

# Climate Diplomacy and Global Democracy

[Carlos Lopes](#)

Publication Date:  
2011-01-04

Interview with Charles Zorgbibe

Charles Zorgbibe — The UN convention on climate change, signed in 1992, and the conferences that are periodically held within this legal framework, form a kind of “climate diplomacy,” revealing new power hierarchies and new balances of power. And so much has been said, after Copenhagen, of the appearance of a Sino-American couple, a “G2,” United States–China. Do they really constitute a new duo of super powers, or is this merely a temporary defensive alliance between an American President intent on avoiding the wrath of Congress and a China still hesitant in assuming its responsibilities as a major power?

Carlos Lopes— The outline agreement of the United Nations on climate change is, with the 192 States that are party to it, the most universal of “new generation” multilateral agreements. The global character of the negotiations relating to climate regulations was confirmed by the ratification of the Kyoto Protocol by almost all the member States of the UN, with the notorious exception of the United States. In December 2009, in Copenhagen, it was the occasion for the delegates of all the countries represented there to begin negotiations with a view to implementing the agreement that will replace the Kyoto Protocol, or at least prolong it, when the latter expires in 2012.

It is useful, in this context, to recall first of all the “traditional” groups within the various forums of the United Nations, such as the African group, the Asian group, the group consisting of Latin America and the Caribbean Islands, the group of Central and Eastern Europe and the group of Western Europe and other States that still remain operational within the outline agreement. Superimposed on this distribution, are other alliances such as the G77 plus China, the least developed countries (LDC), the little island States, the European bloc and the “umbrella” group led by the United States.

It is in the midst of these more or less permanent overlays, affiliations and alliances, already making negotiation processes complex, that this new relationship has been forged between China and the United States. They can be described as a united couple (insofar as they are in agreement concerning the realisation of the final objective of the outline agreement; see article 2), but they have divergent views about the degree of involvement

of each member of the couple. Besides being a bipolar couple, the United States and China can also be perceived as the leaders of two complementary, but equally divergent points of view, on the international climate change stage, which can be simplified as those with a historical responsibility for greenhouse gas emissions, against the growing accountability of the biggest present-day emitters of carbon, even if the latter belong to the group of developing countries.

To find a middle ground between these two positions is and will be the challenge of negotiators present in Cancún and beyond. I think that it will nevertheless be necessary to take into account the fact that major international negotiations are being held in a context of profound changes in the balance of power not only between States, but also between States and other players. The failure of Copenhagen was due to the fact that we did not yet have the mechanisms to integrate fully these new players.

C. Z. — By its liking for “ambitious” agreements, Europe seems to adopt the role of the virtuous... but powerless continent. It does not really present a united front — as illustrated, in Copenhagen, by the reticence of Poland and Germany or the alignment of Denmark with the United States. Europe has not succeeded in “anchoring” emerging powers, such as Brazil or India, to its positions. How can one explain this difficulty Europe has in finding itself? Is it only temporary?

C. L. — The European Union likes to define itself as the biggest donor of public development aid, but also of funds to combat climate change. The fact also that Europe proposes, relatively, the most generous negotiating positions with regard to developing countries, such as the acceptance of the objective of maintaining the global warming at 2 degrees Celsius, financial contribution for the “fast start” of financial support, the proposal to reduce greenhouse gas emissions by 20% in 2020, etc., should make it one of the undisputed leaders, if not the leading light in the climate change debate or, at the very least, enable it to play a major role as facilitator in bringing closer together the positions of the United States and China.

To do this, Europe must be forced to resolve an organic dilemma, not uniquely peculiar to climate negotiations, which consists in being able to speak with just one voice to its interlocutors. An example often cited to illustrate this European dilemma is to imagine the 27 members of the EU— after having first conducted major conferences on climate change to reach internal coordination of the different national positions — speaking with a single voice, which would definitely ensure it the third, or even the first, significant role beside the other two powerful players, the United States and China. The evolution of the construction of Europe will certainly determine the way forward in the dialogue on climate change and it is to be hoped that an effective European unity will soon be achieved in order to contribute, among other matters, to the preservation of the global climate and the survival of future generations.

C. Z. — Africa seems equally divided. The Third World group of the “77” — in actual fact 130 States — continues to play on the North-South divide, but Africa is heterogeneous, with true underdeveloped States and young “tigers,” like Singapore. And

the African States, in the wake of Ethiopia, try to get closer to the Europeans. How can one analyse the place and position of the Third World on the one hand, and of Africa on the other, in the new international system?

C. L. — This is a complex question, but it has to be acknowledged that the positions of the South have become fundamental in these negotiations, in any case much more so than before. We can speak of numerous African divisions, but we can also emphasise that Africans have blocked the whole process of negotiation by twice refusing to occupy their seat — the first ever such occurrence — so that their requests may be heard.

Well-advised commentators have no doubt in affirming that the emergence of the G20, as well as the group of countries, consisting of China, India, Brazil but also of South Africa, that saved the appearance of unity in Copenhagen, clearly demonstrates a new international balance of power more favourable to the South. I say “the South,” for Third World terminology is already outdated. Today, in what was previously a more egalitarian Third World (in the sense of an absence of diktat from the strong to the weak, and characterised by an ideological aura, such as budding nationalism), one discovers a new play of political and economic forces. So I prefer a more neutral and geographic term.

C. Z. — The idea of a new global governance has once again been mooted, superimposed on the relative failure of the last “climate” conferences. The need for a global executive body, capable of coordinating the actions of various specialised institutions, is being emphasised on all sides— a kind of “council of global ministers,” even if there is obviously no question of relinquishing sovereignty to a global State! Could one hope for an enlarged and reformed Security Council that would take on this role and contribute to the construction of a multipolar world? Or must one be satisfied with the more pragmatic option of “groups,” a sort of expanded G20, the incentive of financial and commercial globalisation being more effective?

C. L. — Indeed, the idea of creating a kind of “Security Council for the Environment,” which would help reinforce international environmental governance, has been discussed by experts for several years. According the supporters of this concept, the Council would have the advantage of ensuring coordination between various international institutions that specialise in environmental management, as well as imposing restrictive measures in certain fields, such as settling international disagreements about environmental issues.

Personally, I have doubts about the efficacy of such an organism, considering the impact it could have on institutions already in existence (at the present time there are more than 40 UN institutions that specialise in environmental matters). The creation of a new body that would control the present set-up runs the risk of perpetuating rivalries between the different institutions, as well as raising new problems of coordination. We are gradually realising that applying decentralised approaches in the domain of environmental politics, and more particularly in that of climate change, are much more effective, and that these should be introduced by integrating the environmental dimension into strategies and policies throughout all sectors and levels of governance.

The creation of a supranational structure for the environment would, in any case, not help solve the fundamental problem confronting the international community today. This is the veritable lack of political will to promote a new development paradigm, based on the principles of fairness, justice and sustainability. Consequently, the main challenge to be met is found not at the institutional, but at the political level, and may be summarised as follows: how can the work of international institutions that form the present system of global economic, financial and commercial governance be redirected, so that the principles of sustainability and social justice become its main focus?

C. Z. — The elaboration of a coherent international legal system is also one of the conditions for bringing about global democracy. Does the creation of the World Trade Organisation Dispute Settlement Body constitute a decisive step in this direction? Should the competence of this body be increased, opening it up to other international organisations, for example in the case of the violation of fundamental social norms — there is the precedent of Burma before the International Labour Organisation. Or must one resort to the International Court of Justice in the Hague, one of the main UN bodies, and elevate this to an international supreme court, guardian of international law?

C. L. — If we moved in the direction you are proposing, of a supreme court regime, this would place on a pedestal the UN system, in which the most powerful countries would no longer be recognised for their influence and differentiating responsibility for keeping international peace. A completely different paradigm would emerge. It seems wonderful, but it is simplistic or unrealistic. In the present state of affairs, one would run the risk of having populist temptations in such a legal system, as can be seen in some democratic countries where judges are tempted by politics. Is it always the most democratic of choices to entrust the final interpretation to non elected individuals?

Anyway, the main question is to know if there has indeed been a change in the domain of settling international disputes, and the answer is in the affirmative. The WTO has indeed introduced a tendency that is becoming more and more the norm. I think that in the field of international criminal law we are moving in the same direction, with the establishment of various Special Tribunals and the International Criminal Court. Even the Human Rights Council is beginning to have temptations in this regard. Imposing sanctions is not new, but now the latter are being motivated not only by political arguments, but also by legal and technical ones. They are even going so far as to indict serving Heads of State, which indicates to what extent the traditional view of sovereignty has been eroded. The debate on the nature of sovereignty is the key to reforms in several international institutions. But this is a debate that is not being proclaimed or advertised, it is taking place quietly, behind the scenes.

C. Z.— Another component of an international democratic system could be the institution of parliamentary control. Is it possible to imagine an international parliament, at least for those States that have a real pluralist system, for which elections are held? Or could a more official role be given to the authority that already exists, the Inter-Parliamentary Union, a global organisation for liaison between national parliaments?

C. L. — The Inter-Parliamentary Union was founded to enable an exchange between legislative authorities, rather than to sanction the democratic parliamentary model. The latter has made progress, but we are far from having an example of regional, much less global, efficacy, for supranational parliaments. If one looks at the votes cast in the European parliamentary elections, with its notorious lack of public interest, it must be realised that we are not yet ready for ambitious solutions of international parliamentary control.

I believe, however, that access to information, with 4 billion people having mobile telephones, hundreds of millions belonging to all kinds of networks, and so forth, will force a rethink of the forms of extended participation in international decisions. Not on all subjects, but on those that are of global interest, precisely. Copenhagen had several thousand governmental delegates in the Congress hall, but ten times more people were in the town trying to influence what was taking place and hundreds of millions awaited the decisions.

C. Z. — What role should be attributed to non-governmental organisations? How can one gauge how representative or legitimate they are? Their position varies a lot from one specialised institution to another. Should they have a unified consultative status? Is it necessary to verify their international character— by their implantation in a minimum number of States—, the general interest purpose they pursue, their non profit-making character, the transparency of their finances?

C. L. — In this domain we can say that the overhaul must be radical. The present system that consists of attributing consultative status to NGOs attached to the United Nations is restricted to ECOSOC. This has very little connection with the present complexity. In practical terms, since Rio in 1992, there is no longer any big international conference without the presence of NGOs. But they are not formally integrated into the negotiation process between States. Nevertheless their role and influence are evolving.

I have no doubt that, in the next few years, their role will be strengthened. By way of example, in preparation for the meeting in Rio in 2012, consultations were initiated with all, from the start of the process, via a website. Another example is the Group of International Experts on climate change (GIEC), a conglomerate of thousands of scientists who have enormous power over States, as can be seen from the debates they initiate. New options of participation are emerging (the United Nations Global Compacts for business is another example). There is no way of completely controlling the transparency of these organisations. What is more probable is to consider options for better evaluating how representative they are, but this still needs to be discussed.