

WARSAW COP 19 CONFERENCE ON CLIMATE, 2013: TIME TO BE BOLD

Written by Joan Russow

Wednesday, 13 November 2013 13:11 - Last Updated Saturday, 30 November 2013 12:51

y Joan Russow - Global Compliance Research Project, Ecological Rights Association *

At every Climate Change conference the question is posed “where will we get the funds to address the urgency of climate change?” One answer is to end fossil fuel subsidies and invest in renewable socially equitable and environmentally sound energy. Another answer is to reallocate □ Global military expenses.

Not only does militarism divert funds from climate justice but also militarism is a major contributor to greenhouse gas emissions.

At COP 19 "LOSS AND DAMAGES" MUST BE ADDRESSED

ORIGINALLY WRITTEN BY 2007 BY Joan Russow - Global Compliance Research Project, submitted to COP 15 in Copenhagen

This is posted to illustrate “the shifting baseline syndrome”– to show what was demanded in 2010 in Copenhagen

KEY MESSAGE:

The time for procrastination about climate change has long since passed; the world is in a state of emergency.

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At WARSAW states must agree to base the COP 19 on the UNFCCC and on credible emerging and

Because of the global urgency, there must be the political will to strive to return earth's temperature to

The required reductions in emissions cannot be achieved without an immediate end to the destructi

The goal of COP 19 must be to return temperatures to pre-industrial levels and return atmospheric C

To succeed in bringing below the dangerous 1.5°C threshold of the United Nations must by 2015

The right to development must be fulfilled so as to equitably meet developmental and environmental

The

credible

current emerging science has indicated that the global c

The emissions reduction required to avoid dangerous climate change and the small timeframes ava

The Global Humanitarian Forum Climate Change Human Impact report that summarised data includ

Diagram 1: Source Richard Levicki

A paper published in Nature (no. 458) on the 30 April 2009, which is the up to date climate science

At WARSAW STATES MUST AGREE TO BASE THE UNFCCC OBLIGATIONS ON SCIENCE AND O

The time for procrastination about climate change has long since passed; the world is in a state of emer

OVERVIEW

Years of unheeded warnings

The time for procrastination about climate change has long since passed; the world is in a state of e

While the threat of climate change has been obvious to most scientists for five decades, the industr

It must be acknowledged that the major contribution to the causing and the exacerbating of climate

Member states of the United Nations have been warned about climate change, and have been incur

Solutions for the state of emergency depend upon the political will and on the discharging of the leg

As far back as 1958, scientists began to acknowledge the potential threat of climate change. The th

In 1988, however, scientists, politicians and members of Non-Governmental Organizations (NGOs)

"Humanity is conducting an unintended, uncontrolled, globally pervasive experiment whose ultimate

In the Conference Statement from the 1988 Conference, the participants - scientists, government r

"The stabilizing of the atmospheric concentrations of CO₂ is a primary goal. Energy research and develop

In view of this important and accurate statement made at this major international conference, the de

In 2009, the World Health Organization (WHO) issued a report on the impacts of climate change; th

"Climate change could kill 250,000 children next year, and the figure could rise to more than 400,00

Actions or inactions which will knowingly cause deaths in numbers over 10 million must be treated

By failing to agree to legally binding enforceable protocols and to thus enact effective legislation to

(i) the resources required for the reduction of greenhouse gas emissions and for the conservation of

If, in WARSAW, States exhibit dereliction of duty: (i) in continuing to fail to discharge their legal oblig

Failing to institute mandatory emissions reductions and time lines and targets to discharge obligation

Refusing to agree to emissions reductions and time lines

Under Article 2 of the UNFCCC, states incurred the following obligation:

”stabilization of greenhouse gas concentrations in the atmosphere must be at a level that would pre

In 1992, This obligation clearly affirmed the urgency of addressing climate change

Because of the global urgency, and legal obligations there must be the political will to achieve the following:

To return the earth's temperature to its natural state, that equates to 0 °C above pre-industrial level

To impose strict time frames so that overall global emissions will begin to be reversed as of 2011. T

Removal of CO₂ to return the atmosphere to 278ppm

Only if the CO₂ levels are not beyond 278 ppm will the rise in temperature

Emission reductions should be based on global caps for emissions of GHG and must follow a smooth

Refusing to agree to Targets

The targets must be based on the current and emerging science and be calculated as being a cumulative

To achieve these massive emissions reductions, an interdisciplinary committee of scientists, economists

This process would assist in determining how individual country limits should be set.

The emissions reduction required to avoid dangerous climate change and the small timeframes available

Once the individual country limits are assigned, the funding required to achieve this must be allocated

Failing to achieve key objectives

*To recognize that the complexity and interdependence of issues inherent are inextricably linked to

Diagram 2: Source Richard Levicki

*To abide by Rio Principles: "the precautionary principle, the common and differentiate responsibility

* To implement the objective of the UNFCCC to reduce greenhouse gas emissions and conserve ca

*To respect the rule of international law and to act through the establishment of legal enforcement m

Committing errors at COP15 in Copenhagen

Because of the global urgency, the mistakes of Copenhagen must not be repeated. In Copenhagen, the pleas o

Because of the false time lines and inadequate percentages of emissions reductions and because o

Still ignoring the urgency

Still failing to commit agree to commit to mandatory emission reductions

Because of the global urgency, and legal obligations there must be the political will to achieve the followi

To return the earth's temperature to its natural state, that equates to 0 °C above pre-industrial level

To impose strict time frames so that overall global emissions will begin to be reversed as of 2011. T

Overriding the majority of the developing states

- A flawed decision making process

At COP15, on November,2009, heads of states were making presentations to the plenary. The major

On December 7th, Papua New Guinea had proposed that, rather than descend to the lowest comm

If one counts the G77 representing 130 developing states along with some low-lying states or small

It should be noted that the UN Framework Convention on Climate Change was adopted in 1992 by

If there had been a ~~legally binding Copenhagen Protocol~~ ~~that have been criticized from the beginning~~

Hopefully the international Climate Justice Tribunal, which was proposed in the Peoples Agreement

Discounting emerging science

At COP15, The dominant developed states ignored not only the developing states but also the emerging

At COP15, There were important press Conferences on significant emerging data from international

The 2007 report itself states that” between climate and biogeochemical cycles. The areas of science

The 2007 IPCC Report presented a gradual and smooth increase in scale and severity of impacts w

At a COP15 press conference, a representative from the IPCC stated that at a 2 degree rise above

Disregarding research on tipping points

Diagram 3: Source: Richard Levicki

Discounting International institutional reports

At COP15, as well, at press conferences, reports were released (i) from the UN High Commission o

At COP 15 the call for the Intergovernmental Panel on Climate Change (IPCC) to rectify the fact that

Undermining of process, by major NGOS, of progressive states

In addition, at COP15, there were many big international NGOS which ignored the pleas of the deve

The Kyotoplus petition also called for limitation of the maximum CO₂ with which the climate warming d

compromising by NGOs, on targets and percentages of greenhouse gas emissions □

kyotoplusPetition called for a completely inadequate and negligent proposal which set a national ta

SealtheDeal. <http://www.sealtheDeal2009.org/petition> involving NGOs from Canada United States

The NGO tcktcktck. **completely inadequate and negligent** but even mentioning a baseline, for a red

. Climate Action Network CAN stated: We , as citizens of industrialized states, demand our leaders

In addition,at COP 15, many NGOs were asking for 40% below 1990 levels reduction in carbon emi

An example of the antics by NGOs can be gathered by the workings of Stop Climate Chaos in the U

“Industrialised countries must lead the effort in reducing global carbon emissions. These countries r

The ‘The Stop Climate Chaos Board’ was at that time made up of:

Paul Brannen, Head of Campaigns, Christian Aid,

Andy Atkins, Executive Director, Friends of the Earth,

John Sauven, Executive Director, Greenpeace UK,

Anne Miller, Network for Social Change,

Phil Bloomer, Director of Campaigns and Policy, Oxfam,

Ian Leggett, Director, People & Planet,

Graham Wynne, Chief Executive, RSPB,

Mike Robinson, Chairperson, Stop Climate Chaos Scotland,

Paul Cook, Director of Advocacy, Tearfund,

Ruth Bond, Trustee, Women's Institute

David Norman, Director of Campaigns, WWF.

Stop Climate Chaos is a mouthpiece for most of the major UK

NGOs, that makes this a very significant policy proposal that needs to be of the highest validity and

These proposals were completely inadequate and could result in a temperature increase, in vulnera

In addition, in Copenhagen, often the media ignored the press conferences on science and institutions

Defying all perception of democratic decision making

At COP 15, the dominant Greenhouse gas producing states ignored all the emerging data and appeals

From Copenhagen to Cancun

See [FROM COPENHAGEN TO CUNCUN- A PATHWAY OF ERRORS THAT DISCLOSED THE TRUTH](#)
or events leading up to the justification for Bolivia taking action through the International Court of Justice

Joan Russow
Global Compliance Research Project

In Copenhagen, Bolivia was seriously respecting the emerging science, adhering to principles in the

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Between Copenhagen and Cancun, while Bolivia was involved with open inclusive and multilateral p

prepared for the Warsaw Climate Change Conference. <http://www.watershed-sentinel.ca/documents/From%20Copenhagen%20To%20Cancun.pdf>

Leading towards WARSAW

Now in in WARSAW there is an opportunity to enter into a legally binding protocol consistent with p

Now in the lead up to COP 17 WARSAW Climate Change 2011 talks, many big NGOS are also igno

In WARSAW, the time for vested state interest and NGO compromising must end and a firm commi

iH

In WARSAW, rather than descending to the lowest common denominator approach to setting climate

It is possible that a majority of the member states could agree to a strong legally binding “WARSAW

In WARSAW COP 19 States must support the demands contained in the April 22, 2010 People’s Ag

SUBMISSION TO THE WARSAW CONFERENCE ON CLIMATE CHANGE

Summary of

Content

PREAMBLE

(i) Failing to commit to emissions reductions and time frames

NOTING WITH DEEP CONCERN THAT [redacted] of vested self-interest refuse to commit to the emission reduction

CONVINCED THAT [redacted] there must be the political will to undertake immediate action to return earth's temperature

[redacted] ***(ii) Failing to discharge UNFCCC obligations***

HAVING ADOPTED [redacted] the United Nations Framework Convention on Climate change in 1992 by a 79%

CONVINCED THAT [redacted] the Kyoto Protocol with the prominent market based scheme resulted in delaying

BEARING IN MIND THAT [redacted] the objective of the UNFCCC was to reduce greenhouse gas emissions and combat

DEEPLY CONCERNED THAT ~~that~~ Emerging science affirms that this dangerous level equates to a temperature be

RECALLING THAT under the UNFCCC, the signatories of the Convention were bound to invoke the

"Where there are threats of serious or irreversible damage, lack of full scientific certainty should not

This obligation to invoke the precautionary principle complemented the broader Rio Principle:

"Where there is the threat of serious or irreversible damage, lack of full scientific certainty should not

ALARMED THAT rather than interpreting "measures" to involve "prevention" (as was the case in the

DEEPLY DISTURBED THAT ~~that~~ states are moving away from the imperative to prevent climate change to s

CONCERNED THAT often states are moving away from the imperative to prevent climate change to t

RECALLING THAT obligations were incurred in the Framework Convention on Climate Change "to p

RECALLING that the signatories of the Convention on Natural and Cultural Heritage (UNCN

AFFIRMING THAT the fundamental principle of intergenerational equity includes the rights of future

DEEPLY DISTURBED THAT industrialized states have defied principle 7 of the 1992 Rio Declaration which w

``States shall cooperate in a spirit of global partnership to conserve, protect and restore the health a

AWARE THAT the common and differentiated principle and the principle of intergenerational ec

“The Parties should protect the climate system for the benefit of present and future Generations of h

AWARE THAT States had agreed to take into consideration `The specific needs and special cir

DEPLORING the fact that most states signatories of theUNFCCC have failed to live up to their

(iii) Dismissing the state of emergency

CONCERNED THAT there are entrenched immovable national interests that will serve to dismiss the

DEEPLY CONCERNED that the paper published **FURTHER ALARMED THAT** A 2009 and 2011 **NOTING**

ALARMED ABOUT the data from a recent paper by Turney and Jones (Do

DEEPLY CONVINCED that based on these facts it is clear that an agreement must be reached this year

DEEPLY CONCERNED AS WELL THAT that less than a further 360GT of CO2 in the next 40 years c

AWARE THAT THE ABOVE current scientific understanding **AND AWARE** of the need for a **AND AS**

DEEPLY DISTURBED THAT changes in world climate **AND THAT** serious impacts on human health

AWARE OF The World Health Organisation findings that estimated, in its "World Health Rep

DEEPLY ALARMED that the Global Humanitarian Forum Climate Change Human Impact report that

DEPLORING THAT there has not been a formal acknowledgement, from IPCC scientists submitted t

□ *(iv) Disregarding of peremptory norms* □

KEEPING IN MIND THAT Under Article 53 of the Convention on the Law of Treaties “Treaties conflicting w

"A treaty is void if, at the time of its conclusion, it conflicts with a peremptory norm of general interna

To be designated as a “Peremptory norm “the norm must be accepted and recognized as a peremp

NOTING FURTHER THAT Peremptory norms can be drawn from Conventions, Covenants and Treaties, wh

RECOGNIZING THAT these norms are derived from instruments that guarantee human rights including

DEEPLY DISTURBED ABOUT potential impacts of climate change on the world's children who are not able

NOTING THAT the transboundary principle has become a peremptory norm

The Transboundary principle has been found in different forms in the following international instruments:

(a) 1972 in the UNCHE in Stockholm; Principle 21

States have, in accordance with the Charter of the United Nations and the principles of international law,

(b) 1992 Convention on the Law of Seas

"states shall take all measures necessary to ensure that activities under their jurisdiction or control do not

(c) 1992 Rio Declaration

Principle 2 States have, in accordance with the Charter of the United Nations and the principles of international law,

(d) 1992 Preamble Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;

(e) 1994 Convention on the Environmental Impact Assessment in a Transboundary Context.

Mindful of the need and importance to develop anticipatory policies and of preventing, reducing and controlling transboundary impacts,

CONCURRING THAT the essence of the transboundary principle could be applied in some way to support the implementation of the Paris Agreement,

□ ***(v) Omitting or minimising important considerations in the UNFCCC processes***

water

RECOGNISING , the vital role of water as a contributor to and as a consequence of climate change,

REGRETTING THAT the 1992 commitment to freshwater protection is being abandoned;

□“

Freshwater is a unitary resource. Long-term development of global freshwater re

Biodiversity

DISMAYED THAT biodiversity has been ignored in the analysis of impact from climate change

THAT “In-situ conservation” means the conservation of ecosystems and natural habita

RECALLING the obligation to *where necessary* for the conservation of biologic

RECOGNIZING the close and traditional *dependency* of many indigenous and local comm *needs*

Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practi

AWARE of the following obligation in the Convention on Biological Diversity

Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices

MINDFUL THAT

The loss of biological diversity may reduce the resilience of ecosystems to climatic variations and air

DEEPLY CONCERNED THAT importance of Traditional Knowledge and practices in developing strategies

Human Rights

NOTING WITH DEEP CONCERN THAT The process has disregarded the fact that “climate change poses an i

BEARING IN MIND THAT United Nations formed Human Rights Council panel has emphasized that a su

“As you engage in those negotiations, you must bear in mind the grave human rights consequences

(www.ohchr.org)

“A successful outcome of ongoing climate change negotiations matters for human rights. A new clim

“Climate change is related not only to environmental factors but also to poverty, discrimination and i

Women’s Rights

DEPLORING THAT Continuing environmental degradation that affects all human lives often has a m

Food Security

CONCERNED THAT the impact of climate change on hunger and food security has not been discuss

“Time is short. Urgent and sustained action is vital. The conference, therefore, calls upon all people

REGRETTING THAT the impact of climate change land use has not been addressed sufficiently at the

“Inappropriate and uncontrolled land uses are a major cause of degradation and depletion of land r

Soil fertility

AND THAT

“ Land degradation is the most important environmental problem affecting extensive

Vegetable protein

ALARMED THAT the contribution to greenhouse gas emissions resulting from the dependency on

RECALLING THAT at the D'HAAG Conference on Climate Change DR Pachauri, Chair

(vi) Eroding of the Commission on Sustainable Development

CONCERNED THAT the mandate of the Commission on Sustainable Development has been eroded.

NOTING THAT the General Assembly Resolution A/RES/47/191 states that the Commission on

DISMAYED THAT the CSD failed in this role in its current format as shown by the failure of negotia

DISMAYED THAT government and non-governmental organisations

have embraced the backward-looking agreement made at WSSD and are building on this agreemen

DISMAYED THAT since its conception in 1992, changes in how CSD functions have progressively

CONCERNED THAT at CSD 11 (UN E/2003/29, E/CN.17/2003/6) it was decided that in order to fulfill

MINDFUL THAT this two year rotation process has not worked because urgent issues wait for long

(vii) Failing to address emerging and current science and tipping points

ALARMED THAT the 2007 IPCC report will still be the basis of the negotiations in 2010 and 2011.

Updated Report or Reliance on out-dated IPCC Report

The last Intergovernmental Panel on Climate Change's report is from 2007 IPCC Report that was based

DEEPLY CONCERNED THAT the 2007 report itself states that "between climate and biogeochemical cycles. T

DEEPLY CONCERNED THAT the 2007 IPCC Report presented a gradual and smooth increase in scale and scope

Source: Major Tipping points in the Earth's Climate System and Consequences for the Insurance Sector

Deeply concerned that the tendency for the science of climate change is to suggest a worsening scenario

Major changes from the 2001 to 2009 assessment are:

“substantial or severe risks”

of extreme weather events

“**Moderately significant”-**

risks of “large-scale discontinuities”

Diagram 5

This tendency is alarming

EQUALLY ALARMED THAT The new IPCC report will not be released until 2014 not only after the COP 19 in

EQUALLY ALARMED THAT The 2007 IPCC report states that the effects of increasing atmospheric CO2 on l

FULLY AWARE THAT scientists now know with total confidence that any global warming target above

DEEPLY DISTURBED ALONG WITH WHO suggest that those historical Emissions have already commit

Source: Major Tipping points in the Earth's Climate System and Consequences for the Insurance S

AWARE THAT

negotiation process for the **RECOGNIZING THAT** climate change has been accepted

Today's warming is projected to double by today's atmospheric greenhouse gas concentrations and

(viii) Continuing the UNFCCC negotiating processes and other UN processes which impede cha

UNFCCC negotiating processes

MINDFUL THAT

Article 18 of the Charter of the United Nations reads: "Decisions of the General A

NOTING THAT the UNFCCC was adopted by 150 of the then 188 members of the United Nations

RECALLING THAT Papua New Guinea had proposed that at Copenhagen, states should not desce

RECALLING THAT under article 2 of the Montreal Protocol, it is stated that “the Parties shall make e

DEEPLY DISTURBED THAT many politicians in developed countries “receive political donations” from

EQUALLY DISTURBED THAT developed nations exercise economic and political leverage on developing state

EQUALLY DISTURBED THAT build up to the COP WARSAW Climate Change 2011 talks and for the CC

Multistakeholder processes

NGOs

NOTING WITH CONCERN THAT international NGOs are beholden to the military, fossil fuel, nuclear, biofuels and other interests.

DEEPLY CONCERNED THAT big international NGOs are not demanding what must be done and instead are promoting a false narrative.

COGNIZANT THAT these NGOs undermined not only other NGOs that were willing to espouse strong demands for climate action but also the credibility of the climate movement.

AWARE THAT there is substantial evidence of this within the big environmental movement often in the form of disinformation campaigns.

CONCERNED THAT NGOs are not required to disclose their source of funding which might put them in a co

CONCERNED THAT ALL NGOs being industry front group participating at the UN Conferences, are not requ

Labour

BEARING IN MIND THAT labour often opposes for economic reasons strong recommendations to c

Business

AWARE AND CONCERNED THAT Over the years at the UN many polluting industries have set up industry front NG

DISTURBED THAT after Rio many states set up a multisectoral round table consensus based- decision

NOTING WITH INCREASING CONCERN THAT they have increased their power and responsibility by forming “public private

RECOGNISING THAT the developing countries are aware that there are many barriers to transfer of technology

CONCERNED ABOUT THE influence of transnational corporations on the UNFCCC and about the current trend

In terms of climate change prevention, funds must be channelled into The Fund for the Implementation

Science

EQUALLY CONCERNED THAT of the science representatives at the UN are beholden to corporate interests

□ **(ix) Promulgating unsustainable patterns of consumption and disregarding conserving resources**

Unsustainable consumption

DISMAYED THAT States, primarily the industrialised states, have not lived up to the years of commitment

TAKING INTO ACCOUNT THAT the most serious problems now facing the planet is that associated with human

Agenda 21 UNCED)

DEEPLY DISTURBED THAT the world many of the basic resources on which future generations will depend

Some patterns of consumption, production and development have the potential for increasing the v

REAFFIRMING THAT . .. the major cause of the continue

Failing to conserve resources

CONVINCED THAT tates and citizens around the world must conserve resources

RECALLING the committing to conservation of natural resources in the Universal Declaration

To assure the proper conservation of natural resources being utilized, or which might be utilized, for

AND in on the Establishment of a New International Economic Order,

To promote international co-operation in research and development in exploration and exploitation,

Recalling also the ~~Man~~ commitment in World Charter of Nature, 1982) World Charter of Nature

Humans

can alter nature and exhaust natural resources by their actions or the consequen

RECALLING AS WELL the commitment in the law of seas to conserve the living resource in the sea The

AWARE OF □

the commitment, in the ending of Deforestation Chapter in Agenda 21 to conser

The present situation calls for urgent and consistent action for conserving and sustaining forest resources

AWARE of the commitment in the chapter on agriculture, forestry and fisheries to enhance conservation and sustainable management of forests

(x). Disregarding the plight of the most vulnerable

DISTURBED THAT it is estimated that 50 million people are displaced annually by climate change. ~~Because of the global displacement of people affected by climate change, it is estimated that 50 million people are displaced annually by climate change.~~

DEEPLY CONCERNED THAT the report 'The Anatomy of a Silent Crisis (2009) by the Global Humanitarian Forum

DISMAYED THAT the exploitation of human and natural resources by developed states, in developing

DEEPLY DISTURBED that the main victims of climate change will be the world's poorest nations and c

CONCERNED THAT when per capita state emissions are calculated, often a substantial part of the er

CONCERNED THAT there is an unfulfilled climate debt owed by the developed states to the developi

CONCERNED THAT the discrepancy in the carbon footprint between the industrialised and non-indus

ALARMED THAT states opposed to the Copenhagen Accord were pressured or coerced to adopt

REAFFIRMING THAT the Declaration on the Establishment of a New International Economic Order of active assistance t

AND REAFFIRMING THAT the solemn proclamation of our united determination to work urgently for the Estab

AWARE OF the imperative to abide by principle 14 of the Rio Declaration

States should effectively cooperate to discourage or prevent the relocation and transfer to other Sta

AWARE THAT Developed countries have an environmental debt to the world since they are res

DEPLORING THAT the long standing commitment to transfer the peace dividend to developing cou

In 1976 at Habitat 1, a UN conference in Vancouver member states of the United Nations affirmed t

"The waste and misuse of resources in war and armaments should be prevented. All countries shou

CONCERNED ABOUT the reluctance to invest in socially equitable and environmentally sound practices

PROCLAIMING THAT all States shall take measures to both meet and enhance the benefits of science and technology

KEEPING IN MIND THAT the major greenhouse gas emitting states have inequitably occupied the atmosphere

Intellectual Property Rights

OBSERVING THAT that Intellectual property rights (IP) impede the transfer of socially equitable and

REGRETTING THE impact of IP In light of the imminent challenges posed by climate change and the

ALARMED THAT states opposed to the Copenhagen Accord were pressured or coerced to adopt

(xi) Proposing unconscionable and inequitable funding mechanisms

DEPLORING the failure of current funding proposals to begin to address in any way, the long

MINDFUL THAT the developed states have failed to act on the longstanding commitment to trans

MINDFUL THAT the Breton Woods Institutions, since their inception, have been responsible for u

DEEPLY CONCERNED THAT the UNFCCC deliberations the proposed funds are to be administered by the

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NOTING WITH CONCERN ~~that as well~~ the Global Environmental Facility (GEF) has failed to achieve its mandate w

REGRETTING THAT the Global Environment ~~AND THAT~~ is involved in funding climate change projects ~~AND THAT~~

OBSERVING THAT bilateral funding, often with funder-interest conditions, fails to serve the needs of

RECALLING THAT at Habitat II all states made the following commitment; to ensure that corporation

(xii) Advocating false ~~that it is~~ ~~and the~~ ~~consistency~~ ~~change~~

REMINDED OF the failure to act on the commitment made under Chapter 9 of Agenda 21 - the s

New and renewable energy sources are solar thermal, solar photovoltaic, wind, hydro,geothermal

AFFIRMING ALSO THAT nuclear energy is not a solution to climate change because, although it is a low-carbon energy source, it is not safe, and it is not sustainable. It is also not a solution to the problem of climate change because it is not a solution to the problem of climate change.

NOTING WITH DISMAY THAT the serious equity, health, and security consequences, especially on the land of the developing countries, of the current climate change negotiations, and the fact that the current climate change negotiations are not addressing these consequences, and that the current climate change negotiations are not addressing these consequences.

NOTING WITH DISMAY THAT the use of offsetting schemes, instead of reducing emissions, undermine real measures to reduce greenhouse gas emissions.

APPREHENSIVE OF the use of the Clean Development Mechanism (CDM) as a means of discharging the obligations of the developed countries under the Convention.

CONCURRING WITH the developing states at the climate change meeting in Bangkok (Bangkok climate change meeting) that the current climate change negotiations are not addressing the equity, health, and security consequences of climate change.

CONVINCED That the primary obstacle to the use of more sustainable forms of energy is the enormous amount of fossil fuel subsidies that are being provided to the fossil fuel industry.

CONVINCED THAT market-centre approaches are neither an efficient nor an equitable framework for

CONCURRING WITH the Report prepared for the Permanent Forum on Indigenous Issues THAT The

CONCURRING AS WELL WITH the Report prepared for the Permanent Forum on Indigenous Issues that “T

AND WITH A FURTHER STATEMENT the flexible mechanisms allow Northern countries to avoid or dela

CONCURRING WITH the Cochabamba People’s Agreement that “under capitalism, Mother Earth

FULLY AWARE THAT International Trade agreements, such as GATT, and the subsequent WTO, along

AND THAT

given that all states have ratified the UNFCCC and are mutually bound by the U

(xiii) Reneging on commitments to socially equitable, environmentally safe and sound transporta

MINDFUL THAT

in 1976 at the Habitat I Conference, there was a commitment to address the prob

Consideration should be given to the radical reversal of current trends, both in terms of facilities for

Policies on transportation and communication should promote desired patterns of development to s

STRESSING THAT

at in 1996 at Habitat II Conference every member state made a commitment to r

CONCERNED THAT

often labour engaged in non-renewable resource extraction, including the fossil

It is crucial that nothing prevent governments from taking steps to deal with climate change, this inc

(xiv) Condoning deforestation and destruction of the forests through REDD

OBSERVING THAT the recognition, in UNCED, of the impact of deforestation has not been address

Forests world-wide have been and are being threatened by uncontrolled degradation and conversi

FULLY AWARE THAT (i) unsustainable forest and other natural ecosystems (forest degradation, pl

CONDEMNING the flawed REDD program **AND CONCERNED THAT** there was a meeting, regarding

CONCERNED ALSO THAT corporations including transnational corporation have been granted concessions

RECALLING THAT in 1996, at Habitat II, all states made a commitment to ensure that all corporatio

(xv) Ignoring the impact of militarism on climate change

ALARMED THAT the IPCC and COP15 have not calculated the impact of militarism on greenhous

RECALLING THAT at the 1992 United Nations Conference on the Environment and Development, a

BECOMING more and more aware of the dangers related to climate change, and the potentia

DEEPLY CONCERNED **HAT** foreign refusal to supply fossil f

DEEPLY CONCERNED THAT violation of international law, some developed nations, in the pursuit of resou

REAFFIRMING THAT warfare is inherently destructive of sustainable development" (Rio Declaration, P

□

REAFFIRMING THAT the commitment made in Chapter 33 of Agenda 21, to reallocate resources pres

NOTING THAT in Agenda 21, there was an estimate of the annual cost of implementing all the

AWARE THAT □ at the September, 2007 DPI/NGO Conference, the Chair of the Intergovernment

AWARE THAT states adopted Principle 24 in the 1992 Rio Declaration, UNCED: this principle a

(xvi) Defying international Law and Obligations

MINDFUL THAT the International Court of Justice (ICJ) Matters under the ICJ are competent organ

CONCLUDING THAT , in the apparent absence of an international definition of what constitutes crimina

Canadian common law provides useful guidance because Canada has a system of law drawn from

Under Canadian law the Emperor's new clothes is a metaphor for something that is false or fraudulent, especially a claim of innocence or integrity

The Criminal Code (Section 219) is a very broad definition of murder. It states that a person is guilty of murder if he or she kills another person with intent to cause death or with intent to cause grievous bodily harm.

United Kingdom common law also provides similar guidance. Under United Kingdom Law: Criminal

Brazilian, US, Chinese, Spanish, and Indian codes to be reviewed and translated

CONVINCED THAT under the transboundary principle that the UNFCCC preamble states that all states

The lack of intent to harm may not constitute a defence if damage results from conscious acts performed

CONCERNED THAT climate change has not been perceived as a threat to peace and security and so

DEEPLY CONCERNED THAT climate change poses an **AND THAT** existential threat to peace and security on a global scale

AWARE THAT under article 5 of the Rome statute of the International Criminal Court:

the International Criminal Court shall have jurisdiction limited to the most serious crimes of concern

DEEPLY CONCERNED THAT international legal instruments such as the Criminal Court have not been made a

this may be result of the effects of unbalanced power structures within the United Nations.

What must be done in WARSAW?

MEMBER STATES ARE URGED TO AFFIRM (AND TO ACT)

I. Committing to substantial reductions of greenhouse gas emissions, conserving sinks and Est

(1) THAT

if the obligation in Art 2 of the UNFCCC- stabilization of the global average surface temperature at a level that prevents dangerous anthropogenic interference with the climate system, shall be met by the industrialized countries

Based on current knowledge and current changes happening to practically all ice masses, especial

(2) THAT time frames should be imposed to exclude any risk of global warming exceeding 2°C and to ph

(3) THAT Because of the global urgency, there must be the political will to strive to keep CO₂ levels below 205

(4) THAT Baseline research has revealed that only if the CO₂ levels are not beyond 278 ppm

(5) THAT to succeed in being below the dangerous 1 °C, member states of the United Nations

Conserving Sinks

(6) THAT Destructive land use practices including in the rural; the urban and peri-urban en

Establishing Pathways and methodologies to achieve cuts

(7) THAT emission reductions should be based on global caps for emissions of GHG and

Advancing methodology to achieve required reductions within timeframes that allow climate cha

(8) THAT The emissions reduction required to avoid dangerous climate change and the sr

Diagram 6 Source Richard Levicki

(9) that targets must be set based on current science; research indicates that current sc

ii. Discharging obligations

(10) THAT all member states of the United Nations must discharge the obligations under the

(11) THAT states must respect the emerging and current science which affirms that this danger

A paper published in Nature (no. 458) on the 26 April 2009 886 C. The top 76 C. The current science

Based on these facts it is clear that an agreement must be reached this year.

(12) THAT all states must invoke the precautionary principle that states:

"Where there are threats of serious or irreversible damage, lack of full scientific certainty should not

(13) THAT states must interpret "measures" to involve "prevention" rather than after-act "r

(14) THAT obligations were incurred in the Framework Convention on Climate Change "to p

(15) THAT with any agreement, only mechanisms which lead to the reductions of all emissi

(16) THAT the state must implement the principle in article 3 2 of the UNFCCC: The Parties

AND THAT the s ignatories of the UN Convention for the Protection of Cultural and Natural Herita

(17) THAT states must discharged the obligation under Article 3 Principle 2 UNFCCC) to ta

“The specific needs and special circumstances of developing country Parties, especially those that

(18) THAT the obligation, to provide ~~AND THAT~~ a safe environment ~~states, must provide the~~ ~~covered~~

(19) THAT states must give children access to legal aid and advocacy services to facilitate

(20) THAT to prevent dangerous anthropogenic level of greenhouse gas emissions major g

Committing to the conserving of carbon sinks

(21) THAT worldwide depletion of carbon sinks must end immediately, deforestation must e

III. Declaring of a state of emergency

(22) THAT states must not succumb to entrenched immovable national interests that serve

(23) THAT there must be a formal acknowledgement from IPCC scientists submitted to the

IV Adhering to peremptory norms □

(24) THAT states must ratify the Vienna Convention on the Law of Treaties and must adhere

(25) THAT states must accept that “Peremptory

(26) THAT states must acknowledge that peremptory norms have been derived from the Convention

(27) AND THAT The Copenhagen Accord will lead to a violation of peremptory norms and as such

V. Integrating important considerations in the UNFCCC processes

Water

(28) THAT states must include in the UNFCCC processes serious consideration of the vital

(29) THAT states must prevent destructive development processes resulting from large da

(30) THAT states must adopt a preventive approach to avoid irreversibility or costly subsec

(31) THAT the human right to water must be guaranteed, which would involve the mandato

Biodiversity

(32)THAT states must seriously consider the impact of climate change on biodiversity as w

(33)THAT In the 2010 International Year of Biodiversity, all member States of the United N

(34)THAT the importance of Traditional Knowledge and practices not been given in develo

Human rights

(35)THAT the UNFCCC processes must integrate considerations about the impact of clim

“Climate change has many implications for the effective enjoyment of human rights, and for Nations

(36)THAT the human rights perspective is indispensable to the ongoing negotiations leading

Rights of women

(37)THAT States must consider that women, particularly rural and indigenous women will

Hunger and food security

(38)THAT in the UNFCCC processes the impact of climate change on hunger and food se

“Time is short. Urgent and sustained action is vital. The conference, therefore, calls upon all people

Land use

(39) THAT the impact of inappropriate and uncontrolled land use on climate change or the impact of false

“Inappropriate and uncontrolled land uses are a major cause of degradation and depletion of land r

AND THAT

“ Land degradation is the most important environmental problem affecting extensi

(**40) THAT** the ser

(41) THAT the mitigation and adaptation processes such as monocrop plantations and bio

Vegetable protein

(42)THAT the contribution to greenhouse gas emissions resulting from the dependency on

VI Changing the Commission on Sustainable Development

(43) THAT that the Commission on Sustainable Development

Additionally the Energy Caucus at CSD must immediately adopt a new policy position based on the

All preparations and decisions to date for Rio +20 must be scrapped and a new agenda set. This means

(44)THAT there should be no privileges and immunities for individuals serving on constituent

VII respecting the emerging and current science

IPPC

(45) THAT instead of waiting many years for an agreed document THE IPCC must use a sy

(46) THAT the need for independence in matters of factual science on this crucial issue for

(47) THAT the mandate of the IPCC must change and IPCC scientists must be permitted t

(48) THAT there must be a formal acknowledgement from IPCC scientists submitted to the

(49) THAT scientists, involved with climate change, must move away from the pre-industrial

(50) THAT the issue of tipping points be considered integrally within any future agreement

(51) THAT not only the states must adhere to the precautionary principle but also the IPCC

(52) THAT ‘after the fact mitigation” of and “adaptation” to climate change should not be used

(53) THAT there must be a formal acknowledgement, submitted to the UNFCCC Secretariat

(54) THAT the mandate of the IPCC must change and IPCC scientists must be permitted to

VIII Discontinuing the UNFCCC negotiating processes which impede change

(55) THAT rather than descending ~~AND THAT~~ the most common dead-end COP to deliberating climate

(56) THAT the entrenched immovable national interests that serve to block serious legally

for Consensus with a fall back on 75%. It should be noted that the UNFCCC was adopted by 150 of

(57) THAT the practice of anglocentricity at the United Nations must end, and full translatio

Revisiting NGO Accreditation and private

sector accreditation □ NGOs

(58) THAT the influence of transnational corporations on the UNCCC processes, as well as

(59) THAT the current trend for public/private partnerships in United Nations sustainable de

(60) THAT if governmental and non-governmental organizations fail to advocate bold and a

(61) THAT Charters and licences of Transnational corporations which violate international

Must be revoked.

(62) THAT NGOs must disclose their source of funding and if NGOs are funded by corpora

(63) THAT All NGOS, including industry front group participating at the UN Conferences, in

IX Moving from the overconsumptive pattern of development Embracing a different lifestyle and

Moving from overconsumption pattern of development

(64) THAT all states must act on the commitment to move away from the overconsumptive

(65) THAT to achieve socially equitable and environmentally sound and a higher quality of life **shall** p

(**66) THAT** states must act on the years of commitments to conser

(67) THAT not only states but also individual citizens must move towards and embrace a C

Fostering conservation

(68) THAT States and citizens around the world must conserve resources

(69) THAT states should collaborate on the proper conservation of natural resources which

(70) THAT there must be conservation and the legitimate utilization of natural resources an

(71) THAT States must fully recognize the urgency of maintaining the stability and quality o

(72) THAT states must conserve the living resource in the sea and coastal States, taking in

X Addressing the plight of the most vulnerable

(73) THAT Developed countries have an environmental debt to the world since they are res

(74) THAT all states must act on the fact that the poorest states have been disproportionate

(75) THAT emissions budgets should use a context of the carbon footprint of a nation and T

(76) THAT states must move towards an international economy based on equity, sovereign

(77) THAT active assistance to developing countries by the whole international community

(78) THAT states must abide by principle 14 of the Rio Declaration

States should effectively cooperate to discourage or prevent the relocation and transfer to other States

(79) THAT States shall take measures to both meet the needs and interests of present and future generations, AND to

(80) THAT the major greenhouse gas emitting states must compensate developing states for

(81) THAT industrialized states must no longer use the so-called principle of extra territorial

(82)THAT The transition to a zero carbon society should meet the needs of all nations and

XI Releasing and providing new and different sources of funding;

(83)THAT the industrialized states and major greenhouse gas producers must be prepared

(84)THAT the dominant greenhouse gas-producing and emitting states should be compelled

(85)THAT additional funds must be derived from reallocation of global military expenses, i

(86)THAT other budgetary sources for this Fund would be the redirecting of subsidies from

(87)THAT in addition, measures to alleviate the impacts of climate change must include the

(88)THAT all these funding measures could only just begin to compensate for the “emission

The impact, of climate change on the world's poor, on indigenous peoples, vulnerable communities,

(89)THAT in addition, major greenhouse gas-producing states must be forced to impleme

(90)THAT a Fund for the Implementation of the UNFCCC be established and financed by

(91)THAT this fund would take a holistic and scientific approach to tackling climate change

(

92)

THAT

funds r

(93)THAT

funds from the subsidising of unsustainable energy generation practices, must

(94)THAT

the Global Environmental Facility funding should be transferred into the propos

(95)THAT

funds from the IMF, World Bank, including the World Bank Climate Investment

climate change such as the German Fund for International Climate Initiative should be transferred in

(96)THAT

the dominant greenhouse gas-producing states should be compelled to finance

(97)THAT

developed nations must act on the long-standing commitment to transfer 0.7%

(98) THAT Overseas Development Aid (ODA) must not be linked to political motivations BL

(99) THAT to alleviate the impacts of targets and time frames on developing nations the ou

(100) THAT Developed countries should pay off their debt through payments to the Fund for

(101) THAT Military expenses must be reallocated. This reallocation could release over \$75

(102) THAT funds for ODA should not be ac

(103) THAT the polluter pay principle must be enforced against dominant greenhouse gas-p

Xii *Abandoning false solutions and spurious subsidies*

(104) THAT all states must embark immediately on time-bound phasing out of fossil fuels and

(105) THAT because of the serious health and environmental consequences, the use of gen

(106) THAT in some of the poorest regions agricultural land that should be used for local fo

(107) THAT the Anchorage Declaration that calls upon the Parties to the UNFCCC to recogn

(108) THAT “market based” or “market centre approaches, which are being proposed by de

(109) THAT the advocating of nuclear energy, along with large-scale hydro, biofuel, carbon

(110) THAT nuclear energy is not a solution to climate change because, although promulgat

(111) THAT states must not install large hydroelectric dams. And THAT states must not use

(112) THAT states must dismantle the trade agreements, such as GATT, and the subsequent WTO, along

Xiii C *ommitting to instituting support for socially equitab*

(**113) THAT** any agreement must only seek to implement energy so

(114)THAT the Fair and Just transition principle must be instituted to assist workers and co

(115)THAT all states must embark immediately on time-bound phasing out of subsidies for

(116)THAT governments and international organizations must adopt at the national level, p

- a. data on all energy-related governmental and intergovernmental subsidies, and
- b. data on the phasing out of harmful subsidies to reflect their environmental impacts; and calls upon

- c. Data related to national greenhouse gas emissions including data related to greenhouse gas emi

(117)THAT states should reveal the disproportionate tax 'relief' given to major greenhouse

(118) THAT the member states should institute a fair and just transition program for workers

(119) THAT there is need for action on the part of members negotiating at the UNFCCC to a

Intellectual property

(120) THAT all members of society and institutions must be called upon to invest in socially e

XIV Instituting policies that prevent deforestation and destruction to replace the flawed REDD

(121) THAT Policy proposals to reduce emissions from deforestation and forest degradation

(122) THAT the large-scale agro-industrial monocultures for food, fibre and, increasingly, en

(123) THAT the exotic species must not replace endemic species

(124) THAT the Convention on Biological Diversity must be ratified by all states and provisio

(125) THAT Sustainable Livelihoods of Indigenous Peoples who use their forests for food, s

(126) THAT In addition spurious arguments that, in the name of climate change, attempt to l

(127) THAT the REDD program is flawed and must be abandoned. All developed states, in

(128) THAT the flawed REDD must be abandoned,

XV Acknowledging and addressing the impact of militarism on climate change

(129) THAT the long standing commitment to transfer the peace dividend to developing countries

In 1976 at Habitat 1, a UN conference in Vancouver member states of the United Nations affirmed that

"The waste and misuse of resources in war and armaments should be prevented. All countries should

(130) THAT Overseas Development Aid (ODA) must not be linked to military purchases, or to

(131) THAT the following is drawn from the Declaration that was prepared by members of the

- the member states of the United Nations must act on the commitment in Chapter 33 of Agenda 21

- States must implement the commitment made in Agenda 21 to "the reallocation of resources commensurate with the

- the Intergovernmental Panel on Climate Change must investigate and estimate the full impact on g
- NATO, whose collective activities have contributed to not only the perpetuation of the scourge of w
- The International Atomic Energy Agency (IAEA) must discontinue its promotion of nuclear energy

(132) THAT the agreement, of silence, between WHO and IAEA must end, and the World He

Xvi Launching legal challenges under all other applicable law

Including a possible charge of criminal negligence

(133) THAT there exist an opportunity in WARSAW to be replace ``the take note`` Copenha

(134) THAT the process of coercing reluctant states to adopt the Copenhagen Accord must

(135) THAT there must be provisions for states to launch cases in the ICJ or in the Chamber

(136) THAT the transboundary principle must be extended and applied to failure to take seri

(137) THAT delinquent states must be taken to the ICJ or the Chamber on Environmental M

the Chamber on Environmental Matters of the International Court of Justice (ICJ) which was set up t

(138) THAT there should be an advisory ~~opinion~~ sought from the ICJ ~~in what form~~ ~~it is~~ ~~to be~~ ~~used~~

(139) THAT major greenhouse gas-producing states be forced to implement the actions that

(**140) THAT** the UN General Assembly must invoke article 22 ,of th

(141) THAT the International Criminal Court should be able to extend its jurisdiction to cover

(142) THAT there should be set up an International Court of Compliance linked to the Interna

(143) THAT the follow-up to the Kyoto Protocol or any other policy agreement/legal instrume

AT THE 2011 WARSAW CONFERENCE ON CLIMATE CHANGE, THE GLOBAL COMMUNITY MUST

Background

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- to promote and fully guarantee respect for human rights including labour rights, civil and political rights, social and cultural rights- right to food, right to housing, right to safe drinking water and sewage, right to education and right to universally accessible not for profit health care system ,

- to ensure the preservation and protection of the environment, the respect for the inherent worth of nature beyond human purpose, the reduction of the ecological footprint e move away from the current model of unsustainable and overconsumptive