Chapter 9

Negotiating climate change in an increasingly uncertain global landscape: Is there light at the end of the tunnel?

by Ellen Davies, Saliem Fakir and Melisha Nagiah

1 Introduction

The first democratic elections in 1994 marked a dramatic turning point in South Africa's history. From a foreign policy perspective, it resulted in a significant shift in South Africa's approach. The new democratic dispensation actively sought to move away from the use of hard power tools – a key feature of foreign policy under the apartheid regime. Instead it sought to develop its soft power[1] influence both on the continent and in the world more generally.[2] South Africa's adoption of global multilateral environmental agreements (MEAs) forms part of this strategy. It is not only a signal to the world of South Africa's good global citizenship but is also a strategic platform for developing its soft power influence. This is particularly true in the international climate change space.

This chapter seeks to understand South Africa's position on and positioning in the international climate change negotiations with a view to unpacking potential strategies for it going forward. Section one will lay the foundation for understanding South Africa's position in international climate change negotiations. It will explore some of the challenges that it

1 Soft power, a concept which is most closely associated with the work of Joseph Nye, describes a country's ability to persuade other countries to support its foreign policy objectives without having to resort to the traditional hard power tools which include the use of (or threat of) military force and/or economic repercussions. As Ogunnubi and Amao explain, '[s]oft power describes the increasing importance of intangible instruments of power evidenced through persuasion, attraction, and agenda setting'. See Ogunnubi O & OB Amao, 'South Africa's emerging "soft power" influence in Africa and its implementing limitations: Will the giant be able to weather the storm?', *African Security*, 9, 4, 2016, pp. 299–319, 300.

2 Ogunnubi O, 'Soft Power: The Fourth "Tentacle" of South Africa's Foreign Policy'. *Insight on Africa*, 9(1), 22–38, 2017. https://doi.org/10.1177/0975087816676127 (accessed 6 April 2020); Ogunnubi O & OB Amao, *op. cit*.

faces at a domestic level, given its continued dependence on coal, as well as its approach to climate change at the domestic level. Section two will then provide some background to the international climate change landscape, and outline some of the key areas of disagreement between member states and in particular between the developed and developing world. Drawing on this, section three will explore South Africa's positioning in the United Nations Framework Convention on Climate Change (UNFCCC), with a particular focus on the strategic alliances that it has built to pursue its climate change objectives. To this end, it will discuss South Africa's membership in the G77 plus China (G77/China), the African Group of Negotiators (AGN) and the Brazil, South Africa, India and China (BASIC) climate blocs. Section four will then explore the changing and increasingly uncertain nature of global politics, and what this means for the global climate change architecture as well as for South Africa's existing alliances. Against this background, section five will consider potential strategies for South Africa moving into the 2020s. Section six will conclude.

2 Setting the scene: South Africa's domestic context

To understand South Africa's position on climate change at an international level it is important to understand some of the challenges that it faces at the domestic level. In a country characterised by high levels of unemployment, poverty and inequality, a growing population, and increasingly limited natural resources (e.g. water), achieving sustainable economic development is difficult. When one adds to the mix the fact that the South African economy remains heavily dependent on what Ben Fine and Zavareh Rustomjee termed the Minerals-Energy Complex,[3] as well as the additional and highly complex global challenges that climate change and the impact of the fourth industrial revolution pose for the developing world, South Africa's path to sustainable economic development becomes even more complicated.

South Africa's economy remains heavily dependent on coal, primarily for energy supply, but also for its economic contribution and employment creation. Currently around 72% of South Africa's primary energy supply is derived from coal, with around 90% of this coming from the electricity sector alone.[4] Coal also remains a significant source of employment,

3 Fine B & Z Rustomjee, *The Political Economy of South Africa: From Minerals–Energy Complex to Industrialisation*. London: C Hurst & Co., 1996.

4 Department of Energy, South African Coal Sector Report, Pretoria: DoE, 2016, http://www.energy.gov.za/files/media/explained/South-African-Coal-Sector-Report.pdf (accessed 4 June 2020).

employing around 82,248 people directly in 2017 and supporting a further 170 000 jobs indirectly through forward, backward and side stream linkages, according to the Minerals Council of South Africa (the former Chamber of Mines).[5] Furthermore, coal remains an important contributor to export revenues. While only 28% of the volume of coal mined in South Africa in 2016 was exported, it generated R61.5 billion, compared to the R50.5 billion generated from the remaining 72% that was sold domestically.[6] Given this context, the South African government continues to view coal as an important sector that needs to be developed.[7]

In addition, South Africa is currently facing significant electricity constraints. South Africa's state-owned electricity utility, Eskom, has been plagued by a myriad of challenges over the past decade or more. Poor management, blatant corruption, relatively low electricity tariffs, and the inability to recover debt from some municipalities and certain neighbouring countries such as Zimbabwe have left Eskom saddled with close to R500 billion in debt,[8] and with generation, transmission and distribution assets desperately in need of maintenance. As Eskom owns more than 90% of South Africa's generation capacity (the vast majority of which is coal based) as well as its transmission lines and a significant portion of the distribution network, its sustainability as a business is critical to South Africa's electricity security.

In February 2019, at the State of the Nation address, President Cyril Ramaphosa confirmed government's plan to unbundle Eskom (currently a vertically integrated business) into three separate companies and to open the market to wider participation from private players in electricity generation.[9] However, these plans have been met by pushback from powerful constituencies, mainly in labour, that view unbundling as an attempt to privatise South Africa's electricity market. The long and the short of it is that dealing with Eskom alone is a challenge for the

5 Chamber of Mines, *Coal Strategy 2018*, 2018, https://www.mineralscouncil.org.za/special-features/604-national-coal-strategy-for-south-africa (accessed 6 April 2020).

6 *Ibid*.

7 See National Planning Commission, 'National Development Plan 2030: Our Future – Make it Work'. Pretoria: The Presidency, 2013; The Green House, 'The South African Coal Roadmap', July 2013, http://www.fossilfuel.co.za/initiatives/2013/SACRM-Roadmap.pdf (accessed 30 October 2019).

8 Burkhardt, P, *South Africa Burdened by Utility's Near $35 Billion Debt Load*, Bloomberg, https://www.bloomberg.com/news/articles/2019-05-15/eskom-s-turnaround-imperiled-as-debt-approaches-35-billion#:~:text=Eskom%20Holdings%20SOC%20Ltd.'s,billion%20rand%20a%20year%20ago (accessed 3 June 2020).

9 Government of South Africa, 'State of the Nation Address by President Cyril Ramaphosa', 20 June 2019, https://www.gov.za/speeches/2SONA2019 (accessed 30 October 2019).

government. Having to navigate the transition away from coal on top of this adds an additional layer of complexity.

Given South Africa's continued dependence on coal, its greenhouse gas (GHG) emissions are high, accounting for around 1% of the total annual *per capita* emissions globally.[10] It is by far the biggest emitter on the continent and one of the biggest emitters globally. As outlined above, implementing meaningful mitigation measures therefore entails significant energy sector reforms which in turn has significant implications for the South African economy as it is currently structured.

While South Africa has developed a National Climate Change Response White Paper (NCCRWP), which it adopted in 2011, shortly after the Durban Conference of the Parties (COP), as Worthington explains, this is treated and, in some cases, actually described by government officials, as an aspirational document.[11] In other words, what South Africa currently has in place is a broad framework with which to address climate change in the form of the NCCRWP. As such, it has not resulted in significant action being taken to address climate change at the domestic level.

To date, the timelines set for the further elaboration and implementation of the NCCRWP have not been met, and mitigation measures identified in the NCCRWP have not come to fruition.[12] On the adaptation front, progress has been made in the form of the Long-Term Adaptation Scenarios (LTAS) but its focus has been on improving our scientific knowledge rather than on implementation.[13]

Furthermore, while efforts may have been made to mainstream climate change concerns and opportunities into government's thinking more generally, climate change largely remains the mandate of the Department of Environmental Affairs (DEA),[14] a department with relatively little power in cabinet. Although more powerful departments such as ministries in the

10 DEA (Department of Environmental Affairs), 'GHG National Inventory Report 2000–2010'. Pretoria: DEA, 2014, quoted in Rennkamp B & A Marquard, 'South Africa's multiple faces in current climate clubs', *South African Journal of International Affairs*, 24, 4, 2018, pp. 443–462.

11 For more information, see DEA (Department of Environmental Affairs), 'National Climate Change Response White Paper', Pretoria: 2012.

12 For example, negotiations on the determination of Desired Emissions Reduction Outcomes (DEROs) for sectors and subsectors; carbon budgets for companies; the deployment of market mechanisms such as carbon tax, economic incentives, carbon offsets and trading have all reached a stalemate (see *ibid*.).

13 *Ibid*.

14 Since writing, the Department of Environmental Affairs has changed its name to the Department of Environmental Affairs, Forestry and Fisheries. Any reference to the Department of Environmental Affairs in this chapter is a reference to the Department of Environmental Affairs, Forestry and Fisheries.

economic cluster have begun to touch on climate change,[15] a coordinated government-wide strategy, which talks to a common objective, appears to be lacking – at least in practice. The Department of Mineral Resources (DMR),[16] for example, appears to be completely unconcerned about climate change. It continues to support the expansion of coal mining in areas with high ecological value which are crucial from an adaptation perspective. The granting of mineral rights to Atha-Africa Ventures to mine coal in the Mabola protected area, a key water source area, is just one example.[17]

On the energy front and in particular electricity, significant strides were made when the Renewable Energy Independent Power Producers Programme (REIPPPP) was launched in 2011. While certainly not without criticism,[18] the REIPPPP was very successful in bringing significant amounts of clean, cheap and flexible energy supply on line in a short space of time. However, its success was undermined by interests vested in securing a large nuclear energy build, which stalled the programme for a number of years.[19]

Under President Cyril Ramaphosa important strides in the energy sector are now being made. The release of a revised Integrated Resource Plan (IRP) in 2019 was an important step in the right direction. While the new IRP is commendable in that it no longer commits the country to 9.6GW nuclear build (although it leaves the option of nuclear open), and allocates 16,246 MW of additional capacity to renewable energy over the next 12 years, it also makes provision for an additional 6,732 MW of coal power over that same period.

In essence, the position of the government has been the following: it has recognised the risk that climate change poses to the country but has

15 For example, by the incorporation of climate change as a consideration in the Department of Trade and Industry's Industrial Policy Action Plan, or the analyses undertaken by the Department of Economic Development on the impact that climate change will have on South African trade.

16 Since writing, the Department of Environmental Affairs has changed its name to the Department of Environmental Affairs, Forestry and Fisheries. Any reference to the Department of Environmental Affairs in this chapter is a reference to the Department of Environmental Affairs, Forestry and Fisheries.

17 For more information, see CER (Centre of Environmental Rights), 'Mabola protected environment', 2019, https://cer.org.za/programmes/mining/litigation/mabola-protected-environment (accessed 6 April 2020).

18 The most outspoken critics have questioned the appropriateness of privatising the electricity sector and have raised concerns about the concentration of foreign ownership in the sector.

19 See the ongoing Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector and in particular the testimonies of former finance ministers Pravin Gordhan and Nhlanhla Nene at SA State Capture, https://www.sastatecapture.org.za (accessed 6 April 2020).

not taken significant steps to protect against it. This one step forward and two-steps back approach can be understood at a number of levels. First, there is the very real conundrum that government faces in diversifying the economy away from coal and the implication that this disruption may have on our ability to meet our development goals. Second there are very few politicians or political parties (whose positions of power depend on re-election) that are willing to risk the political backlash that may arise when difficult decisions about how to make the transition need to be made. Third, the political economy in South Africa and the particular class interests that seek to maintain the status quo, make implementing a transition far more complicated.[20]

These realities have not only shaped South Africa's approach to climate change at a domestic level but have also shaped its positioning in the international arena. In short, South Africa's position at the international level has been that: climate change poses a serious risk to the developing world; developed countries should be held responsible for their contribution to climate change; developing countries should be given some carbon space with which to pursue their development objectives; and the developed world needs to provide support (financial, technical and capacity building) to the developing world for them to be able to adapt and mitigate.

How South Africa has navigated the international climate change landscape will be explored in the sections that follows. To begin with, however, it is important to provide some background to the international climate change negotiations and the major points of contention that exist among its members.

3 Setting the scene: The international climate change landscape

Since its adoption in 1994, parties to the UNFCCC have met annually at the Conference of the Parties (COP) to agree on how best to address climate change. On the one hand, the UNFCCC process has managed to achieve near global consensus that human-induced climate change poses a serious threat to our climate system; that this interference with our climate system will have devastating impacts on the world as we know it; and that urgent global action is needed to minimise this impact. On the other hand,

20 Coal has and continues to be a lucrative business in South Africa. Those with interests in the South African coal value chain, a very powerful constituency, do not want to see those interests threatened.

it has also been an arduously slow negotiating process that many agree has been unable to respond with urgency to the climate change crisis.[21]

Nevertheless, in the past two plus decades, some progress has been made and certain agreements have been reached. These include the 1997 Kyoto Protocol, the 2012 Doha Amendment and the 2015 Paris Agreement which together with the Framework, form part of the global climate change architecture that exists today.[22]

The fundamental area of disagreement between UNFCCC members is how to apportion responsibility to countries for their contribution to climate change and what concomitant duty they have to address it. The Framework draws a distinction between two categories of countries – the developed and developing world – based on the recognition that the developed world has not only contributed the most to climate change in terms of their historic GHG emissions, but that it is also better placed to implement mitigation measures. As such it places greater onus on the developed world to reduce its emissions and to support the developing world in their mitigation and adaptation pursuits (through financial support, capacity building, support in clean technology deployment, and support for loss and damage and disaster preparedness).

This distinction between those who are responsible for climate change and those who are not, captured by the principle of 'common but differentiated responsibility and respective capabilities' (CBDRRC),[23] has over the years become a major bone of contention and constant stumbling block in the negotiation process. Developed countries argue that since the UNFCCC's adoption in 1994, things have changed. In particular, certain developing countries are now some of the world's largest emitters and should be required to make binding commitments to reduce their emissions. They argue that high emitting developing countries cannot simply be classified with the rest of the developing world.[24] Countries such as the US, taking particular issue with China, have therefore actively

21 This can partly be attributed to the process itself, which seeks through consensus to get countries to commit to mitigate their emissions, thereby disrupting the status quo.

22 Bueno MdP & P Gonzalo, 'International climate framework in the making: The role of the BASIC countries in the negotiations towards the Paris Agreement', *JANUS.NET e-journal of International Relations*, 7, 2, 2016, pp. 121–140.

23 As Rajamani explains, the principle of CBDRRC 'is considered the ideological inspiration for the contentious annex-based differentiation'. See Rajamani L, 'Ambition and differentiation in the 2015 Paris Agreement: Interpretative possibilities and underlying politics', *International and Comparative Law Quarterly*, 65, April 2016, pp. 493–514, 507.

24 Cameron E & W Bevins, 'What is equity in the context of climate negotiations?', World Resources Institute, 14 December 2012, https://www.wri.org/blog/2012/12/what-equity-context-climate-negotiations (accessed 6 April 2020).

sought to nuance this distinction and have advocated for the weakening and even removal of the CBDRRC principle.

Developing countries, on the other hand, argue that developed countries are the ones that have contributed the most to the position that we find ourselves in today; that they have been able to develop off the back of this; and as a result are far better cushioned against the disruptive effects of mitigation measures as well as far better placed to adapt.[25] Furthermore, they argue that if one looks at *per capita* GHG emissions as opposed to total emissions, the developed world continues to bear the biggest responsibility for climate change.[26] For example, although China has the highest total emissions globally, its *per capita* emissions are much lower than those of the US. As such they argue that developed countries have the responsibility not only to drive GHG reductions but also to support the developing world in their mitigation and adaptation pursuits. Maintaining the principle of CBDRRC has thus been a key negotiating point for the developing world.

This disagreement came to a head at the COP 15 in Copenhagen in 2009. As will be discussed later, developing countries were concerned that what was being negotiated in Copenhagen, sought to dilute or even exclude recognition of the principle of CBDRRC.[27] At risk of a stalemate, the agreement finally reached was that the principle would remain part of any future framework. However, large emitting developing countries (like South Africa), who were still classified with the rest of the developing world, would also submit their Intended Nationally Determined Contributions (INDC's) to reduce carbon emissions.[28]

The principle of CBDRRC continued to form the basis of disagreement in the years leading up to and at the Paris Conference. At the Durban Platform it was agreed that the post-Kyoto agreement would 'be ''under the Convention'' thereby implicitly engaging its principles, including the CBDRRC principle'.[29] However, the decision of the Durban Convention and the Doha (2012) and Warsaw (2013) conventions, in the years that followed it, made no explicit reference to it.[30] The 2014 Lima Call for Climate Action did, but with the qualification 'in light of different national circumstances'.[31]

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25 *Ibid*.
26 *Ibid*.
27 Newson N, 'Background Note to the Debate on 14th January at the House of Lords: The Copenhagen Conference on Climate Change', House of Lords Library Note, January 2010.
28 Rajamani L, *op. cit*.
29 *Ibid*., p. 507.
30 *Ibid*.
31 *Ibid*., p. 508.

As Dimitrov,[32] Rajamani[33] and others explain, the Paris Agreement that was finally adopted in 2015 was the outcome of compromise by all parties.[34] In regard to the principle of CBDRRC, the Paris Agreement makes reference to it (thereby appeasing the developing world) but with the addition of the Lima qualifier 'in light of different national circumstance' (thereby appeasing the developed world).[35]

South Africa is a high emitting developing country, and as such the outcomes of the international climate change negotiations have serious potential implications for it. Like the rest of the developing world, South Africa is far less capacitated to address mitigation and adaptation than the developed world. However, unlike the majority of the developing world, it is also a significant contributor to climate change. It is therefore in a relatively unique position, with a difficult balancing act to play to protect its interests.

Not surprisingly then, South Africa has become a strong voice in these debates and has deployed and developed its soft power influence to achieve its objectives. In 2009 it joined forces with Brazil, China and India (other high emitting developing countries) to act as a negotiating bloc – the BASIC – in the UNFCCC. As will be discussed in more detail below, the BASIC played an instrumental role in reaching an agreement at the Copenhagen Conference. In 2011, South Africa successfully hosted the COP in Durban, a conference which is seen to have laid the foundation for the adoption of the Paris Agreement in 2015[36] and which showcased South Africa's leadership in the climate change space.[37] The introduction of Indabas[38] by the South African presidency at the Durban COP was so

32 Dimitrov RS, 'The Paris Agreement on climate change: Behind closed doors', *Global Environmental Politics*, 16, 3, August 2016.

33 Rajamani L, *op. cit*.

34 What was ultimately agreed at Paris is succinctly summarised by Dimitrov: 'The Paris Agreement of 2015 is the first global accord on climate change that contains policy obligations for all countries. It is a hybrid that enshrines both bottom-up and top-down approaches to global climate governance (Bodansky 2011). The new climate deal is a laissez-faire accord among nations that leaves the content of domestic policy to governments but creates international legal obligations to develop, implement, and regularly strengthen actions. National policies are subject to a robust international transparency system and global reviews, and successive policy plans must be progressively stronger.' Dimitrov RS, *op. cit*., p. 2.

35 Rajamani L, *op. cit*.

36 DEA, 'South Africa participates in international climate change talks in Marrakech, Morocco', 2016, https://www.environment.gov.za/event/international/molewa_2016cop22_mrocco_marrakech (accessed 6 April 2020).

37 *Ibid*.

38 Indabas have traditionally been used in a number of Southern African communities as a mechanism to resolve deadlocks in negotiations. Negotiators are asked to put forward their non-negotiable positions – i.e., their bottom lines. They are also asked to put forward solutions. This allows participants to get to the crux of their disagreement

successful that it has been used in subsequent COPs including in Paris as a mechanism of resolving deadlocks.[39] South Africa has also played a leadership role in the G77 plus China, as chair of the group at the 2015 Paris COP. At that same conference South Africa acted as one of the lead negotiators for the African Group.[40]

Against this background, the following section will explore South Africa's positioning in the international climate landscape in more detail. In particular, it will consider its participation in powerful climate change blocs such as the G77/China, the AGN and the BASIC.

4 South Africa's climate diplomacy

In order to understand South Africa's positioning in the international climate change arena, it is not only important to have a sense of the domestic challenges that it faces but also its foreign policy pursuits more generally. In this regard, although the focus of South Africa's foreign policy post-democracy may have shifted under different presidents, its underlying objectives have remained relatively consistent. These have included the need to develop strong relationships with and support for economic development on the African continent; the need to support greater South-South cooperation; as well as the need to develop strategic relations with the Western world.

While certainly not without criticism,[41] South Africa has been relatively successful in this regard, developing significant soft power capacity in the past two plus decades. In this time it has managed to position itself as the voice of Africa on the international stage (although this is challenged by a number of African countries); secure membership of important groups like the G20 and; has built strategic relationships with powerful emerging economies, in particular China, India, Brazil and Russia.[42]

Its positioning in the international climate change space has mirrored its foreign policy more generally. Its strategy in the international climate negotiations has been to build and tap into alliances that support its positions. While South Africa is recognised as a strong voice in the climate

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and focuses participants on finding solutions. See Rathi A, 'This simple negotiation tactic brought 195 countries to consensus', *Quartz*, 12 December 2015, https://qz.com/572623/this-simple-negotiation-tactic-brought-195-countries-to-consensus-in-the-paris-climate-talks/ (accessed 6 April 2020).

39 *Ibid*.

40 DEA, 2016, *op. cit*.

41 See Ogunnubi Q, *op. cit*. and Ogunnubi Q & OB Amao, *op. cit*., who unpack both South Africa's soft power and the criticisms levelled against its international diplomacy.

42 *Ibid*.

change negotiations – in fact in some negotiating areas South Africa has a wealth of experience and expertise that other countries rely on to defend their collective interests – it is also not the most powerful voice. It therefore has developed and leveraged its alliances to strengthen its position. To this end, South Africa is a member of a number of powerful climate negotiating blocs, such as the G77/China, the AGN and the BASIC. These groups and South Africa's positioning in them will be explored below.

4.1 The G77 plus China

South Africa is a member of the G77/China, which is the largest negotiating bloc in the United Nations.[43] With regard to environmental questions and climate change, the G77's dominant position echoes its underlying concern about the power imbalance globally and a suspicion that environmental safeguards advocated by the developed world simply provide a further mechanism with which to undermine development in the Global South.[44]

Despite being united on certain key principles, the G77/China, by its very nature represents a diverse range of interests. Apart from the obvious economic, social, political and geographical differences between the G77/China members, there are also competing interests with regard to how to address climate change. For example, small island states [45] and oil-exporting countries, both of which are represented by the group, have very different interests regarding the scale and immediacy of, and the responsibility for, mitigation measures.[46]

These differences were arguably most evident at the Copenhagen COP in 2009 when a small, powerful alliance of high-emitting developing countries – the BASIC (of which South Africa is a member) – effectively negotiated the Copenhagen accord in the G77/China's absence. The statement made by Ambassador Abdalmahmood Abdalhaleem Mohamad, speaking on behalf of the G77/China in a post-COP15 briefing to the UN, illustrates the disagreement this caused within the G77/China at the time. He stated that '(t)here was an easy assumption that the COP of 192

43 Yamin F & J Depledge, *The International Climate Change Regime: A Guide to Rules, Institutions and Procedures*. Cambridge: Cambridge University Press, 2004.

44 Hallding K *et al.*, 'Rising powers: The evolving role of BASIC countries', *Climate Policy*, 13, 5, 2013, pp. 608–631.

45 The small island states face the biggest and most immediate threat from climate change.

46 Yamin F & J Depledge, *op. cit.*, p. 35.

nations would simply rubber stamp a document hastily put together by 26 countries'.[47]

Nevertheless, and despite the tensions that surfaced in Copenhagen, the G77/China has remained united on certain key positions. First, it has consistently pushed for the preservation of the principles of equity and the CBDRRC[48] and for developed countries to honour their obligations under the Kyoto Protocol to mitigate and support the developing world in their mitigation and adaptation pursuits.[49] Second, it has consistently shown its support for the multilateral nature of the UNFCCC process.[50] Third, it has advocated for the developing world to be given some carbon space with which to pursue their development objectives.[51]

At the COP 24 in Katowice in Poland[52] in 2018, the G77/China reiterated these positions.[53] Attempts by the developed world to dilute the principles of equity and CBDRRC were met with fierce resistance

47 G77 plus China, 'Statement by his Excellency Ambassador Abdalmahmood Abdalhaleem Mohamad, permanent representative of the Republic of the Sudan to the United Nations and Chairman of the Group of 77, at the informal meeting of the plenary of the General Assembly to hear a briefing by the UN Secretary-General on the outcome of the UN climate change conference. Conference hosted at the United Nations in New York on the 21 December 2009', 21 December 2009, http://www.g77.org/statement/getstatement.php?id=091221.

48 The G77 plus China was instrumental in pushing for the inclusion of the principle in the UNFCCC from the outset. Bidwai P, 'The Emerging Economies and Climate Change: A Case Study of the BASIC Grouping', Shifting Power Working Paper. Amsterdam: TNI (Transnational Institute), 2014.

49 Climate Policy Observer, 'G77 and China: International Policy', http://climateobserver.org/country-profiles/g-77-and-china/ (accessed 6 April 2020); Masters L, 'The G77 and China in the Climate Change Negotiations: A Leaky Umbrella?', Institute for Global Dialogue, Global Insight Policy Brief, 111, October 2014, http://www.igd.org.za/jdownloads/Global%20Insight/project_35_policy_brief_111_final_final.pdf (accessed 6 April 2020).

50 Masters L, *op. cit*.

51 *Ibid*.

52 COP24 was tasked with 'setting out the implementation guidelines required to operationalise the Paris Agreement in 2020'. See DEA, 'Minister Nomvula Mokonyane announces SA's participation at the United Nations Framework Convention on Climate Change in Katowice, Poland', 3 December 2018, https://www.environment.gov.za/mediarelease/mokonyaneonSAparticipationat_unfccc_cop24_poland (accessed 6 April 2020).

53 See the statement on behalf of the G77/China by Ambassador Wael Aboulmagd at G77 plus China, 'Statement on behalf of the Group of 77 and China by Ambassador Wael Aboulmagd, Chair of the G77 and China for the Climate Change Process, at the Joint Opening Plenary of the 24th Session of the COP to the UNFCCC (COP24); the 14th session of the CMP; and the third part of the 1st session of the CMA, Katowice, Poland, 2018', UNFCCC (UN Framework Convention on Climate Change), https://www4.unfccc.int/sites/SubmissionsStaging/Documents/201812022326---G77%20Katowice%20opening%20statement.pdf (accessed 6 April 2020).

by both the G77/China and African Group[54] as were attempts by the developed world to circumvent their financial obligations. As the lead negotiator for India, Ravi Shankar Prasad, expressed '(t)he language of the Paris Agreement must be reflected (in the rule-book) … This is non-negotiable'.[55]

Because of its size alone, the G77/China has a powerful voice at the UNFCCC. From South Africa's perspective, it is an important platform because it provides a powerful mechanism with which to push a number of its objectives. In this regard, South Africa's positions on key issues such as equity, the principle of CBDRRC, finance, multilateralism, and maintaining some carbon space for the developing world are aligned with those of the G77/China.

South Africa has also become an influential voice within the G77/China, pushing for many of the positions outlined above. In 2015, it played an instrumental role as chair of the group at the Paris COP. South African Ambassador Joyce Mxakato-Diseko, who chaired the G77/China group in Paris, was credited with bringing about 'the G77 resurgence' in the international climate change negotiations.[56] Following the disagreements that surfaced between G77 members in the 2009 COP15 in Copenhagen, relationships between members had become strained.[57] In 2011, for example, the least developed countries together with small island states (both of which form part of the G77/China) joined an alliance with the EU to push for a binding international climate change agreement in 2015 – a position that was opposed by other G77/China members.[58] However, by 2015, under the chair of South Africa, disagreements between member states appeared to have been put to the side and for the first time in a while the G77 appeared to be reunited on its climate change position.[59]

4.2 The African Group of Negotiators

The African Group of Negotiators was formed in 1995 at COP1 in Berlin to represent the interests of the continent in the climate change

54 Sethi N, 'India, allies demand differentiation back in rulebook for climate change', *Business Standard*, 8 December 2018, https://www.business-standard.com/article/current-affairs/india-allies-demand-differentiation-back-in-rulebook-for-climate-change-118120700927_1.html (accessed 6 April 2020).

55 *Ibid*.

56 King E, 'Life or death: G77 demands climate finance guarantee', *Climate Home News*, 22 October 2015, http://www.climatechangenews.com/2015/10/22/life-or-death-g77-demands-climate-finance-guarantee/ (accessed 6 April 2020).

57 *Ibid*.

58 *Ibid*.

59 *Ibid*.

negotiations.[60] However, it was only in 2007 that the African Union adopted its Declaration on Climate Change and Development which formed the basis for the African Common Position on Climate Change put forward at the Copenhagen conference two years later.[61] The concept of 'environmental justice' featured strongly in its 2009 position as did the centrality of dealing with adaptation.[62]

Like the G77, the AGN represents a diverse group of countries with competing interests in the climate change space. However, despite these differences its positions at the UNFCCC have remained relatively consistent. Its two primary concerns are that adaptation must be prioritised and given equal weighting with mitigation and that the developed world must fulfill its obligations to support the developing world in this regard.

Members of the AGN are also all members of the G77/China. While disagreements have surfaced between G77/China members – as discussed above – these do not seem to have affected the AGN. This is possibly because the focus of the AGN and G77/China, while aligned are also different. The AGN's agenda has been more narrowly focused on elevating adaptation and holding the developed world accountable. These positions have not been points of contention within the G77/China.

Furthermore, like the G77/China and the BASIC, the positions of the AGN are aligned with those of South Africa. However, South Africa arguably holds a more influential position within this grouping than it does within the other two, because of its relative power on the continent. It therefore has more power to influence the AGN agenda than it does the BASIC or G77/China. Furthermore, even though this group is less powerful than the G77/China and BASIC, its sustainability as a group is arguably far more certain.

4.3 The BASIC

The BASIC group (Brazil, China, India and South Africa) emerged in 2009 as a powerful negotiating bloc in the UNFCCC. There were a number of drivers for its establishment. To begin with these countries share a common identity as members of the G77/ China.[63] They are also

60 African Group of Negotiators on Climate Change, https://africangroupofnegotiators.org (accessed 6 April 2020).

61 Ramsamy R *et al.*, 'How Does Africa Speak with One Voice? Africa's Evolving Positions of Aid Effectiveness, Climate Change and the Post-2015 Goals', Briefing note, 74. Maastricht: European Centre for Development Policy Management, November 2014.

62 *Ibid*.

63 Since its inception, the BASIC group has always publicly stated that it remains firmly rooted within the larger G77 group (Bidwai P, *op. cit*.); Hallding K *et al*., *op. cit*.

all major powers within their respective regions.[64] Furthermore, Brazil, India and South Africa have a history of collaboration, dating back to the formation of the India-Brazil-South Africa (IBSA) in 2003.[65]

The final impetus for its establishment, however, was increased pressure from both the developed and developing world for these countries to cut their emissions.[66] Pressure from developed countries had been evident for some time, starting with the G8 plus five in 2005 and then the Major Economies Forum on Energy and Climate, which as Hallding *et al*. explain sought, 'to discuss mitigation with developed countries on more equal terms, without the protective shield of the UNFCCC principle of common but differentiated responsibilities'.[67] At the same time, the voices of poorer and more vulnerable developing countries were beginning to urge as Hallding, Han and Olsson expressed, these 'large developing countries' to take responsibility for limiting their own emissions.[68]

This came to a head in Copenhagen in 2009, when it became apparent that what the EU was trying to push was a universal and legally binding treaty committing to a 20% reduction in GHG emissions below 1990 levels by 2020.[69] The creation of two working streams, into Annex I and Annex II, was also met with suspicion by developing countries, who were concerned that developed countries were in effect negotiating a new treaty, in their absence. They were particularly concerned that what was being negotiated, sought to dilute or even exclude the recognition of the principle of CBDRRC.[70] The re-emergence of the United States, under the presidency of Barack Obama, as a vocal player at COP15, also brought other geopolitical tensions, particularly with China, to the fore.

What was evident at Copenhagen was that China, Brazil, South Africa and India all faced increasing pressure from powerful countries to reduce their emissions. The establishment of the BASIC provided them with a strong voice with which to push back. In fact, the final agreement that was reached at Copenhagen came about as a result of negotiations between the BASIC and the US. The EU had effectively been side-lined.[71]

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64 Bidwai P, *op. cit*.
65 *Ibid*.
66 Hallding K *et al*., *op. cit*.
67 *Ibid*., p. 612.
68 Hallding, K., Han, G., & Olsson, M. (2009)., 'A balancing act: China's role in climate change' Stockholm: Government Offices of Sweden, Prime Minister's Office. http://www.sweden.gov.se/sb/d/11736/a/12389, 8 December 2018.
69 Groen L, Niemann A & S Oberthür, 'The EU as a global leader? The Copenhagen and Cancun UN climate change negotiations', *Journal of Contemporary European Research*, 8, 2, 2012.
70 Newson N, *op. cit*.
71 Bueno MdP & P Gonzalo, *op. cit*.

The sticking point for the BASIC countries was maintaining the distinction between the developed and developing world in terms of their obligations to mitigate climate change and to support the developing world in their mitigation and adaptation pursuits. While it was able to preserve the principle of CBDRRC, the ultimate agreement struck by the US and BASIC in Copenhagen led to a fundamental concession by the BASIC countries. BASIC countries agreed to submit their intended nationally determined contributions (INDCs), as did the US, together with the developed world.[72]

What the COP15 ultimately revealed was the changing power relations within the UNFCCC. The BASIC had now emerged as a very prominent voice in the climate change negotiations. As Beuno and Gonzale explain, 'since Copenhagen, a new climate regime that led to the 2015 Paris Agreement began to take shape, in which the powers of the BASIC group played a major role with the US and EU'.[73]

For the BASIC, the two major negotiating points since Copenhagen have remained the importance of preserving the principle of CBDRRC and ensuring that the developed world realises its financial obligations to support the developing world. Going into the COP24 the BASIC ministers called for the UNFCCC to respect the centrality of the principles of equity and CBDRRC; support for developing countries; recognition of the nationally determined nature of NDCs, and a commitment by the developed world that they would meet their financial obligations, among others.[74]

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What is evident from the discussion above is that each of the three negotiating groups represents elements of South Africa's climate change interests. While relationships between the G77/China were strained by the positions taken by the BASIC countries, these tensions seem to have been resolved by 2015, under the leadership of South Africa. Although the position of the BASIC is clearly not in line with that of some countries within the G77/China, their overall positions remain relatively aligned with the G77/China and the AGN because they focus on different elements. Within the BASIC, South Africa is arguably the least powerful country. Furthermore, while it remains a very important alliance for South

72 *Ibid*.

73 *Ibid*., p. 127.

74 Mead L, 'BASIC ministers call for just transition, new finance goal ahead of Katowice Climate Change Conference', IISD (International Institute for Sustainable Development), 27 November 2018, https://sdg.iisd.org/news/basic-ministers-call-for-just-transition-new-finance-goal-ahead-of-katowice-climate-change-conference (accessed 25 June 2019).

Africa going forward, its future is not clear, given the political changes taking place in some of its member countries, in particular Brazil.

5 Increasingly uncertain global politics

The voice of the developed world is being fragmented by changes taking place in some of its major powers. The election of Donald Trump as president of the US is one example, Brexit is another. In respect to the US, trade wars with China and the European Union (EU), its relationships with Russia and North Korea, the moving of the US embassy in Israel to Jerusalem, its withdrawal from the nuclear agreement with Iran, are just some examples of decisions that are shaking up the global order. The US is also challenging the legitimacy of institutions and instruments responsible for maintaining that particular order. For example, Trump threatened to leave the World Trade Organisation (WTO) when it did not agree that the retaliatory tariffs[75] imposed by the EU, China, Canada and Mexico on US goods circumvented WTO rules.[76]

Similarly, the United Kingdom's decision to leave the EU is changing the political landscape of the EU, as is the election of more and more right-wing conservative governments in Europe. What these examples alone illustrate is that the politics of the developed world is shifting. The rise of China is also reshaping global power relations. How all of this plays out is yet to be seen, but what it suggests is that, at least in the near future, global politics will become increasingly uncertain.

In the climate change space, the election of a climate denialist as president of the second largest GHG emitter in the world – the US – as well as its declaration of its intention to leave the Paris Agreement (PA) also puts pressure on the UNFCCC system. While other countries have expressed their commitment to remain in the PA, as MIT professor John Sterman noted '(t)hat's the official story, and that's good. But I don't think there's any doubt that behind the scenes, if the US is not going to follow through, other nations are finding it harder to maintain their commitments in view of domestic political pressures'.[77]

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75 In response to Trump raising import tariffs on steel and aluminium.

76 Helmore E, 'Trump: US will quit World Trade Organization unless it "shapes up"', *The Guardian*, 31 August 2018, https://www.theguardian.com/us-news/2018/aug/30/trump-world-trade-organization-tariffs-stock-market (accessed 23 June 2019).

77 Mooney C, 'Trump withdrew from the Paris climate deal a year ago. Here's what has changed', *The Washington Post*, 1 June 2018, https://www.washingtonpost.com/news/energy-environment/wp/2018/06/01/trump-withdrew-from-the-paris-climate-plan-a-year-ago-heres-what-has-changed/?noredirect=on&utm_term=.20fc3bfcb072 (accessed 23 June 2019).

At the 2018 COP24 in Katowice, the US, Saudi Arabia, Russia and Kuwait rejected a motion brought forward to 'welcome' a report by the UN Intergovernmental Panel on Climate Change that lays out the devastating impact that a 1.5 degree centrigrade increase in average global temperature will have.[78] They argued that the report should only be noted, in essence giving them the ability to ignore its findings. As no consensus could be reached, the motion was eventually withdrawn.[79]

The election of far-right candidate Jair Bolsonaro as president of Brazil also raises questions about Brazil's future positioning on climate change and what this will mean for the BASIC bloc in particular. Bolsonaro, who became president in January 2019, has suggested that Brazil may pull out of the PA. He also withdrew Brazil's offer to host the UN Climate Summit in 2019[80] and appointed Ricardo de Aquino Salles as Minister of Environment, a man with a very checkered history when it comes to environmental protection.[81] The strength of South Africa's alliance with China is also not certain. While these two countries have continued to nurture their bilateral relationship, as Ha-Joon Chang argues, as China moves up the development ladder, its positions begin to change.[82] This has become evident at the WTO where China is now increasingly becoming the enforcer of rules it once contested.

In essence, changes in the developed world are creating uncertainty about the ability of the UNFCCC to make any meaningful progress. Changes within the developing world, and in particular Brazilian domestic politics raises questions about the strength of some of the powerful climate blocs to which South Africa belongs. How this will play out remains unknown. The question for South Africa is, given this uncertainty,

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78 Harvey F, 'What was agreed at COP24 in Poland and why did it take so long?', *The Guardian*, 16 December, 2018, https://www.theguardian.com/environment/2018/dec/16/what-was-agreed-at-cop24-in-poland-and-why-did-it-take-so-long (accessed 23 June 2019); Watts J & B Doherty, 'US and Russia ally with Saudi Arabia to water down climate pledge', *The Guardian*, 9 December 2018, https://www.theguardian.com/environment/2018/dec/09/us-russia-ally-saudi-arabia-water-down-climate-pledges-un (accessed 23 June 2019).

79 *VOA News*, 'US, Russia, Saudi Arabia, Kuwait have not endorsed a key study on global warming', 10 December 2018, https://www.voanews.com/a/poland-climate-conference/4693805.html (accessed 23 June 2019).

80 Maisonnava F, 'Brazil to review Paris Agreement Status, says Bolsonaro environment minister', *Climate Home News*, 9 December 2018, http://www.climatechangenews.com/2018/12/09/brazil-review-paris-agreement-status-says-bolsonaro-environment-minister-pick/ (accessed 23 June 2019).

81 As secretary of environment for Sao Paulo (2016–2017), Salles authorised industrial activity in a preserved area, arguing that the preservation had been purely ideological. Salles has been indicted for this decision and is currently awaiting trial (Maisonnava F, *op. cit*.).

82 See Chang H-J, *Kicking Away the Ladder: Development Strategy in Historical Context*. London: Anthem, 2002.

how should it be positioning itself in the international climate change landscape and in response to the shifting geopolitics and what can it do at a domestic level irrespective of these changes. The following section will explore some potential options in this regard.

6 Looking forward

In the context of increasing global uncertainty, the one thing South Africa does know for certain is that climate change will undermine many of its development gains and impede its ability to achieve its development objectives. It is also evident that the world is not moving fast enough to mitigate some of the worst impacts climate change is expected to have. The refusal by some countries to 'welcome' the IPCC report on a 1.5 degree centigrade increase[83] suggests that debates that had seemingly been put to rest about the credibility of climate science will likely be reopened in the future as a stalling mechanism by powerful interests. The possibility of achieving, at the very least, a 2 degree centigrade average increase seems far less certain.

Given our vulnerability as a country, South Africa therefore needs, as a matter of urgency, to prioritise adaptation at the domestic level. It also needs to prioritise adaptation at the regional level, with the same degree of urgency, given that our adaptive capacity as a country is so intricately tied to those of our neighbours.

Domestically, there are a number of low hanging fruit. First, much work has been done on adaptation by government, business, labour, civil society, academia and local communities all over the country. The draft National Climate Change Adaptation Strategy consolidates many of these pockets of work into a coordinated country-wide strategy. However, it remains a draft. As such, it does not carry the weight necessary to prioritise adaptation with the degree of urgency required. Passing it into legislation could go a long way in elevating adaptation as a national priority.

Second, a lot of work has been done to identify areas of high ecological value in South Africa. It is common cause that these areas play a critical role not only in the provision of key resources, like water, but also in ensuring our adaptive capacity. Providing these areas with adequate protection, especially from mining interests, is straightforward. The legislative framework exists, it is simply a matter of respecting and enforcing it.

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83 Harvey F, *op. cit.*; Watts J & B Doherty, *op. cit*.

Third, adaptation needs to be understood and accepted as a priority by all government departments. The example of the Department of Mineral Resources discussed above, clearly illustrates that it is not. Climate change concerns are often pitted as 'anti-development'. Moving past this false 'environment or development' dichotomy is critical. Adaptation needs to be understood as key to achieving inclusive and sustainable development in South Africa. Moving adaptation to the office of the presidency, with technical support from the DEA would be one way of elevating adaptation as a national priority.

Fourth, building resilience requires money. While financial support for adaptation projects in South Africa does exist in the form of donor funding and private sector support, driving adaptation will place a burden on the fiscus. However, South Africa is well positioned to leverage additional funding streams. Its role in the establishment on the Green Climate Fund (GCF), for example, puts it in a positive position to attract some additional global funds to support mitigation and adaptation programmes.[84]

At the regional level, South Africa needs to drive adaptation in the Southern African Development Community (SADC). South Africa has significant soft power influence compared to other African countries. It needs to play a stronger coordinating role on behalf of the African continent and SADC in particular and continue to use its influence in the BASIC, G77 and G20 to mobilise international resources to support adaptation initiatives in the region and on the continent.

At the UNFCCC, South Africa needs to continue to push the international community to prioritise adaptation and to push the developed world to meet their commitments to support the developing world financially, technically and in terms of capacity building. To this end, it may want to look at pulling in other powerful partners who might be willing to push this agenda, while continuing to advocate for this in its existing climate blocs.

South Africa has a number of mitigation options. First, it could simply choose not to mitigate. It could decide that given the current uncertainty surrounding the UNFCCC process, it should simply exploit as much of its coal resources as possible while it can. There are a number of risks associated with this strategy. First, in developing its coal resources, South Africa will be undermining its adaptive capacity. Our history of coal mining and coal power in South Africa has given us first-hand experience with how environmentally and socially damaging these particular industries are. Second, South Africa runs the risk of losing credibility at the

84 The South African National Biodiversity Institute (SANBI) is the national focal point for GCF and other adaptation funds.

UNFCCC, particularly among other developing countries. Third, given South Africa's dependence on the Minerals-Energy Complex, moving out of coal at a later stage, having invested even more in its development in the short term, will be even more difficult.

Another option is for South Africa to actively pursue a strong mitigation strategy and position itself as a climate change champion. It could choose to begin the transition away from coal immediately, shifting its short-term strategy in favour of renewable energy development, manufacturing and deployment. At the international level, given the leadership gap being created by the global political uncertainty, South Africa could use this new domestic approach to position itself as a climate change leader at the UNFCCC.

There are a number of risks associated with this approach too. First, constraints at the domestic level make it difficult to radically change our mitigation policy so quickly. Second, South Africa would need to mobilise resources to pursue this. It does have a successful precedent in this regard, in the form of the REIPPPP, but this model is subject to critique by a number of powerful groups (for example some in labour) who are opposed to the privatisation of electricity in South Africa. Becoming a climate change champion and closing the leadership gap at the international level is also not so straightforward. While South Africa is a powerful voice in the climate change landscape, it is certainly not as powerful as countries such as the US and China. Its ability to push its agenda ultimately depends on how much pushback it gets from these countries and not on how much it contributes to climate change mitigation.

However, as the post-1994 period shows South Africa was able to demonstrate the influential use of soft power and leadership in the climate space because it enjoyed the moral high-ground and moved rapidly to integrate the global climate policy regime within the national policy framework. The passing of the Carbon Tax Act in 2019 continues to demonstrate South Africa's commitment to implement climate change policy and lower its dependence on coal despite resistance from the coal industry. In the Ramaphosa era the pursuit of climate policy is also an opportunity to attract significant climate finance to support the process of restructuring of Eskom and boost the adoption of further rounds of renewables at utility-scale.

Finally, South Africa could also choose to follow a more middle ground in terms of mitigation (as it has been doing) by continuing to rely on coal while deploying some additional renewable energy capacity over time. There are risks associated with this too. First, as outlined above, South Africa as a high-emitting developing country is under the spotlight at the UNFCCC. It is also not certain what the future of the BASIC

alliance (that protects this interest for South Africa) will be going forward. Second, South Africa runs the risk of missing the opportunity to tap into the renewable energy market. That cleaner energy sources are the future is effectively a given. How quickly they will be deployed is the question. South Africa therefore needs to begin positioning itself for this future. If it follows the middle ground option and implements the transition slowly it stands the risk of missing the opportunity.

7 Conclusion: There is hope at the end of the tunnel

International climate negotiations provide South Africa with a foreign policy tool with which to pursue enlightened – even if it is self-interested – leadership globally and on the continent. This is particularly true in the current context of increased geopolitical tension, weakening global institutions and an increasingly weakened UNFCCC. While there is a push by powerful interests to ignore the climate change crisis facing the world, it is not simply going to disappear without urgent and collective intervention by the global community. Climate change will continue to be a pervasive issue affecting all economies, impacting national security and driving new forms of conflict and migration. Adapting for this reality is critical. This uncertainty does not need to result in retraction by countries like South Africa. Instead, it should inspire new ambition and innovation and push South Africa to explore how it can leverage its vast soft power influence to inject new dynamism into the climate negotiations.