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OVERVIEW

Negotiations of the fifteenth Conference of the Parties (COP15) in Copenhagen fulfilled neither the aspirations of the Bali Road Map¹, which called for completion of a binding global agreement on emissions reductions, nor the complete breakdown that appeared almost certain as late as the evening of the final day of the conference. Instead, an interim Copenhagen Accord was produced that moves forward on a number of key issues. This memo summarizes negotiations at COP15, the Copenhagen Accord itself, and looks at the road ahead.

Negotiations at COP15

While the goal of completing a binding agreement addressing climate change at COP15 was taken off the table months before the conference began², production of even a modest political agreement serving as a stepping stone to a future, comprehensive agreement, looked unlikely as the conference neared its end. Negotiators found themselves principally deadlocked around the issue of transparency, or monitoring, reporting and verification (MRV), as well as global targets for emission reductions³. A December 17 announcement by Secretary of State Hillary Clinton, of a plan to mobilize $100 billion in aid from industrialized nations to poorer nations for climate action, helped keep G-77 nations at the negotiating table, but by all accounts, negotiations where at a standstill when President Obama arrived on the last day of the conference.

In a dramatic and unprecedented series of high-level negotiations, President Obama met directly with the leaders of four large developing-country emitters: Brazil, China, South Africa and India, to see if some last minute movement was possible. A compromise was reached between the US and China on the issue of MRV, to which India agreed to sign on, and earlier draft language calling for a 2010 deadline for completion of a binding treaty and a global emissions reduction target of 50 percent by 2050, was dropped.

The resulting document, The Copenhagen Accord, was not formally adopted by all 193 countries that signed the original 1992 UNFCCC, due to strident opposition from a group of countries including Venezuela, Bolivia, Cuba, Nicaragua and Sudan. Instead, the talks concluded with an agreement to ‘take note’ of the Accord.

The Copenhagen Accord

The Accord itself is a three-page document addressing six key issues:

1. **Differentiated Responsibilities** – Signatories affirm that “climate change is one of the greatest challenges of our time,” and emphasize their will to “urgently combat climate change in accordance with the principle of common but differentiated responsibilities and respective capabilities.”
   - Common but differentiated responsibilities is a key component of the 1997 Kyoto Protocol, and one that developing countries fought hard to retain.

2. **Temperature Rise** – Increase in global temperature should be limited to less than two degrees Celsius.

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¹ The *Bali Road Map* was adopted by COP13 participating nations, laying out a two-year process to finalize a binding agreement at COP15 that reduces global greenhouse gas emissions. It includes continuing negotiations under the Kyoto Protocol, launch of the Adaptation Fund, long-term emission reduction goals, technology transfer, REDD+, and financing for mitigation and adaptation.

² *Officials Downgrade Copenhagen’s Mission*, NY Times, Andy Revkin, Nov 16, 2009

• Small island nations had pressed for a 1.5 degree target.

3. **Emissions Reductions** – Both developed (Annex I) and developing (non-Annex I) countries commit to emissions reductions (jointly in the case of the EU). Least developed countries and small island states may undertake voluntary actions based on the level of support received. Both Annex I and non-Annex I parties submit pledges by January 31, 2010, which are recorded on separate appendices.

• The distinction between developed and developing countries pledges is relevant in light of the differing monitoring requirements each group is subject to (see below).

4. **Monitoring and Verification** – Emissions reductions by Annex I parties will be measured, reported and verified in accordance to rigorous and transparent guidelines to be established. Non-Annex I parties commit to domestic MRV, with “provisions for international consultations and analysis” under rules that “will ensure that national sovereignty is respected.”

• MRV was one of the most fiercely contested issues at COP15, particularly between the US and China delegations, and the resulting compromise likely allows both leaders to portray the Accord as a partial victory.

5. **Aid to Poor Countries** – Developed countries agree to provide “adequate, predictable and sustainable” resources for mitigation, adaptation and reduction of emissions from deforestation and degradation (REDD+). Developed countries set goal to raise $100 billion per year in financing by 2020, and $30 billion commitment for 2010-2012 period. Short-term funding will be “balanced between adaptation and mitigation,” with adaptation funding prioritized for the most vulnerable developing countries. Institutional oversight of multilateral adaptation funding will provide for “equal representation of developed and developing countries.”

• While less than initial demands, which called for up to $400 billion in short-term funding, African Union leaders accepted these amounts.

• Text anticipates funding will come from both private and public sources.

6. **Forests** – Signatories recognize the “crucial” need to reduce emissions from forests, and agree to “the immediate establishment of a mechanism including REDD+, to enable the mobilization of financial resources from developed countries.”

• The widely anticipated agreement to move forward on incentive structures enabling REDD+ is perhaps the least contentious item in the Accord, and addresses a major deficiency in the Kyoto Protocol.

The Accord is equally significant for what it lacks:

• Legally binding requirements to uphold the Accord.

• A date for completion of a binding agreement, or process to achieve one.

• Global emission targets for 2020 or 2050 (though individual country pledges are due Jan 31, 2010).

• Specific rules and procedures for MRV.

**The Road Ahead**

In light of the enormous challenges inherent in working through the UN process, observers both inside and outside of government have suggested alternative venues through which to forge international climate policy. Top candidates include the Major Economies Forum on Energy and Climate Change (MEF), a grouping of sixteen nations and the EU, which together account for some 90 percent of global emissions. Other possible approaches include bilateral agreements, the Group of 20, or regional agreements. On the other hand, agreements forged outside the UN process, because they exclude many countries who stand to suffer the most under climate change, may lack legitimacy.
In a recent summary\textsuperscript{4} of COP15, Harvard economist Robert Stavins calls for revisiting the distinction between Annex I and non-Annex I countries established in the Kyoto Protocol, characterizing it as the “greatest impediment to developing a meaningful international agreement.” He notes that more than 60 non-Annex I countries now have greater per capita income than the poorest Annex I countries. Barring a system where country commitments are subject to a more continuous spectrum of climate commitments, dependent on individual circumstance, Stavins calls for a mechanism allowing for countries to transition from one grouping to the other when appropriate.

Perhaps the most interesting development to emerge from Copenhagen, one that NYTimes writer Anad Giridharadas considers in a December 19 article\textsuperscript{5}, can be seen in China and India’s willingness to break ranks with other developing countries. By virtue of their size and aggregate wealth, both countries are major world powers, and essential players in any successful attempt to mitigate climate change. At the same time, income on a per capita basis in both countries is still far behind the other major Western powers. As Giridharadas notes, China and India account for “$11.3 trillion worth of power being steered, if you divide income by population, by a $4,500-a-year mentality.” If efforts to forge a binding global agreement on climate change are to prove successful, they will likely need to find some way of accommodating China and India’s new and unprecedented role on the world stage – a role apart from those of other developed or developing countries.


\textsuperscript{5} For India And China, A Climate Clash With Their Own Destiny, NY Times, Anand Giridharadas, Dec 19, 2009