into the above discussions. Researchers from the South highlight the development dimension of environmental issues trying to introduce equity into the biophysical framing favoured by the North. Muylaert de Araujo et al. proceed to say: “although a tCeq [ton carbon dioxide equivalent] is not different for the global warming, it can be associated to different consumption patterns.” In short, emissions of CO₂ from, to use Carolyn Merchant’s categories, subsistence-oriented economies should be weighted less than market-oriented emissions’ sources. The discussion is highly simplified but the point is clear: if one wants to move beyond the North-South divide there is a need for a political economic framing besides the biophysical ditto. As Michael Grubb puts it: the Kyoto “Protocol’s biggest failings simply reflect the basic North-South divide in the UN system itself.” Grubb goes on to say that it is not easy to formulate any credible alternatives. “One principle has, however, succeeded in at least engaging the attention of many developing countries, though outside the negotiating process. In its general form, this is the idea that allocations should be ‘equitable’.” It is this kind of framing that is sought after by Southern researchers: a framing that reaches beyond the biophysical and focuses on underlying scientific assumptions with implications.

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188 Maria Silvia Muylaert de Araujo et al., 2005, “GHG historical contribution by sectors sustainable development and equity”. *Renewable and Sustainable Energy Reviews*: (pp. 1-10), p. 8. See also Maria Silvia Muylaert et al., 2004, *Equity, responsibility and climate change*, *Climate Research*: (pp. 89-92), p. 92.


for equity, and a perspective that highlights the world system and its inborn dependencies.\textsuperscript{192}

This ought to be valuable knowledge considering the struggle for inclusiveness across the North-South divide, inclusiveness that was lost after the first UNFCCC expert meeting on the Brazilian proposal (the Bonn meeting). If the North seeks inclusiveness as well as Southern participation in the struggle to combat climate change, they need to acknowledge Southern demands on equity. Otherwise the divide will most likely continue unbridged. In fact, if the reasoning of WSD is taken for real, there ought to be a need to restructure the whole world system to achieve well-founded equity. In other words, radical changes of the world system are needed to undermine disparities in capacity between North and South that accumulate power resources in the North at the expense of the South, generating dependency and creating distrust across the divide.\textsuperscript{193} The climate change negotiations could very well constitute a start towards a more equitable world system.

At this stage of the thesis, there is no need to say much more. However, both the argument that the Brazilian proposal was too technically complex and the perspective that technologies confine equity will be discussed further below. The findings will be reconnected to chapter two in a comparison of technical complexities in the Brazilian proposal and the Kyoto protocol.

Before engaging in this contextualisation, the thesis will turn to examine the Brazilian proposal, and other versions of historical responsibility, in more detail. In doing so, the following chapter comprise of a try to evaluate the concept of historical responsibility's problem-solving potential.
Historical Responsibility
as a Problem-solving Concept

What are the perceived problems that the concept of historical responsibility aims at solving?

This question could as well have been a sub-question under the previous chapter but it is of such importance to the aim of this thesis that it has been lifted out and treated separately. It is important to the aim since it tangents discussions on historical responsibility’s problem-solving potential. It is also important since the problems addressed by historical responsibility are based on equity-antagonisms in the climate change negotiations. Recalling the aim with this thesis, this question therefore ought to be of special interest.

Equity and Pragmatism in Problem-solving Negotiations

As mentioned in the introduction, global warming as a phenomenon is common for nature, including humanity. Nevertheless, it does not pose common problems. When connected to discussions on world system and dependency (see above), it is possible to draw the conclusion that an unequal global development pattern is part of causing global warming to affect humans differently. In other words, history has created different capacities to handle and adapt to the phenomenon of global warming, which causes the notion of a common humanity to crack.

This, of course, complicates the quest for solutions since the points of departure for discussions are not the same among different negotiators. What further is, there is a potential that notions of justice vary widely among negotiators. If not, as the analysis above shows, notions of how important equity is do vary widely. Thus, when discussing historical responsibility’s problem-solving potential one need to focus on questions of notions of equity and notions of its importance in relation to, for example, costs of fulfilling equitable agreements.

What is Justice and is Historical Responsibility a Fair Concept?

This section will first outline the principles of equity that historical responsibility stand on and then turn to the question if historical responsibility is a fair concept or not.
Historical responsibility has been found to address at least five equity principles commonly referred to in literature on the topic of equity. These are intra- and inter-generational equity as well as retributive, distributive and procedural equity.

**Intra-generational equity:**

Intra-generational equity refers to the treatment of the world’s present generation of humans. Historical responsibility addresses this issue by being a concept that applies worldwide while keeping in mind that the world is unequal. Therefore, while it proposes a universal concept it does not suggest universal action. Instead, it proposes action based on the common but differentiated responsibility established during UNCED in Rio, 1992.

**Inter-generational equity:**

The concept also refers to inter-generational equity, i.e. notice that the present generation has a responsibility towards future generations. This is manifested most clearly through rhetoric on the matter, but also through the fact that actions are recommended both regarding development of poor countries as well as mitigation of and adaptation to climate change that future generations probably will benefit from much more then the present.

**Retributive equity:**

Historical responsibility also concerns retributive equity in acknowledging the polluter pays principle. In fact, the whole idea with the calculation model in the Brazilian proposal, for example, is to establish responsibility for climate change. As Patterson notes, this might not be an easy task, yet it addresses retributive justice perceived as important in the UN regime. Retributive equity is also reflected in the Brazilian proposal’s version of historical responsibility through the inclusion of a penalty fund directing money to adaptation. I.e., those responsible for climate change should compensate those with least capacity to adapt and thus suffering the most.

**Distributive equity:**

Based on the responsibility-calculations, the burden for mitigation is shared among the present and near future generation. As such, distributive equity has, of course, clear connections to both retributive, intra-generational and inter-generational equity. Nevertheless, being one of the important overlapping consensuses that is located by Lyttkens to exist in the UN, for clarity it might still be worth mentioning again as a separate category.

**Procedural equity:**

Procedural equity refers to, in this context, whether the means by which an agreement was reached was fair or not; i.e. put more pragmatically, whether discussions were inclusive or not. The principle of procedural equity was not pointed out by Merchant, Lyttkens or Patterson as UN-overlapping, but it is mentioned by Steve Rayner and others as of large importance in the UN climate change discourse. This statement is strengthened by the strive of the climate change negotiators for inclusiveness detected in the above analysis. Most often the concern is that Southern states, researchers and negotiators are excluded from negotiations, not least due to a lack of capacity needed following a highly technical Northern framing of the issue (see above). With this perspective, historical responsibility ought to hold the capacity to be an inclusive approach considering it can combine both Northern and Southern

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framings; inclusive at least with a homocentric perspective at a nation-state level, which is the focus of the overlapping consensuses in the UN regime. Though one should notice that the concept has not been discussed, in the UN system, by women and that the homocentric perspective excludes more holistic ethics (but also less altruistic ones).

Whit this said it is time to ask what equity actually is. People agree on what is and what is not correct. In many contexts, justice is regulated by the law. Still, the law too is constantly bent and interpreted and many things are not regulated by the law at all. How then can one judge if historical responsibility is fair? There are no institutionalised morals, no law, to provide a clear answer, neither a conventional law nor any scientific laws. Yet, there are principles for justice around and many times, they are in fact very strong. It is these principles that – with the risk of simplifying – are regulated by the law, by religion, by philosophy or, in short, by society at large.

According to philosophers on justice, some of these principles could be made universal. The human ecologist Carl-Henrik Lyttkens states that this would require an intergovernmental community built on principles of democracy. Lyttkens gives the UN as an example of one such community that has begun to take clear shape. Despite the endless pluralism of perspectives upheld by humans inhabiting the diverse world – difference is a word close at hands – some, according to Lyttkens drawing on John Rawls, “overlapping consensus” exists between all the different “comprehensive doctrines”. Lyttkens claims, Rawls’ argument holds not least in the UN forum.

Lyttkens have located two norms in the UN forum that, despite that they are expressed in different words, are rather universal. He specifically refers to UNCED and the work of the World Commission on Environment and Development. The norms he has identified are summarised below, quoting Lyttkens in free translation:

1. Act as to ensure that humanity survives, which presupposes a sustainable society, which in turn presupposes respect for the global ecosphere.

2. Distribute the world’s resources fairly.

His findings point to the acceptance of intra- and inter-generational equity as well as distributive equity and are strengthened by the findings of Carolyn Merchant in Partnership Ethics and Cultural Discourse. Merchant also stresses that it is a homocentric ethic that differs from for example ego-, bio- or eco-centric ethics. To this, one norm that refers to retributive justice is added by Matthew Paterson to the list of overlapping consensuses. In Principles of Justice and Global Climate Change, he claims that

this is the principle of justice underlying the criminal justice systems. This is largely undisputed as an ethical principle, but in the climate change system it becomes complicated by the empirical debates concerning responsibility for causing climate change.

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198 Matthew Paterson, 2001, p. 121.
Although it might be hard to calculate historical responsibility, it is still an overlapping consensus (largely undisputed) in the UN, and elsewhere, that the polluter should pay.

From all of this follows that there are three homocentric equity principles identified as overlapping consensuses (four if the first is considered as constituent of two principles) in the UN. They relate to inter-generational equity, distributive and intra-generational equity and retributive equity.

Judging by this UN context, one can evaluate if the concept of historical responsibility is a fair concept. Though, as will be noted below, identifying overlapping consensuses and claiming them to be the most appropriate yardstick for measuring equity might not be the best way of looking at the UN climate change regime. For the time being, however, historical responsibility will be evaluated against the criterion of overlapping consensus in the UN. This is done primarily as a means to illuminate the concept’s principles of equity in more depth than has been outlined above.

The conclusion drawn from all of this is that historical responsibility, in a UN context, is a fair concept. This conclusion is further backed by a study of Aspbjørn Torvanger and Lasse Ringius. Their study compared six pre-Kyoto proposals and concluded that historical responsibility, in the Brazilian version, was by far the most equitable proposal. 199

Historical responsibility seems to address all issues of justice described as more or less global, i.e. as overlapping consensuses in the UN system. In the Brazilian version of this concept, the principles are concretised, and this is when it becomes, as Paterson puts it, empirically complicated. The scientific complexity has been a major reason for excluding it from the agenda. However, it is most likely also marginalized since it partly challenges the Northern universalising perspective. On the other hand, it could very well fit this perspective too, referring to the principle of common but differentiated responsibilities. The concept, after all, is intended to be applied worldwide (universalising perspective) but it is also designed to address the Southern concerns with an unequal world that in turn motivates diverse action (differentiating perspective).

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With all of this being said, one must remember that, as Ellen Wiegandt points out in Climate Change, Equity and International Negotiations, “there is no rational and scientific basis on which to choose among different conceptions of ethics.” 200 Although this implies that if there was a scientific way of finding out what is right and wrong the problem would be solved – something to which I do not agree – Wiegandt also highlight that the issue of equity is a question of choosing between conceptions. And conceptions can change (as can scientific ‘facts’!). Wiegandt does not directly criticise Rawls’ idea of overlapping consensus but her reasoning could be turned against Rawls. However, others do this in a more straightforward manner as for example Joanne

Linnerooth-Bayer in *Climate Change and Multiple Views of Fairness*. Lin-
nerooth-Bayer concludes that there

*is no universally valid set of moral principles that can inspire effective personal, institutional or national commitments to a fair distribution of environmental risk burdens, including the burdens of mitigating and coping with climate change.*

On the other hand, article 21 of the Stockholm declaration from the 1972 UN conference on the Human Environment could very well be interpreted as one such universalising principle that has inspired many actors to a more fair distribution of burdens. If the view of overlapping consensus within the UN is accepted, one could judge that historical responsibility ought to be regarded as an equitable principle in this forum. Yet again, it is very hard to judge what is regarded as fair if, as Linnerooth-Bayer suggests, no such consensus can ever be all encompassing, i.e. universally valid. Furthermore, if consensus on equity does exist it might not necessarily be fair, not least due to power relations within this consensus discourse hiding strong alternative interpretations of equity.

As suggested by Daniel Bodansky, the Framework Convention was easy to ratify due to vague principles that could be reinterpreted to fit many different contexts. This hints that there might be an overlapping consensus on equity principles that still permits multiple views of fairness. The introduction of the Brazilian proposal into climate change negotiations reinforces this view. It is a good example of how multiple views are forced to surface in discussions on how to interpret and spell out vague principles of equity. In addition, drawing on extensive work by discursive theorists, there seems to be no reasons to deny that power relations play a large part in these discussions.

Thus, it is hard to judge what is fair and what is not. Without stipulating – as was done above and which however is a method with considerable value – one cannot arrive at conclusions of which proposal is the most fair considering power relations behind the very gauge for measurement. In other words, what is perceived as fair is not necessarily so due to power relations hiding alternative cognitions.

What can be done, then, to get around this problem? Discursive theorists have shown that all discussions are power ridden. It seems impossible to get around this. However, it ought to be possible to render it hard to use power recourses to ones advantage. This can be done by a discussion-process that is open and as inclusive as possible. What is needed then is an ethics for discussion in line with for example Carolyn Merchant’s partnership ethics or Ernesto Laclau and Chantal Mouffe’s notion of radical democracy. With this in mind it is maybe more important – I think much more important – that historical responsibility addresses all issues of justice described as more or less universal, i.e. as overlapping consensuses in the UN system, *in an*
This might be more important than agreeing to whether historical responsibility is a fair concept or not since historical responsibility could put equity on the climate change agenda and as such open up for discussions and dialogue across the North-South divide. This should be compared to the Kyoto protocol that never ones mentions the word ‘equity’ despite the fact that the protocol is overridden with implicit (hidden) equity principles.

In summary, the perceived problems that the concept of historical responsibility aims at solving relate to equity and notions that the present state of the climate change regime is unfair, although maybe not so much in principle as in implementing these principles in practice. Seemingly, it is not always the principles of equity that are disputed. One can agree to a principle without agreeing on how to put it in to practice. As the case with retributive justice, judging by Patterson, largely accepted in the UN though complicated in the climate change context due to empirical debates concerning the evaluation of responsibility. In evaluating historical responsibility’s problem-solving potential, this leads to a second question of importance. This question relates to whether historical responsibility is a pragmatic solution or not.

Is Historical Responsibility a Pragmatic Concept?

This question is posed since, in discussions on international negotiations and equity, one often separates between equity and pragmatism. Take the above-mentioned study by Torvanger and Ringius for example. In it, the authors set up criteria for operationality and conclude that historical responsibility has little chance of being politically implemented. With their criteria for operationality – criteria that probably comply rather well with the UN-overlapping consensus on the issue – this probably holds. In fact, judging by how the Brazilian proposal has been handled in the UNFCCC it has truly been excluded from being operationalised. What is more, the notions of what is pragmatic, upheld by some, are sometimes hard to combine with principles of justice. Therefore, if a proposal is equitable in the eyes of most involved in discussions on a topic, such as this, it may still encounter pragmatic problems. Simply put, just because something is decided to be equitable, one might not want to pay for it. This has led David Victor at the International Institute for Applied Systems Analysis (IIASA) to claim that

*analysts who make fairness the centrepiece of efforts to identify the elements of a successful international agreement to regulate greenhouse gases will not have much influence on real outcomes.*

Torvanger, Ringius and Victor all make, I think, one big mistake. They fail to notice that just as with justice, the notion of what is pragmatic differs between contexts. Claiming that historical responsibility is not operational or that the willingness to pay is too low hides the fact that perceptions of operationability and willingness to pay can change. As Stephen DeCanio notes in

206 Note that the overlapping consensus identified in the UN by Merchant as well as Lyttkens refers to a homocentric ethic as compared to for example an egocentric, biocentric or ecocentric ditto. The overlapping consensus thus is a homocentric one that, in the future, might have to be extended to include other organisms and systems not for the well-being of humans but for the sake of their inherent values.

relation to pragmatism and Northern willingness to pay for equity (in his text, referring to global per capita rights but he could just as well have referred to historical responsibility):

Such an assignment of climate rights would entail a substantial transfer of wealth from the developed to the developing world, but it is entirely possible that the citizen of the rich countries would be willing to accept such a transfer (and the accompanying changes in their energy use patterns) if they felt that the policies were actually going to be effective in solving the climate and development problems over the long run.\(^210\)

If historical responsibility at present fails to be perceived as pragmatic, what then is pragmatic? This question will be extended below in a comparison of the Brazilian proposal and the Kyoto protocol. Here it is sufficient to notice that, if one carry matters to an extreme, it is possible to ask the following: is it not a game of power where the perspective backed by agents with lots of power resources becomes pragmatic? Cannot those with big power resources benefit from these resources at the cost of those with less capacity? If the answers to these questions are yes, which in the end I believe they are\(^211\), the climate change negotiations and their power-relations are problematic since they exclude discussions on issues at the nerve of in North-South conflict. The negotiations need to address issues of equity to handle mistrust across the North-South divide. This cannot be done by ignoring the issue or excluding it on the grounds that it is too complex to be operational. Such a procedure simply cannot build any truly meaningful agreement. And, as DeCanio suggests, discussing equity might very well enhance the Northern willingness to pay if Northerners perceive the proposal as capable of solving problems such as the distrust plaguing climate change agreements over the long run. Such perceptions will not come to live if the topic of equity is suffocated in technical discussions and strive for efficiency.

Conclusion – Overcoming Antagonisms

Production of consensus is often dangerous to inclusiveness. It marginalises many perspectives or altogether ignores alternatives.\(^212\) The way historical responsibility has been handled within the UNFCCC could be seen as an example of how this has been done – how technologies have confined equity.

Still, due to the design of the international climate change negotiations, consensus is necessary to avoid negotiations to stall. Production of consensus is the aim of most discussions at the international level. If this regime design is not to be changed, then consensus most likely has to be reached in order of achieving meaningful action among states.

However, as mentioned in the introductory chapter, one should keep in mind that producing common ethics for action does not necessarily mean to produce centralised governance structures.\(^213\) One should also keep in mind that the UN “bureaucratic bargaining system” leaves much to ask from its democ-

\(^{211}\) See also Chantal Mouffe, 2005, p. 106.
\(^{212}\) Chantal Mouffe, 2005, pp. 30-31 and pp. 103.
\(^{213}\) Chantal Mouffe, 2005, p. 129; Peter M Haas, 2004, passim.
ratic deficit. As Robert Dahl suggest, to produce consensus with a hypothetical global *demos* ought to be impossible.\(^\text{214}\) Still, some issues are fit for global forums, at least as a complement to other forums. One such issue ought to be climate change – not implying that the universalising characteristics of climate change should prevail over its differentiating ditto. However, climate change is fit for a global forum at a minimum since such a forum already exists and much has been invested in seeking a global agreement. Thus, the gist of all of this is that “addressing the global governance deficit”, the outspoken aim of Peter Haas in his article with the same title, produces a democratic deficit in its wake. The intergovernmental community should walk the tightrope between good global governance and democracy very carefully. My suggestion is that this is most likely best done by keeping an open and transparent dialogue.

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The line of conflict between the North and the South has plagued climate change negotiations for a long time. This conflict originates in the perspectives above referred to as differentiating and universalising. It is possible that producing a consensus across this divide leaves much to ask. On the other hand, it should not be impossible to create a consensus that accounts for differences. To achieve effective global governance, common ethics have to be established as a base for common norms. Since it is of such importance to this thesis, it is worth recalling Najam again: the North-South conflict lines cannot be wished away.\(^\text{215}\)

Historical responsibility has a very high potential to succeed in being the base for a meaningful agreement in that it combines framings preferred by both Northern and Southern delegates. As such, it is concept well suited for functioning as a node for dialogue across the North-South divide.

However, as has been shown above and mentioned by DeCanio in relation to equity and economic models of climate change: current “practice only hides the essential questions [of equity] behind a technical façade.”\(^\text{216}\) Equity issues are at the springing point in bringing about a consensus decision on how to handle the climate change issue in a longer perspective than the ‘near future’, be it 2012 or 2020. By pushing equity aside, while focusing on technical matters that only indirectly addresses equity, negotiators and researchers hinders a meaningful agreement.

DeCanio also suggests that, if a proposal would be perceived as a possible way forward in solving climate and development problems, the Northern willingness to pay for such a proposal most probably would be substantially higher than it currently is.\(^\text{217}\) The biophysical framing confining equity is *not* very open in including approaches such as those combing a political economic perspective with that of biophysical climate models. If the discourse on historical responsibility could be reopened for such discussions, the willingness to pay might very well be extended and the North-South deadlock overcome. It could also constitute a step towards restructuring the world system with inborn relations of core and dependant peripheral states.

The following chapter consists of an effort to summarize and extend discussions in the literature on historical responsibility as an attempt to highlight

\(^\text{214}\) Chantal Mouffe, 2005, pp. 104-105.
\(^\text{216}\) Stephen J DeCanio, 2003, p. 93.
questions in need of being addressed at an international level to further the concept’s problem-solving potential.
Response on Historical Responsibility

This chapter will address the question of what response the concept of historical responsibility has received. Considering Michael den Elzen et al’s findings on policy choices versus scientific uncertainties – concluding that policy choices are the more important in relation to responsibility calculations – and the fact that a fair few scientific uncertainties have already been mentioned in chapter three above, this chapter will focus on policy implications. The empirical sources will consist of a general literature study. The selection of literature is evident from the discussion and the footnotes therefore will not be listed here.

The intent with this chapter is to highlight discussions on historical responsibility that, if resolved, would most likely enhance historical responsibility's problem-solving potential.

Nations, Nation-states or Regions

The geopolitical world is quite different today than it was in say 1840. Who should take responsibility for emissions by, for example, Prussian effects on the temperature increase? Is this a problem or is the state less important in calculations of responsibility than a geographical area belonging to a state at present?

The Brazilian proposal gives suggestions on how to handle this issue. In the case with Prussia, the largest kingdom of the former united German empire, emissions would add to the German quota. In the case of, for example, the Czech Republic and the Slovakian Republic (formed following a split of Czechoslovakia in 1993) their respective responsibility of Czechoslovakian historical liability for global mean temperature increase would be divided among the two states according to proportions in 1990. Yet, to continue to use the example of Germany, the picture gets rather complicated.

The region of the present of the eastern regions of Germany would probably be counted to the German share of responsibility. This holds up until the creation of the German Democratic Republic (GDR). When GDR was formed, the eastern German region would count as belonging to the Soviet Union, which would fall under the present Russian quota. But in 1954, GDR was proclaimed fully sovereign. Emissions from the sovereign GDR would probably be hard to ascribe to either present day Russia or Germany. When the

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218 The Brazilian proposal, 1997, p. 34.
Berlin wall eventually fell and Germany soon after was reunited, emissions from the eastern part of present Germany would again be counted to the overall German share of responsibility. The picture is complicated by the fact that present Germany has gone through a few other stages in history with highly different territorial boarders: the German Confederation up until 1870; the German Empire from 1871 to 1918; the Weimar Republic from 1919 to 1933; the Nazi Germany from 1933 to 1945; and the Federal Republic of Germany form 1946 up until today. Note also the above-mentioned Soviet Union’s occupation of GDR as well as the sovereign GDR. Furthermore, after the Second World War, West Germany was occupied by the United Kingdom of Great Britain, the USA and France, which also complicates the picture. In fact, West Germany was not declared fully sovereign until 1955, and the occupants maintained their presence even after 1955.

A similar story could be told using the example of the Czech and Slovak Republics. Other examples could include responsibility of nations without territories, i.e. nations without states.

Solutions could be sought in ascribing responsibility to regions rather then countries. Regions probably somehow benefited from past emissions and at least some of those benefits ought to have been forwarded to the present state of order. Examples could be the building up of infrastructure of different kinds. Nevertheless, this is also complicated since the pattern of production, consumption and economic benefits spread across boarders of regions (see below).

As noted these are complicated matters, at least if the timeframe reaches from 1840 (as proposed by Brazil) up until say 2020 (proposed as one option). That leads us to discuss implications of chosen timeframes for calculations of responsibility.

**Timeframe – Start- and End-Dates**

Among others, spokespersons from UNEP and the Norwegian based organisation CICERO has noticed that the choice of timeframe has implications for both historical and future responsibility.\(^{219}\) The choice is problematic since an end-date, say 2100, and a start-date, say 1800, downplay past emissions and highlights future emissions. In such a scenario, the South would presumably get the largest responsibility, presuming that IPCC predictions of countries’ future emissions are more or less right. On the other hand, an end-date at say 2010 with the same start-date (i.e. 1800), ascribes the major responsibility to the North. Thus, the choice of start- and end-dates is important policy decisions with very large implications for the attribution of responsibility.\(^{220}\)

**Responsibility for Ignorant Minds**

As also noted by persons at UNEP and CICERO, the choice of timeframe relates to whether a country should take the responsibility for past emissions when emitters were unaware of the harmfulness or, at a minimum, blinked to

\(^{219}\) Lasse Ringius et al., 2002, p. 9.

emerging theories.\textsuperscript{221} After all, scientists did acknowledge what they named the greenhouse effect already at about the turn of the 20th century. However, the leading theories at that time, and later, had it that climate change was constrained to polar climate change and that it was caused by non-human-induced meteorological phenomena.\textsuperscript{222}

This poses questions such as when does one know and what criteria are there for knowing? However, maybe more importantly, this argument can be compared to everyday practice. In the court of law, one cannot argue guiltless of crime due to ignorance to the fact that an action is considered a crime. On the other hand, there were no laws prohibiting or limiting emissions in 1840. This issue too, has to be resolved.

\textit{Ability to Understand}

The Brazilian proposal also stress that the calculation model ought to be simple to understand for policymakers whom are the intended users. This was also noticed as a merit by the experts at the UNFCCC Bracknell meeting. However, they also questioned simplicity since it restricts the possibility to achieve so-called scientific accuracy. Accordingly, there ought to be tradeoffs between simplicity and scientific accuracy, which arises the question of selections between the two.

\textit{Climate Change Indicators}

Different scientific uncertainties are associated with the choice of indicator for measuring global climate change. However, the actual selection comes down to a policy choice. Three indicators are commonly mentioned in discussions on historical responsibility:

- Global mean surface temperature increase
- Sea-level rise
- Temperature increase rate

Global mean surface temperature, used in the Brazilian calculation model, gets very similar results to calculations with sea level rise as indicator. One can imagine, however, that sea level rise ought to have large relevance for low laying islands and coastal regions. The outcome with calculations based on temperature increase rate is a totally other story. Increase rate stress that those with large historical emissions have a lesser responsibility as compared with those that have present day fast growing emissions. Those with fast growing emissions are more responsible for the present increase rate, yet not necessarily for global mean surface temperature that is based on historical build-ups of GHGs in the atmosphere.\textsuperscript{223} It might be worth mentioning that the experts at the second UNFCCC meeting, held in Bracknell in 2002 and attended primarily by Northern experts (see above), preferred temperature increase rate as indicator.\textsuperscript{224}

A few more indicators have been discussed by Luiz Pinguelli Rosa and others. Their discussion comprises indicators such as radiative forcing (integrated

\textsuperscript{221} Lasse Ringius et al., 2002, p. 8 and pp. 18-19.
\textsuperscript{223} Michel den Elzen and Michiel Schaeffer, 2000, Assessment of Major Uncertainties in Calculating Regional Contribution to Climate Change, p. 37.
\textsuperscript{224} Michel den Elzen et al., 2005, p. 286.
with past and future forcing), cumulative emissions (integrated with climate response) and concentrations. They cannot all be discussed here; however, one should be aware of their existence.

At least one more indicator, although less discussed, ought to be mentioned. It uses damage related to global warming as indicator of climate change. This proposal was put forward by H R Ball during the first UNFCCC meeting (2001) on the Brazilian proposal, i.e. the Bonn expert meeting. The experts at the meeting, however, ascribed this indicator less importance due to, as they put it, the impossibility to conduct objective calculations of damage.

**Gas(es) to Include**

As with the choice of climate change indicator, the choice of gases to include in climate modelling is attached to scientific uncertainties. Yet again, the selection of which gases to include and exclude have policy dimensions too (as obvious during the Kyoto negotiations when negotiators finally arrived at a basket of six greenhouse gases). The possible choices that have been debated in discussions on historical responsibility vary between only including CO₂ emissions from fossil fuels (i.e. energy and industry sectors) via inclusions of all Kyoto gases (direct GHGs other then those regulated by the Montreal protocol) to inclusions of all Kyoto gases and gases possibly important in future regulations together with indirect GHGs and aerosols.

Fossil fuels CO₂ emissions stress the responsibility of the North as compared to broader definitions such as the Kyoto basket or the like. This difference relate to the fact that the Northern economies are more market oriented (thus more energy and industry intensive with large CO₂ emissions) while Southern economies are more oriented towards reproduction (thus focuses more on food production with more CH₄).

**Emissions’ Sources**

The discussion of what gases to include in calculations relate to options on what sources for emissions to include. The source one often come to think about is emissions from fossil fuels. But different land use and forestry also affect the climate in ways that could be included in calculations, as is the case with the present version of the Brazilian proposal. And as noted above, emission of gases and particles that are not direct greenhouse gases influence the climate too. Some have cooling effects (dust and particles, etc) and some indirect warming effects. They may originate from unregulated sources that could very well be included in calculations and regulations. Although the expert meetings discussed in chapter three above centred on the scientific uncertainties related to the choice of gases, these discussions has been a re-occurring theme at the meetings; meetings with primarily Northern participants. The aim seems to have been to include as many gases as possible in the calculations.

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225 Luiz Pinguelli Rosa et al., 2004, “Comments on the Brazilian Proposal and contributions to global temperature increase with different climate responses – CO₂ emissions due to fossil fuels, CO₂ emissions due to land use change”, *Energy Policy* (pp. 1499-1510), pp. 1505-1507.


228 Compare Carolyn Merchant, 1997, passim; and Michel den Elzen et al., 2005, pp. 286-287.
Note also that major deforestation in the North often took place previous to the 19th century, thus previous to all proposed start dates for calculations of responsibility. As a result, the inclusion of forestry change would probably heighten the Southern share of responsibility as compared to the Northern ditto.

**Sector-based Responsibility**

Southern researches at the Centre for Science and the Environment (CSE) and the International Virtual Institute of Global Change (IVG) has also stressed that emissions from more luxury consumption, as compared to subsistence production of for example food, ought to be weighted higher in terms of causing responsibility. Again, to use the categories of Merchant, emissions from the reproduction sphere ought to be separated from market sphere emissions, and the emissions from the market sphere ought to cause higher responsibility in the calculations, at least according to the above referred to researchers. The categories admittedly are far from clear-cut, yet these discussions are important.

**Production, Consumption and Economic Benefits**

Some authors have also thought of who is producing for whom and where the profits of selling the produced output end up. As CSE has exemplified, emissions in one country might be an externality of production intended for consumption in another country. Further, more if the producing country does not get any large share of the economic or other benefits of the production, it might justly not want to bear any large part of the responsibility for climate change due to these emissions. This is important in the case scenario of future Southern obligations since Southern countries are often slaves under an international division of labour that benefits the global North. Ankie Hoogvelt has shown that Southern countries produce an ever-larger share of market-oriented goods for to be consumed in the North. What further is, the profits of such consumption continue to end up, in large part, in the pockets of big Northern trans- or multinational corporations.

With this scenario in mind, the pattern of production, consumption and economic benefits will play a more and more important role in calculations of responsibility. This is so since, otherwise, there is a risk that the South will have to take the responsibility for climate change while, at the same time, getting more and more dependent on the North. There is a risk that the South has to take on future mitigation projects – costly if all available cheap opportunities for mitigation have already been used by the North following the implementation of the CDM – while not benefiting substantially from the emissions’ sources within their own boarders.

There are already clear signs that this economic dependency of the South upon the North is becoming more and more common. Without covering this aspect in agreements, the North would benefit at least twice from emissions in the South; both getting cheap products benefitting from a core status in an

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229 Maria Silvia Muylaert de Araujo et al., 2005, p. 8; Maria Silvia Muylaert et al., 2004, p. 92; and Anil Agarwal and Sunita Narain, 1991, p. 7. See also Carolyn Merchant, 1997, passim.


international work-order while profits and products end up in the North and from letting the South take the responsibility for emissions resulting from the production of the cheap goods. In this scenario there is a risk that climate change negotiations will be used as a neo-colonial tool to further Southern dependence upon the North.

One could possibly account for these differences too, but the whole issue becomes quite complex. On the other hand, such calculations could perhaps be based on some sort of a refined template or by initiating structural changes in the economic system. In any case, the present world system undercuts the problem-solving potential of historical responsibility if these discussions are not regarded of, or if the world system is not substantially changed.

*Ability to Pay – Capacity to Pay*

Among others, the Swedish environmental protection agency has noted that the question of ability to pay plays a role in discussions on historical responsibility. The agency has asked if one should take responsibility for past actions if one is not able to pay? Or, if capable to pay, should one not act even if responsibility is low?233

*Willingness to Pay*

As discussed in chapter four above, willingness to pay relates to the perception or cognition of a proposal. If it is perceived as important, then the willingness to pay ought to be enhanced as compared to a proposal that is brushed away as unimportant or one that seems deterrent. Yet, as mentioned previously, the North-South conflict line cannot be wished away and since it centres on questions of equity, equity needs to be discussed. Dialogue across the North-South divide ought to enhance understanding of one another's perspectives and boost willingness to pay for achieving an equitable agreement as well as open up for acceptance of future Southern obligations. Historical responsibility ought to be a concept that very well could constitute the basis of such a dialogue.

*Equity and Transparency*

The above is very much a list of controversies or problems that might need to be addressed. However, the concept has also received response for its merits. This response has more or less been outlined in chapter four above in the discussions on its foundation in equity. In short, the concept ought to be very fair by judgement of internationally accepted notions of equity. It also addresses equity openly and transparently, which is a fundamental base for creating trust across the North-South divide. Besides these merits a few more consensuses on pros, identified by the literature on the subject, needs to be outlined below.

*Dynamic Proposal*

Historical responsibility is a proposal that does not need to be constantly re-negotiated. As such it is a dynamic proposal, something that is usually perceived as positive. When a commitment period ends, one can use the same model by only adjusting responsibility based on how Parties fulfilled their obligations (calibrate against the new historical data). Calibration could even be done on a continuous basis, say yearly, quarterly or the like.

**Historical Responsibility as North-South Boundary Object**

As constantly stressed throughout this thesis, the concept of historical responsibility has a rather high problem-solving potential. The arguments for this are worth summing up: The problem-solving potential is high since the concept encompasses interesting connections between preferred framings of both the North and South. The global South, organised in G-77+China, has backed up the concept of historical responsibility pushing the political economic aspects to the fore and demanding agreements that are more equitable. Meanwhile, many Northern countries have put effort into investigating the concept’s scientific merits and uncertainties. In short, the North has tried to enhance the concept’s biophysical aspects manifested by elaborations on simple climate modelling and the development of historic datasets.

As such, historical responsibility functions as a node for North-South interaction – a boundary object for Northern and Southern researchers and policymakers – and could therefore serve as a problem-solving concept with high potential of breaking the deadlock on negotiations. This is perhaps one of the biggest merits of historical responsibility.

**Conclusions – Starting UNFCCC**

**Discussions on Historical Responsibility anew**

This literary study underlines some areas of policy matters that are of importance to discuss in further detail. However, the primary dividing point between the North and South centre on equity. As stressed throughout the thesis, historical responsibility could function as a node for dialogue across the North-South split.

However, to establish such problem-solving dialogue the discursive rules for the discussion process need to be reorganised. This might best be done by starting anew. The discussions on the Brazilian proposal may very well continue since it has scientific value. On the other hand, as discussions solving North-South tension they have proved less successful since the biophysical framing has confined the political economic ditto, thus has limited the possibility of these discussions to function as a boundary object for policymakers and scientists from both the global North and South.

Fresh discussions on historical responsibility that highlight both the scientific calculation models and policy choices in relation to these models in new forums created with the purpose of overcoming deadlocks ought to be a good way forward. Such discussions could very well be initiated at this time as a means to strengthen agreements beyond 2012.

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234 Mark Storey, 2003, p. 28 and 40.
Approaches to Historical Responsibility outside the UNFCCC

What different approaches to historical responsibility exist outside UNFCCC?

Even though historical responsibility at the time might be politically impossible, there are reasons to continue to work on the issue. Achieving an equitable climate change agreement in the future by enhancing the North’s willingness to pay through discussions and dialogue is one such reason. As shown, historical responsibility has been marginalised within the UNFCCC. This chapter locates and outlines discussions in some forums that, although connected to the UNFCCC in various manners, are held outside of this institution. The aim is to point to some discussions that might be of interest for readers of this thesis and to highlight that the concept is not bound to the Brazilian proposal. The alternative approaches ought to be important for those interested in the concept’s problem solving potential.

Demarcations

For the time being the relatively narrow focus on UNFCCC’s documentation will be extended, although a connection to the climate change negotiations is kept. This chapter in effect outline proposals for a new climate change regime past the authority of the Kyoto protocol. The Kyoto protocol set up rules for greenhouse gas emissions up until 2012. If the intergovernmental community wants to extend their negotiated agreements past 2012, a new protocol to the UNFCCC would be one way to do so.

This section explores different proposals for an agreement beyond the Kyoto protocol that contain references to historical responsibility. To locate such proposals, a report by Daniel Bodansky, Sophie Chou and Christie Jorge-Tresolini titled *International Climate Efforts Beyond 2012* have been used as demarcation.

The report was commissioned by the Pew Center on Global Climate Change. It composes a ‘Survey of Approaches’ outlining 40 different pro-

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The Pew Center claims that they are a non-profit organisation trying to produce knowledge combining perspectives from business, science, policy makers and others. The members of Pew Center try to spread this knowledge to the general public and to key audiences among the politicians and companies. The overall aim is to help protect the climate while sustaining economic growth. The organisation also claims that it produces objective knowledge with straight
posals to an extended or new climate change regime. Although the survey as the authors themselves point out is “not fully comprehensive”\(^2\), it is the one of the most extensive attempts to trace different approaches to climate change regimes presented up to now.

**Historical Responsibility Tracked Through Pew Center**

Out of the forty proposals studied in the Pew report, eight include direct references to historical responsibility. One of the eight proposals actually derives from two sources, which means that the Pew Center report in effect discusses nine proposals. One of the proposals is the Brazilian that need not be discussed further. The remaining eight proposals are outlined below.

*Dual Track – Yasuko Kameyama, NIES/IGES*

This proposal is outlined in “Maximizing Incentives Through Dual Track Approach - A proposal for a Comprehensive Framework for Climate Regime Beyond 2012” written by Yasuko Kameyama and published in *Climate Regime Beyond 2012 Incentives for Global Participation* by the National Institute for Environmental Studies (NIES) and Institute for Global Environmental Strategies (IGES) in Japan. It combines a Kyoto-like approach with an approach of voluntary commitments. A country may chose between committing to the first or second approach. In this way, the author claims, incentives for participation will be maximised since different perceptions of climate change can be met.\(^2\)

Historical responsibility is proposed as a part of this approach. Using the calculation model in the Brazilian proposal one should calculate responsibility that should be the base upon which countries finance an adaptation fund.\(^3\)

*Further Differentiation – Mark Storey, Naturvårdsverket*

The Swedish Environmental Protection Agency (Naturvårdsverket), prepared the report *Kyoto and Beyond – Issues and options in the Global Response to Climate Change*, composed by Mark Storey. The report suggests furthering the differentiating principles of the Framework Convention. In the future, the proposal suggests that three groups should replace the Annex I and Non-Annex I. The first group and should consist of the North and be bound to fixed targets and timetables. The second should be economically richer countries of the South with dynamic obligations. The third group should consist of the rest of the South with voluntary commitments.\(^4\)

The report identifies equity as one of the most important aspects of future agreements. Yet, it also states that agreements cannot avoid what it sees as


\(^4\) Yasuko Kameyama, 2003, p. 11.

\(^4\) Mark Storey, 2003, p. 40.
the tricky issue of tradeoffs between ecological sustainability and improved levels of fairness. It further suggests that future agreements will most likely not rest on a sole principle; they will rather be based on a mix of principles. However, per capita emissions is seen as a key indicator that cannot be disregarded.\textsuperscript{240}

The report also identifies historical responsibility as important, particularly in relation to identifying liability. However, it suggests that historical responsibility, specifically referring to the Brazilian proposal, needs to be complemented with principles addressing capacity to pay as well as principles identifying cost-effective possibilities.\textsuperscript{241}

\textit{Global Framework: Kyoto, Decarbonisation, and Adaptation - CAN International}

Climate Action Network International (CAN) has published a position paper titled \textit{A Viable Global Framework for Preventing Dangerous Climate Change} that was intended for COP 9. The paper proposes three parallel approaches to handle climate change: 1) the Kyoto approach (binding reduction commitments); 2) a decarbonisation (greening) approach; and 3) an adaptation approach. Depending on agreed levels of emissions per capita as well as capacity and historical responsibility, countries should have to commit to the different approaches.

The proposal does not refer to specific methodologies to calculate responsibility, though it does state that an agreement “must reflect the moral responsibility of those who have benefited the most from the use of the global commons to reduce their emissions first and to compensate the victims of climate change”\textsuperscript{242}. The most responsible should reduce their emissions to levels that allow the less responsible to continue to emit to meet their needs for development.\textsuperscript{243} Those most responsible for climate change should also finance an adaptation fund to be used by the most vulnerable countries (with least capacity to adapt), which get affected by already unavoidable damages from climate change.\textsuperscript{244}

\textit{Multistage – RIVM}

The Dutch national institute for public health and the environment (RIVM, Rijksinstituut voor Volksgezondheid en Milieu) proposed the multistage approach, also called \textit{Increasing participation approach}. The aim is to involve more and more countries in taking on commitments. The approach is based on the PPP, with direct reference to the Brazilian proposal and per capita emissions as regulating the burden sharing. The approach also account for need to develop as well as capacity to act. When a non-participating country reaches a specific threshold (preset with regard to income per capita and emissions levels), it enters a stage where it has to take on commitments based on the burden sharing rules. According to this proposal, an additional two stages can be introduced to make the transformation from a non-participating to a participating country softer. The first is a stage where the

\textsuperscript{240} Mark Storey, 2003, p. 31 and p. 39.
\textsuperscript{241} Mark Storey, 2003, pp. 28.
\textsuperscript{244} A Viable Global Framework for Preventing Dangerous Climate Change, 2003, p. 5.
emissions increase rate has to slow down. The second stage would allow the country to stabilise its emissions during a certain period. Only after this is done, the country enters the burden-sharing regime.\textsuperscript{245}

\textsuperscript{245} Michel den Elzen et al., 2001, \textit{FAIR1.0 (Framework to Assess International Regimes for differentiation of commitments)} – An interactive model to explore options for differentiation of future commitments in international climate policy making, pp. 58-68.
New Multistage – Niklas Höhne et al., BMU

This proposal is part of the report *Evolution of commitments under the UNFCCC – Involving newly industrialised economies and developing countries*, written by Niklas Höhne et al. at ECOFYS on behalf of the German Ministry for the Environment, Conservation and Nuclear Safety (BMU, Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit). It builds on the multistage approach proposed by RIVM and briefly described above.

New multistage consists of four stages: The first stage contains countries with no commitments that go on with business as usual. The second stage consists of countries that have met emission thresholds qualifying them to commit to clear sustainable development approaches in all development policies. The third stage consists of countries that take on voluntary commitments to lower their increasing emissions below business as usual. The fourth and final stage consists of reductions of absolute emissions. 246

The report claim that it accounts of historical responsibility since those countries with high per capita emissions have to take on absolute commitments at once and reduce emissions fast while those with low per capita levels do not have to undertake large commitments. 247

South-North Dialogue – Herrmann Ott et al., BMZ

The German Ministry for Economic Cooperation and Development (BMZ, Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung) commissioned the report *South-North Dialogue on Equity in the Greenhouse – A Proposal for an Adequate and Equitable Global Climate Agreement* to Herrmann Ott and others at Dutsche Gesellschaft für Technische Zusammenarbeit (GTZ)248. The report claims that further differentiation is necessary to achieve a more equitable agreement. It identifies historical responsibility as an important criterion for a more differentiated approach to climate change mitigation. This criterion is complemented with regard to capacity to pay and potential to mitigate.249

The report calculates responsibility by using approximations of cumulative CO₂ fossil emissions over the period 1990 to 2000. The choice of period is motivated with the claim that emissions before 1990 was done by people that were not fully aware of the human induced aspects of climate change (see “Responsibility for ignorant minds” in chapter five above).250 Countries should be placed in three different responsibility-categories labelled low, medium or high responsibility. High responsibility motivates binding commitments. This is also the case for countries with medium responsibility, provided that countries with high responsibility have taken on their obligations. The report further suggests that countries with low responsibility should commit on a vol-

248 GTZ is a German company that, according to themselves, “successfully promote international cooperation which contributes to sustainable development” (Website: Dutsche Gesellschaft für Technische Zusammenarbeit, www.gtz.de/de/dokumente/gtz-identitaet-en.pdf, 21 03 2006).
249 Herrmann Ott et al., 2004, pp. 2-4 and passim.
250 Herrmann Ott et al., 2004, p. 3.
untary basis. Finally, the "South-North Dialogue" proposal also suggests that funding of adaptation should be linked to historical responsibility.  

**Technology Centred Approach – Scott Barrett**

This proposal can be found in *Environment and Statecraft – The Strategy of Environmental Treaty-Making* by Scott Barrett. Barrett, director of International Policy at the Paul H Nitze School of Advanced International Studies, specialises in environmental economics and international political economy. His proposal aims at transition of technology, particularly regarding electricity generation and transportation. Barrett proposes that the North should assist the South with research and development of new technologies, establish standards to commercialise low-emitting technologies, a fund to finance technology change in the South, and finally an adaptation fund for to adjust to adverse impacts of climate change. The North should make financial contributions for research and development, Southern technological change, and adaptation. Barrett suggests that the attribution of financial contributions could be based on historical responsibility, but just as well on current emission levels or UNFCCC assessments.  

**UNFCCC Response Instrument – Benito Müller, (OIES)**

Benito Müller is a senior research fellow at the Oxford Institute for Energy Studies, a centre for social science studies on energy issues. Müller has presented a proposal for to handle the already unavoidable damages from climate change. This proposal is outlined in the note *An UNFCCC Impact Response Instrument as part of a Balanced Global Climate Change Regime* and proposes that a climate change relief fund ought to be established. This fund should be financed by industrialised countries according to their historical responsibility, but also accounting for their capacity to pay. The fund should “cover international relief effort for climate related disasters”. But it should also be noted that the proposal does not suggest any new funds. What it does suggest is to use existing funds more effectively.  

These are the proposals that in some manner make use of historical responsibility as a concept for burden-sharing or the like. The proposals use the concept in different ways and for different reasons, often in combination with or extended with other approaches. The proposals are interesting in relation to historical responsibility’s problem-solving potential and could very well be subject for future research.  

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251 Herrmann Ott et al., 2004, p. 5.  
252 Herrmann Ott et al., 2004, p. 4 and p. 25.  
III

Comparison and Conclusions
Some Comparing Notes  

Historical Responsibility and the Kyoto Protocol

As argued in the section situating historical responsibility to the world system and dependency approach, there are important gains to be achieved by reconnecting the issue to wider contexts. This time the comparison connects to the historical background presented in chapter two above, specifically the part relating to the Kyoto protocol. Doing so brings some interesting questions to mind, questions relating to how issues of equity have been treated within the climate change negotiations.

No matter if it is the real reason or not as to why historical responsibility has been marginalised within the UNFCCC, the official story has it that it is too technically complex and uncertain to be of policy value. At least that is how the issue has been handled; referring it to other bodies claiming that more research is needed seems to have been the most effective way of blocking historical responsibility as a real alternative to other explicit or implicit ethical frameworks. With this in mind, it is worth comparing the technical complexity of the Kyoto protocol to the Convention to that of historical responsibility. In relevance to this subject, questions posed are in line with the following:

How does the design of the Kyoto-Protocol look?
Is it less technically complicated than historical responsibility?
With this in mind, are the objections to historical responsibility reasonable?

Complexity and Uncertainty

In conducting this comparison, one question immediately turned up: how does one measure complexity? It is not an easy task, yet Lasse Ringius at UNEP and CICERO researcher Asbjørn Torvanger have made a try. In *Criteria for Evaluation of Burden-sharing rules in International Climate Policy*, Torvanger and Ringius point out that in comparison to five other proposals for burden-sharing, the Brazilian proposal is the most fair but least operational.\(^{256}\) The six proposals compared were, in short and according to Torvanger and Ringius, the pre-Kyoto proposals with some real concern in equity and that

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were “sufficiently specified to be operationalised” as well as politically “promising in future negotiations”.257

The study by Torvanger and Ringius is admittedly full of postulated truths in line with ‘to be fair this has to be fulfilled and to be operational that has to be fulfilled’. Simply put, they have postulated how to measure both fairness and, in this connection more important, operational requirements. There is no room to discuss these stipulations here. Though, to give the reader a short insight as to what criteria were used, I choose to quote their summary:

**Fairness principles**
A) ‘Responsibility’
B) ‘Need’
C) ‘Capacity’

**Operational requirements**
D) Universal applicability
E) Easy to make operational
F) Simplicity
G) Allows for future refinements
H) Allows for flexibility
I) Allows for country-specific circumstances258

From this, Torvanger and Ringius draw some conclusions on the Brazilian proposal. The ones noted here are conclusions regarding the possibility to operationalise the proposal’s burden sharing rules. Quoting again:

*The score on operational requirements is weaker. The method can be expanded to give abatement targets to all countries of the world, and it allows for future refinements. On the other hand, the method is not easy to operationalize due to data and model requirements. In sum, the method is relatively complicated, and there is no allowance for country-specific circumstances.*259

In sum, according to Torvanger and Ringius, the Brazilian proposal’s calculation model is too complex (model) and uncertain (historic data) to be adequately run.

The evaluation criteria of Torvanger and Ringius could of course be copied to conduct an evaluation of the Kyoto protocol and compare it to that of the Brazilian proposal. It would be interesting to do so, however, it will not be done here. There are two major reasons as to why not: Firstly, the criteria stipulate too much of what is thought of as pros and cons in burden-sharing. This axiomatic way of conducting a comparing study has gains. Yet, for good and for bad, the authors also take on the role as the objective arbitrators judging according to the law they themselves have set up. Secondly, the categories used by Torvanger and Ringius could miss the target sought after here. The judgement ‘not operational’ does not necessarily indicate complexity – for example, it could be politically impossible to carry through a proposal because of differing priorities between negotiators etc – though in this case it has been argued that there are some clear overlaps between operationability and complexity.

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Instead of using criteria for evaluation, the Kyoto protocol’s technical complexity will be outlined by describing it with inclusive and representative intentions. Reflection on the Kyoto protocol, as compared to the Brazilian proposal, will be conducted along the way. Doing so hopefully gives the reader a notion of the respective complexities.

Why then putting so much effort into discussing Torvanger and Ringius? The intent with this is simply to underline that one of the major reasons for not regarding historical responsibility as a serious alternative to other burden-sharing principles is that it would be too technically complex and uncertain to be operationalised. It also highlights that this judgement is done while at the same time stipulating what is seen as complexity and uncertainty. Maybe not surprising but worth mentioning anyway, the evaluation is in fact not value free. On the contrary, the assessment is based on values presented as objective categories.

The reason for choosing the Brazilian proposal and not any other burden-sharing proposal based on historical responsibility is simple. As mentioned, when Brazil put forward its proposal it was the first time a comprehensive suggestion was laid before the climate change negotiators; comprehensive in this connotation meaning that it combined equity principles with a model for calculations of responsibility. As such, it was a real alternative to the Kyoto protocol. Other models based on historical responsibility could have been compared. However, comparing the Brazilian proposal and the Kyoto protocol will not only highlight the respective levels of complexity, it will also shed light on whether the argument that the Brazilian proposal was too technically complex to be operational holds or not. The discussion therefore, intended as a means to reconnect the analysis to the outlined background, will further enhance the understanding of the discussion process on historical responsibility within the UNFCCC.

**Thoughts on the Kyoto Protocol’s Uncertainty as Compared to the Brazilian Proposal**

Despite the fact that the scientific uncertainties in the Brazilian proposal’s calculation model is of less importance in a policy context and therefore less important to discuss, one should be aware that the Kyoto protocol also rests on scientific uncertainties. They too are of less importance in a policy context. Nonetheless, I will give two examples of uncertainty in relation to the Kyoto protocol as to demonstrate that this less significant argument for disregarding the Brazilian proposal is not matchless.

The first example relates to JI and CDM and could for example be compared to the problem of uncertainties in historical indexes of GHGs. When a JI or CDM project is fulfilled and approved, the level of emission reductions are calculated as compared to what would be in the event that the project would not have been undertaken. This hypothetical and counterfactual way of calculating is scientifically problematic since one cannot possible know what would have happened in the event of something else not happening. Talk about ‘scientific uncertainty’.  

The second example relates to the inclusion of sinks through land-use change and forestry (LUCF) in the Kyoto protocol. The Kyoto protocol states that the

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net changes in greenhouse gas emissions by sources and removals by sinks resulting from direct human-induced land-use change and forestry activities, limited to afforestation, reforestation and deforestation since 1990, measured as verifiable changes in carbon stocks in each commitment period, shall be used to meet the commitments under this Article of each Party included in Annex I.\textsuperscript{261}

Again, the problem of measuring something that is additional to what would have happened otherwise appears. This is referred to as the ‘Amazonian picket fence’ problem, i.e. simply erecting a fence around a sink makes it possible to claim credits for something that would have been anyway. In addition, measuring the CO\textsubscript{2} uptake of sinks is very hard, not least to generalise on a global scale. As such, considerable scientific uncertainties arise from the inclusion of LUCF in the Protocol.\textsuperscript{262}

I will not discuss scientific uncertainties further, maintaining the argument that it is of less importance in a policy context. The discussion will instead turn to policy-related complexities.

\textit{Thoughts on the Kyoto Protocol’s complexity as Compared to the Brazilian Proposal}

This discussion will begin with the inborn complexities of the Kyoto protocol as compared to the Brazilian proposal. Afterwards discussions on hidden complexities will be held. As similar to the case of scientific uncertainties in the protocol, there are complexities hidden behind a veil of consensus – more on this below. However, initially a very general comparison of the protocol’s and the proposal’s inborn complexities seems appropriate.

Brazil’s original proposal was very simple indeed. According to many, the accuracy had to be enhanced for it to be a pragmatic alternative. One could not agree, it was argued, to use a calculation model that was too uncertain. Then again, already at the Cachoeira Paulista meeting the experts concluded that the model was accurate enough to be run (see above).

Is it possible then that the proposal, to begin with, presented a too naïve calculation model that could not be accepted by the negotiators. That, of course, could be the case. But the original Kyoto protocol was quite simple too. Many decisions were taken without anyone knowing how they would actually be put into practice. The details were left for upcoming conferences of the Parties to work out. The principles were drawn but the rules left for the future.\textsuperscript{263}

In this light the Brazilian proposal was more thorough than many of the alternatives decided on during the Kyoto negotiations. It presented both principles and a first sketch of rules on how to operationalise these principles. Take the CDM for example. When negotiated and adopted, during the last hours of COP 3, no one knew how it would function in practice. Much the same could be said about JI and Emission Permits Trading.\textsuperscript{264}

Then, if negotiators could not agree to the rules of the Brazilian proposal, one thinks that they could at least have adopted the principles and left much

\textsuperscript{261} The Kyoto protocol, 1997, article 3.3 (p. 3).
\textsuperscript{262} Michael Grubb, 1999, pp. 76-80.
\textsuperscript{264} Michael Grubb, 1999, pp. 226-247.
of the rest to the future. In any case, this was the way the Kyoto-negotiators handled many of the complex mechanisms of the Kyoto protocol. As described above, it was not until COP 7 in Marrakech (2001) that most of the principles of the Kyoto protocol had become regulated. In 2004, at the time of the announcement that the Kyoto protocol would enter into legal force – i.e. during COP 10 in Buenos Aires – a few loose ends of the Kyoto protocol were still on the negotiators’ table. Thus, it is hard to claim that the Brazilian proposal’s principles were not regulated enough to be accounted for. The Kyoto protocol was much unregulated too.

When it comes to questions of specific cases of interest, one could start by comparing the different non-compliance rules. This comparison is close at hands considering that Brazil suggested very clear rules for non-compliance in recommending that a Clean Development Fund be established. According to the proposal, when a Party did not fulfil its compliances it would have to pay a penalty to the CDF equaling a specific amount for every tCeq above its allowances. This is a comparably straightforward way of addressing non-compliance. The Kyoto protocol, on the other hand, could not find any clear solutions on this topic. It simply left the issue (as mentioned along with many others) for the upcoming COPs to decide on.

For example, what would happen if a country was to sell excessive amounts of tradable permits so that it could not itself comply with its obligations? This would mean that other countries could meet their obligations because the selling country disregarded of its own obligations. Such possibilities risked undercutting the whole agreement. Still, the issue was left by the Kyoto negotiators to be solved, if possible, at other times.265

The CDF presented by Brazil cannot have posed any major technical problems since the Clean Development Mechanism, to be instead, is not any simpler a proposal. The Centre for Science and the Environment in New Delhi has ascribed the abbreviation ‘CDM’ a new meaning. By satire, the New Delhi based Centre renamed it a “Complicated Development Mechanism”.266 This holds; CDM is a rather complicated mechanism, something that could be weighted against the use of the calculation model presented by Brazil.

The above-mentioned ‘Amazonian picket fence’ problem is one of the CDM’s hard to address issues. Measure additionality is a counterfactual process, and as with all counterfactual projects, it is in fact impossible to know for sure if predictions are right or not. This also has a financial dimension. Southern countries have feared that financing CDM-projects will interfere with exiting development aid.267 The South understandably wants to assure that the financing of CDM is additional to development aid. Again, additionality cannot be guaranteed due to its counterfactual nature.268

Another issue is that it has been agreed in the framework of the Kyoto protocol that a small percentage of the money for CDM projects will go into a separate adaptation fund. As Friends of the Earth Netherlands has noted: “Almost no arrangements have been made to facilitate that intention. To the extent that any resources are made available for adaptations to climate changes in the South, the funds are almost always drawn from existing aid

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267 Heidi Bachram, 2004, pp. 3.
This has led the Southern-based newsletter *Equity Watch* to proclaim that “literally the poor to pay the affected poor.” Equity Watch goes on to claim that the CDM was too complex for to take in, something that otherwise would have bolstered massive Southern objections.

Much more could be said on the CDM in relation to crediting, certification system, control of corruption, alleviation of disparities distribution of aid flows within the South, CDM-projects and sustainable development etc.

In addition, the CDM might not comply with international trade rules – in fact, one might say, does not – which poses real and complex problems for the intergovernmental community to address. The international agreements in form of the Kyoto protocol and the General Agreement on Trades and Tariffs (GATT), as well as WTO rules in general, are up against each other. JI comes up against many of the same problems as the CDM. Of course, one cannot read about this in the Kyoto protocol. It is a good example of a hidden complication.

What further is, both the emission reduction units (ERUs, arising from a JI project) and certified emissions reductions (CERs, arising from a CDM project) introduces, as Heidi Bachram puts it, “increasing levels of complexity and confusion”. This is so since an ERU or a CER is not tied to the pollutant emission that the project claims to have reduced. A project reducing, at least seemingly reducing (see below), emissions in CO₂ can be used to claim reductions of for example CH₄ or vice versa.

In connection to the impossibility to calculate additional emissions reductions arising from an JI- or CDM-project, there is one more and maybe more serious implication; how can one, so to speak, measure that the additionally is something really additional? Many have shown fear of the fact that countries would receive ERUs and CERs for actions that would have taken place in any case. This is a bit like the Amazonian picket fence problem only without the picket fence. As Michael Grubb puts it: “It also shows the danger that the CDM could become a mechanism for weakening action in the industrialized world without any offsetting additional activity in the developing countries.”

The agreed on targets for Annex I Parties (targets listed in Annex B to the Protocol) are impaired by this problematique too, usually referred to as the problem with hot air. The Annex I Parties are allowed a certain amount of emissions during the commitment period (2008-12) called their ‘assigned amounts’. Any Party that meets its obligation with a marginal can trade its excess credits to other Annex I Parties. CERs and ERUs can be used to add to tradable permits. Tradable permits arising from Parties that meet their obligations with a marginal without undertaking any actions to do so (referred to as business as usual) creates ‘hot air’. Hot air undercuts actions in countries to

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which they are traded at the same time as it reflects non-action by the selling country. Large amounts of hot air can be found in EITs.\textsuperscript{277}

Modelling exercises conducted by Michel den Elzen and André de Moor at the Dutch environmental institute, RIVM, has shown that the Kyoto protocol is undercut by trade in permits, especially hot air but also indirectly arising from ERUs and CERs. Their model account for decisions taken at both the second part of COP 6 and at COP 7, i.e. both the Bonn agreement and the Marrakech accord. The results of these calculations point to the fact that the real emission reduction of CO\textsubscript{2}-equivalents in Annex I, as compared to 1990 levels, will be no more then $\frac{1}{2}$ percent. This is truly much less then the set target of 5.2 percent reductions.\textsuperscript{278} On the other hand, the inability to overview the complex system that the Kyoto protocol constitutes makes such calculations hard to conduct.

The Kyoto negotiations also saw a fight over to what date the 5.2 percent reductions of GHGs had to be reached. Interestingly USA put on a hard line during the Kyoto negotiations concerning whether there should be a compliance period of several years or a single compliance year. The USA delegates wanted a compliance period of 5 years whereas the EU delegation, for example, pressed to get a fixed year rather than a period.\textsuperscript{279}

The arguments used by the US delegation are very similar to the ones used in the Brazilian proposal; only the time-span is far shorter and presented as a means to reach a more flexible protocol. The rational, however, is that a period evens out fluctuations in emissions that otherwise risk being misrepresented of overall trends. The commitment period in the Kyoto protocol was eventually set to 2008-2012, and the base year to measure compliance against was set to 1990 for most countries (measured in percent of emission levels compared to 1990). Why, one could ask, is the base year 1990 chosen if it is so important to even out fluctuations during a five year compliance period? The year 1990 ascribes a lot higher responsibility to Southern countries than would a base year like 1840 or a period of say 1840-2020 do. In this longer perspective, proposed by the Brazilian proposal, it would become obvious that the Southern partaking in creating climate change is much lower than it appears when comparing to emission levels in 1990. As DeCanio states: “If we are to avoid the moral arrogance as selecting the present as the preferred temporal vantage point, it is also clear […] that some kind of ethical system balancing the benefits and obligations of different generations is required.”\textsuperscript{280}

This is something that the Kyoto protocol avoids to address creating yet one more hidden complexity, one that certainly has created Southern distrust towards Northern parties. Quoting DeCanio again: “Nothing has been more destructive of progress and consensus in the climate change diplomacy than the focus on efficiency to the exclusion of equity concerns.”\textsuperscript{281}

The above description has not been particularly stringent. It lacks in relation to systematic analysis, i.e. in relation to reliability. However, the intention with this mode of comparison has been to avoid judgement based on stipulation. Instead, an open-for-discussion description was sought. The list of un-

\begin{itemize}
\item[279] Michael Grubb, 1999, p. 69.
\item[280] Stephen J DeCanio, 2003, p. 156.
\end{itemize}
certainties on the outcome arising from policy choices made in connection to the Kyoto negotiations could be made much longer. However, that has been done elsewhere. The above outline has repeated some of the discussions found in the literature on the Kyoto protocol and connected these to the UNFCCC discussions on the Brazilian proposal. Those interested in problematiques with the Kyoto protocol can look for more in the literary sources used above. What has been reproduced here ought to be enough to underscore some important conclusions.

Concluding remarks

As shown, the Kyoto protocol is openly complex. However more importantly, it hides complexities behind consensus agreements. The complexity of the Brazilian proposal could also be hid behind well-defined rules attached to international agreements. An important difference is that the Brazilian proposal, and historical responsibility more generally, surface the international antagonism on equity. Since equity is perceived as of extra importance by the South and since the Kyoto agreement only indirectly addresses these issues, the protocol has created much distrust between the North and the South. It is tempting to suggest that historical responsibility has not been fully addressed in climate change negotiations precisely since it raises the important question of equity that forces Northern and Southern framings of climate change to collide, probably at the shortsighted expense of the North. Nevertheless, the official argument for marginalising historical responsibility within the UNFCCC (i.e. in the form of the Brazilian proposal) has been that it is too complex, an argument that does not hold in a comparison between the Brazilian proposal and the Kyoto protocol.

Much of the above outlined complexities are valid in relation to both the Kyoto protocol and the Brazilian proposal. For example, one should be aware that the Brazilian proposal, just as the Kyoto protocol, suggested trades in emission permits. The point to be made is not that the protocol or the proposal is more or less complex than the other. Both proposals are complex. My judgment in this matter is instead that the Brazilian proposal is not particularly complex as compared to the Kyoto protocol. Complexity, however, is hard to measure. Therefore, to be careful one can conclude that at a minimum both proposals can be regarded as rather complex without saying which is the most or least so.

The more important point to be made is that while the Kyoto protocol deals with equity issues in an indirect manner – creating as DeCanio states, suspicion and distrust –historical responsibility cast in whatever version discusses these issues in an open and transparent way. In this connection it is worth evoking DeCanio’s thoughts on Southern framing in opposition to the rich countries’ universalising perspective once again:

In opposition, the developing countries feared institutionalization of something like current emissions levels (or ratios) that would condemn them to permanent economic inferiority because of the advantages the rich countries had derived from their historic reliance on fossil fuels to power the industrial revolution.

Why then was the Brazilian proposal neglected if the argument that it was too technically complex does not hold? Although this thesis cannot give a full answer to that question, it has suggested some mechanisms that have played
a part in marginalising historical responsibility as policy within UNFCCC. The thesis’ findings will be summarised below.
Summarising Discussion on Conclusions

Although historical responsibility has a longer history in climate change negotiations, the 1997 Brazilian proposal to the Kyoto negotiations was the first time the concept was put before the UNFCCC in an operationalised manner. Since then, the biophysical aspects of the proposal have been discussed within UNFCCC at the expense of aspects relating to equity. Technologies confining discussions on equity have blocked meaningful arguments that could constitute the base for effective global and sustainable governance. This is not to say that the work done by scientist in enhancing climate models has not been important. However, it is to say that in the case of historical responsibility excluding discussions on equity by concentrating on technical issues and efficiency is appalling. The climate change negotiations stall precisely on antagonisms around equity, not technical uncertainties.

Technical complexity could possibly have been a justifiable argument for shying policy decisions based on historical responsibility. However, this argument does not hold in comparison to the Kyoto protocol. The ‘too-technically-complex’ argument falls with the complexity of the Kyoto protocol. If the intergovernmental community had sought a very simple agreement – if a simple agreement is at all possible to achieve in the climate change regime – the Brazilian proposal could have been rejected on the grounds of being too complex. As it is, a simple protocol has simply not been negotiated. As shown in action, by agreeing on the Kyoto protocol, the rhetoric of marginalising historical responsibility within the UNFCCC is inappropriate. Still, concerning the UNFCCC discourse on historical responsibility this rhetoric was and is successful in confining equity behind a fog of technology. The approach of world system and dependency gives one possible explanation as to why this was and is possible.

World system and dependency highlights connections between the following: a) the world system; b) disparities in capacity between North and South; c) a biophysical framing; d) ever more need for expertise and equipment; and e) Northern dominance in the discussion process.

Using the metaphor of a viscous circle visualises how a circle ranging from ‘a’ to ‘e’ promote non-inclusiveness across the North-South divide. Although the circle-metaphor admittedly is simplified, given that it hides dialectics behind logic of cause-effect, it can help in illustrating some of the identified problematique. The picture is probably more complicated. The need for equipment and expensive expertise, for example, also seems to produce possibili-

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ties for disparities to exist in this matter as well as reaffirms the biophysical framing favoured by Northerners in the world system; the same system that gives the North means to invest in capacity enhancing additional disparities in ditto. In fact it seems like all the pieces of the circle are more or less interchangeable, i.e. could be put in almost any order while the viscous effect on inclusiveness still holds true.

Nevertheless, the metaphor highlights some sectors of real importance to the inclusiveness of international negotiations. It also implies very strong power-relations in need of being dismantled. Although I shy using the concept of a ‘last instance’, if matters are brought to a head the ‘world system’ seems like one such. The present inequalities in capacity and the Northern rhetorical advantage seems inherit in the world system even though they also constitute the like. This might not be surprising considering the ‘world system’ is a very inclusive concept yet one of the main merits with the approach, one thinks, is that it highlights global power relations and hierarchies allowing some to explore others. If this seemingly endemic exploration should be abolished the world system much change. Historical responsibility could be one move in the direction of changing this prevailing order. In any case, the order of the world system can help explain why the framing preferred by the North is successful in gaining legitimacy in UNFCCC discussions on historical responsibility.

Although it is hard to measure fairness, not least due to multiple views of equity, historical responsibility seems as a fair problem-solving concept, at least when evaluated in an UN context.

If equitable, the concept ought to be a good basis upon which to build future agreements that are meaningful over the long run. If this is to be done, effort must be put into making historical responsibility become perceived as a pragmatic concept. This would help to boost the Northern willingness to pay for equity. If Northern negotiators recognise the lack of addressing equity as a central issue that has to be resolved, historical responsibility will probably be in the offing of becoming perceived as a pragmatic concept. However, to begin with this presupposes discussions on equity, something that motivates creation of new forums in the UNFCCC where discussions can start anew.

In this connection, historical responsibility constitutes a good foundation in considering equity in the climate change regime since it lifts many aspects of equity – i.e. all overlapping consensuses on equity identified in the UN context – in an open and transparent manner. Lifting historical responsibility onto the climate change negotiation’s agenda would constitute a firm base for further discussions on the concept and on equity principles in general. To enhance the concept’s problem-solving potential further, researchers and policymakers also have to address the response that it has received and that has been outlined above. However, historical responsibility ought to have a high potential both as a node for creating dialogue across the North-South divide and as a basis for an inclusive and equitable agreement.

As mentioned previously, besides the Brazilian proposal there are at least eight possible angles of approach to historical responsibility. They could constitute the base for lifting principles of equity to the fore of international climate change negotiations. Some of them, not least the Brazilian proposal, also operationalise the principles of historical responsibility. These approaches ought to be of extra interest since they forces antagonisms to surface. They do so by forcing negotiators to discuss conflict-lines otherwise
often hidden behind vague principles that can be bent to ones liking. In other words, these approaches to historical responsibility promote discussions on how to practice justice in action. It requires all involved to find pragmatic solutions on how to operationalise equity, something that – with the possible exception of the division of ratifying Parties into Annex I and non-Annex I – is lacking in the climate change regime. As such, historical responsibility can very well play the role in bridging the North-South conflict and to further climate change negotiations beyond 2012.
Appendix I
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Annex I Parties to the UNFCCC

(The Parties included in the list is almost identical to the Parties included in the Annex B list of the Kyoto protocol).

Australia**  Liechtenstein
Austria           Lithuania*
Belarus           Luxembourg
Belgium           Monaco
Bulgaria*         Netherlands
Canada            New Zealand
Croatia*          Norway
Czech Republic    Poland*
Denmark           Portugal
Estonia*          Romania*
European Economic Community Russian Federation
Finland           Slovakia*
France            Slovenia*
Germany           Spain
Greece            Sweden
Hungary*          Switzerland
Iceland           Turkey
Ireland           Ukraine*
Italy             United Kingdom of Great Britain
Japan             and Northern Ireland
Latvia*           United States of America**

* Parties (countries) that are usually described as undergoing the process of transition to market economy.

** Annex I Parties that have not ratified the Kyoto protocol but that have ratified the Framework Convention.
References

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