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The above cartoon was sent to me, by [Kees Van der Geest](#) in response to my tweet "While the developed states protect their want to an over-consumptive life style, developing states are deprived" of their right to survive"

COP 26: An EXAMPLE OF YET ANOTHER FAILURE OF COP (CONFERENCE OF THE PARTIES OF UNFCCC

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COP26 WILL FAIL UNLESS THE FOLLOWING SYSTEMIC CONSTRAINTS ARE OVERCOME: "THE TYRANNY OF CONSENSUS," THE DEMAND OF NET ZERO AND THE OUTDATED SCIENCE AND STATE CONTROL OF IPCC

1COP26 will fail unless the following systemic constraints are overcome: "the tyranny of consensus," the demand of net zero and the outdated science and state control of IPCC

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"The UK could become a fantastic host, create an atmosphere [of unity and constructive discussion]; or the UK could step on a banana skin and before you know it you have a midnight session in a COP where some

procedural issue has become a major crisis. These are the kind of known unknowns that are always part of a COP scenario.” (Achim Steiner UNDP). What procedural issue might he be anticipating? Perhaps the tyranny of consensus.”

What procedural issue might Steiner be anticipating? Perhaps the (lack of) voting procedure?

1 “THE TYRANNY OF CONSENSUS

A*(ii) Who made the decision to require consensus? The Economist claims the following:**

Voting procedures have been a point of disagreement since the earliest COP summits in the 1990s; when a small group of oil-producing countries opposed the idea of a decisive three-quarters majority. Consensus became the default; though there is no text requiring it.

<https://view.e.economist.com/?qs=4fced8e9f067d20950b243880c432d29c16051b250cfb624bc25e7ae7709ce450beda0d95b7eff7146d23a5ac8be4370a353bed4a82732127d8f6e1d92303dbfac7774a84d55d574c938111d6cefab45>

...but is it meaningful consent if all parties know that if they block consensus, there will be serious consequences (see cop15, below)?

But when was the decision made?

It was definitely used at cop 2

A*** (ii) dangerous precedent

There was a dangerous precedent was established in COP 2 in Geneva.

A precedent for overcoming the difficulties in achieving a decision by consensus occurred at COP 2 (Geneva) when the Geneva Ministerial Declaration (which endorsed the IPCC’s findings that human activities were changing the world’s climate) was “noted” rather than adopted by the COP. This step was taken because it was clear that a small number of key States objected to its content. At the final plenary meeting, the president proposed to “take note” of the Declaration, meaning that while states could make qualifications or object to the Declaration, they could not prevent its formal recognition by the COP. The Declaration, together with the objections raised by the States, was reproduced in the COP 2.

COP 2 took place in July 1996 in Geneva, Switzerland. Its ministerial declaration was noted (but not adopted) on 18 July 1996; and reflected a United States position statement presented by Timothy Wirth, former Under Secretary for Global Affairs for the United States Department of State.

At that meeting, which:

Accepted the scientific findings on climate change proffered by the Inter-Governmental Panel on Climate Change (IPCC) in its second assessment“ (1995); Rejected uniform "harmonized policies" in favor “ flexibility; Called for "legally binding mid-term targets”.

As a result of the continued operation of the consensus without the fall back of 75% for decision-making (in the absence of an agreement on the rules of procedure, including for decision-making), a minority including key OPEC members, blocked full endorsement (by COP2) of the IPCC's Second Assessment Report.

If only in 1996, COP 2 had not insisted on the quest for consensus to prevent the endorsement of the IPCC's findings that human activities were changing the world's climate then there would not have been (in 2010) the following absurd claim (from a panel of oil company CEOs) that the cause of climate change was still disputed (Globe 2010 meeting in Vancouver)

I have attended three climate change COPs (Conference of Parties) as a reporter: COP15, COP16 and COP21. I have found that at COPs, as well as at other UN conferences, the pressure to agree to consensus undermines many bold proposals. This pressure was obvious at COP15 in Copenhagen.

A* (iii) COP 15**

Hope was placed in US President Barack Obama's attendance. The chief negotiator for the Sudan, Lumumba Di-Aping of the African Caucus, even mused that, with one foot in the developing world and the other in the developed, Obama would grasp the urgency and the plight of developing states. All eyes were on him. At three in the morning, in a room that appeared to have been converted especially for the US announcement, Obama, poised beneath the US flag, finally addressed the Plenary, and declared: “We have a deal!” I was standing with the media — and the developing countries that were never consulted. It was a decision made behind closed doors.

The Obama "accord" was placed on the floor and there was immediate outrage because of lack of consultation and lack of substance. The negotiator from Tuvalu condemned the document and stated that he would “never sell his country's citizens for thirty pieces of silver”.

Bolivia's negotiator proclaimed his opposition to agreement talks setting targets that limit warming to two degrees and exclaimed: “The leaders of the rich countries should come to Bolivia to see what global warming is already doing to our country. We have droughts, disappearing glaciers and water shortages. Imagine this scaled up three times. We cannot accept an agreement that condemns half of humanity.”

Next, Nicaragua, Venezuela, Costa Rica, Egypt and others all vehemently criticized the so-called Copenhagen Accord. Then the chair of the "caucus" exclaimed: "At a rise of 2 degrees, there would be a holocaust in Africa!" (I remember that Canada responded with derision). The delegates had spent the whole conference struggling for consensus but now it was clear that Obama's behind-closed-doors agreement would not arrive at consensus. At this point, the Danish Chair could have tested for a fall back of 75% majority rule.

There is a precedent that could have supported the fall back of 75% possibility under the UNFCCC

Article 15 Amendments to the UNFCCC Convention

1. Any Party may propose amendments to the Convention.
2. Amendments to the Convention shall be adopted at an ordinary session of the Conference of the Parties. The text of any proposed amendment to the Convention shall be communicated to the Parties by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate proposed amendments to the signatories to the Convention and, for information, to the Depositary.
3. The Parties shall make every effort to reach agreement on any proposed amendment to the Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting. The adopted amendment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance.
4. [For the purpose of this article, 'parties present and voting' means parties present and casting an affirmative or negative vote.]
Instead, the gavel fell, and the Take-note Copenhagen Accord was circulated; it included the two-degree limit with a note that in 2015, the call for the temperature not to rise above 1.5 degrees [the demand of the developing countries] could be reconsidered.

I believe that it may be in UNFCCC, the fossil fuel developed states rely on the consensus process to avoid the fallback to 75% discrimination against the developing states that did not support it . While the Copenhagen Accord is not legally binding, it was used to discriminate against the developing states that did not support it

The April 11 *Guardian* reports that the European Union, France and the UK have joined the US effort to blackmail the world's poorest countries into endorsing the rotten deal. John Vidal writes:
Climate aid threat to countries that refuse to back Copenhagen accord...

Rich countries have threatened to cut vital aid to the developing nations if they do not back the deal agreed to at the UN climate summit in Copenhagen, it has emerged.

The pressure on poor countries to support the US, EU and UK-brokered Copenhagen accord came as 190 countries resumed UN climate talks in Bonn in an atmosphere of mutual suspicion.

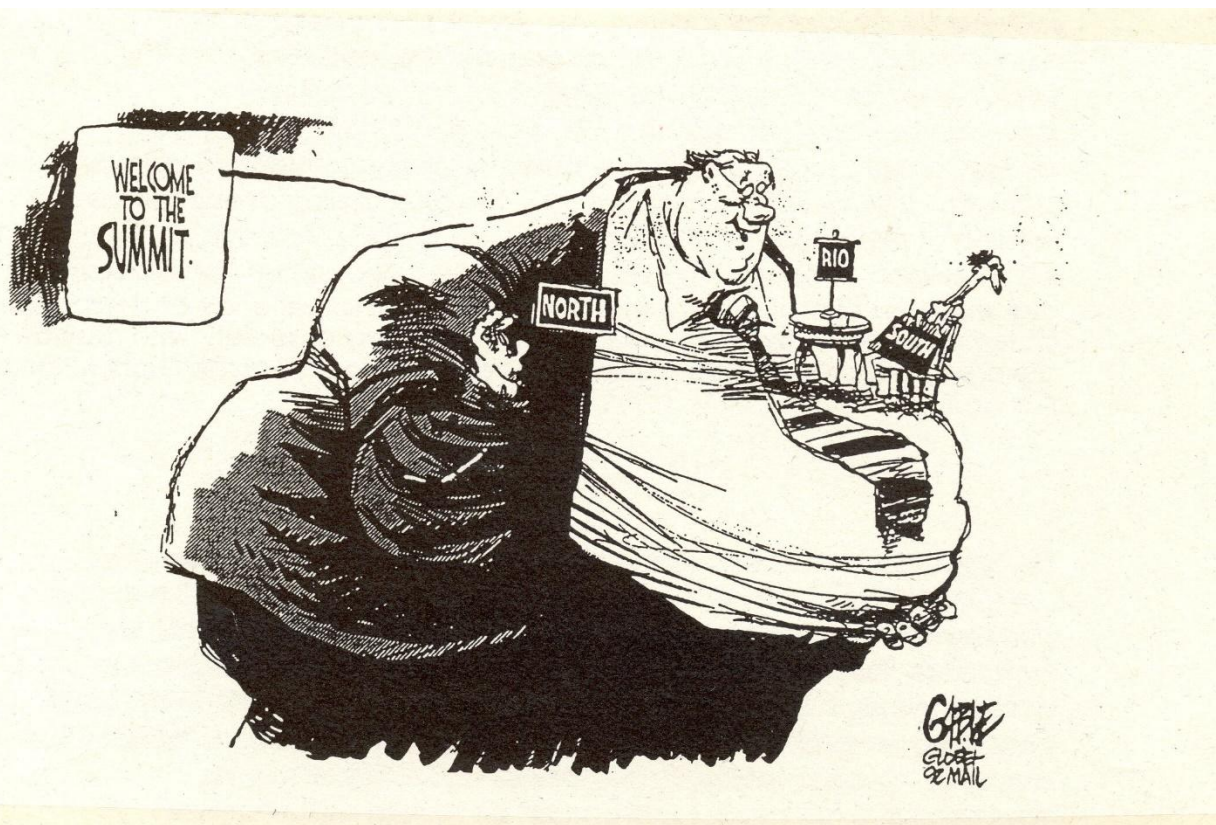
“The pressure to back the west has been intense,” said a senior African diplomat. “It was done at a very high level and nothing was written down. It was made very clear by the EU, UK, France and the US that if they did not back them then they would suffer.”

According to other African climate diplomats, threats to cut aid were accompanied by promises of financial support for the countries that complied.

“There was a definite ‘strong-arming’ of countries. A lot were left in no doubt that there would be repercussions if they did not associate themselves with the accord,” said Saleemul Huq, of the International Institute for Environment and Development, in London.

Yesterday it emerged that the US is to cut climate aid to Bolivia, Ecuador and other countries who have refused to sign up to the accord. But the outgoing UN climate change chief, Yvo de Boer, said: “Bolivia is losing \$2.5m in climate funds. That’s about what the presidential palace pays for toilet paper a year. Bullying is not an effective instrument.”

This treatment of developing countries is reminiscent of UNCED and has been best illustrated in the cartoon by Brian Gable



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What procedural issue might he be anticipating: perhaps, the demand for “net zero”, procedure?

Perhaps the procedure of allowing for the domination OECD’s pet project: the goal to achieve “net zero” by 2050 to be essential message COP 26 ‘of COP26