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COP 28 IN THE UNITED ARAB EMIRATES: THE OUTCOME Part 2

Climate finance remains a major challenge and as many analysts have stated we are at a stage where our demands cannot be in "millions", but "billions" given the scope of the problem. Climate justice, however, demands that while all countries must be ambitious in their climate efforts the major responsibility remains with the developed world. In the Paris Agreement this principle has been captured in "common but differentiated responsibility".

In the last days of COP28 the President presented a draft Final Text to the Conference. The text was widely and vigorously rejected by several delegations since it presented weak language on the phase-out or phase-down of fossil fuels. The President was under tremendous pressure and a round of intense negotiations was conducted to produce a new final text. It was suggested by observers that the oil and gas interests may have had a hand in the crafting of the first draft.

On the morning of 13 December 2023, the President presented an amended text which was adopted at the Closing Ceremony. The outcome document mentions the "Transitioning away from fossil fuels in energy systems, in a just and equitable manner...".

The "transitioning away from fossil fuels" has been recognized by many as a historic accomplishment. Some have been even so bold as to indicate that this signals the end of the fossil fuel era. Many developing countries, particularly Small Island Developing States, have not received the language with the same enthusiasm. While the language signals a movement in the right direction, it does not give clear timelines, and is weak on coal and methane emissions. The language also seems to create a loophole for natural gas as a transitional fuel. The decision has been described in some quarters as containing "a litany of loopholes".

On the sidelines of COP28 there were some important meetings. The Conference hosted the first ever Health Day which called for health to be prioritized amid climate negotiations. One hundred and twenty-three (123) countries signed the COP28 UAE Declaration on Climate and Health. The Declaration called on governments to prepare healthcare systems to cope with climate-related impacts such as extreme heat, air pollution and infectious diseases. In similar vein, one hundred and fifty-nine (159) countries signed a Declaration on Sustainable Agriculture, Resilient Food Systems, and Climate Action to respond to the imperatives of climate change.

COP28 did not disappoint in that it had some high points and some low points. Finance for climate action remains a major challenge in all efforts. The UAE President has proudly announced that some US \$57 billion has been mobilized to support priorities across the global climate agenda. This is certainly an encouraging development. We must face the reality, nevertheless, that pledges are not resources in the bank. Over the course of the year, we will have to see if these pledges are honoured.

The next Conference of Parties (COP29) will be held in Azerbaijan in 2024. It is to be noted that Azerbaijan is a major oil and gas producer. This, of course, is not a reason to disqualify that state. Brazil has indicated its willingness to host COP30.

Some commentators have called for a reform of the COP process under the UNFCCC. This is a reaction borne largely from frustration and the slow progress of the process. While there is a need for movement from rhetoric to action, the COP process presents, thus far, the only opportunity where small island developing countries (SIDS) on the frontline of the climate crisis can sit face to face with the major emitters and have a discussion and negotiation. There is a need, of course, for more focused work on all levels between the annual conferences to ensure better outcomes. There is a need also for grassroot organizations, non-governmental organizations, youth organizations, and other civil society organizations in developed and developing countries to weigh in and to encourage their governments to take bold actions to keep 1.5 degrees alive.

Roads now lead to Azerbaijan, and then on to Brazil in 2025. The last year which was the hottest on record with accompanying catastrophic floods, fires, heat waves, and droughts should sound a warning and call to action of the global community. The planet is crying out to us. Let us hope we are listening.

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