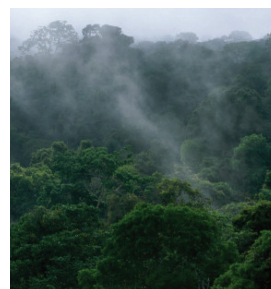




FINAL DRAFT

# THE OUTCOMES OF COPENHAGEN

## The Negotiations & The Accord



**UNDP ENVIRONMENT & ENERGY GROUP CLIMATE POLICY SERIES**

FEBRUARY 2010

## **Capacity development for policy makers: addressing climate change in key sectors**

The UNDP Environment & Energy Group project, *“Capacity development for policy makers to address climate change”*, seeks to strengthen the national capacity of developing countries to develop policy options for addressing climate change across different sectors and economic activities. The overall goals of the project are twofold:

- To increase national capacity to co-ordinate Ministerial views and participate in the processes of the United Nations Framework Convention on Climate Change (UNFCCC), particularly in the context of the Bali Action Plan;
- To assess investment and financial flows to address climate change for selected key sectors and enhance sectoral planning capacity to address climate change.

In support of the first goal, UNDP has produced a series of briefing documents on the negotiations. These include:

- *The Bali Road Map: Key Issues Under Negotiation, October 2008*
- *Financing under the Bali Road Map: Designing, Governing, and Delivering Funds, July 2009*
- *Nationally Appropriate Mitigation Actions: Key Issues Under Negotiation, August 2009*

The purpose of this paper is to evaluate the substantive results of the Copenhagen Conference, including the status of the negotiations on the key issues under the formal negotiating tracks and the provisions of the Copenhagen Accord, and to draw implications for implementation of actions in developing countries.. **It is important to note that the analysis in this paper is based upon the UNFCCC negotiating texts as they stand in February 2010. Discussions of many of the terms used in this paper are still going on within the context of the negotiations; therefore the use of some terms is speculative. Also, the positions of Parties may have changed since this paper was prepared in August 2009. While the author believes that she have accurately portrayed the positions of Parties, not all the nuances intended by Parties may have been captured.**

### **Acknowledgements**

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### **Disclaimer**

The views expressed in this publication are those of the author(s) and do not necessarily represent those of the United Nations, including UNDP, or their Member States.

# **THE OUTCOMES OF COPENHAGEN: THE NEGOTIATIONS & THE ACCORD**

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### List of Acronyms

|           |  |
|-----------|--|
| AOSIS     | Alliance of Small Island States  |
| AWG-KP    | Ad-Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol |
| AWG-LCA   | Ad-Hoc Working Group on Long-term Cooperative Action under the Convention                |
| BAP       | Bali Action Plan   |
| BAU       | Business as Usual  |
| CA        | Copenhagen Accord  |
| CDM       | Clean Development Mechanism  |
| CMP       | Conference of the Parties serving as the Meeting of the Parties                          |
| COP       | Conference of the Parties  |
| EU        | European Union   |
| G-20      | Group of Twenty  |
| G-8       | Group of Eight   |
| GEF       | Global Environment Facility  |
| GHG       | Greenhouse Gas   |
| IPCC      | Intergovernmental Panel on Climate Change  |
| IPCC FAR  | IPCC Fourth Assessment Report  |
| IPRs      | Intellectual Property Rights   |
| LDCs      | Least Developed Countries  |
| LULUCF    | Land Use, Land-Use Change and Forestry   |
| MRV       | Measurement, Reporting and Verification  |
| NAMAs     | Nationally Appropriate Mitigation Actions  |
| ODA       | Official Development Assistance  |
| REDD-plus | Reduced Emissions from Deforestation and Forest Degradation plus Conservation            |
| SBSTA     | Subsidiary Body for Scientific and Technological Advice                                  |
| SIDS      | Small Island Developing States   |
| UNDP      | United Nations Development Programme   |
| UNFCCC    | United Nations Framework Convention on Climate Change                                    |

## 1. INTRODUCTION

Over the past two years the international negotiations on climate change have focused on negotiating a comprehensive framework for enhanced action on climate change. These negotiations, progressing along the two tracks, one under the Kyoto Protocol and another under the United Nations Framework Convention on Climate Change (UNFCCC), were expected to deliver an agreed outcome outlining the main elements of the future framework at the UNFCCC climate change conference in Copenhagen in December 2009.

In Copenhagen both negotiating tracks presented unfinished negotiating texts to the Conference of the Parties of the UNFCCC (COP) and to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), which serve as the governing bodies of the Convention and the Kyoto Protocol respectively. Some further work was undertaken and progress achieved in the technical negotiations under the COP, which is reflected in the revised text issued after Copenhagen.<sup>1</sup> However it was not possible to finalise the technical negotiations and to adopt formal decisions.

In a parallel setting in Copenhagen, a group of Heads of States representing the major emitting countries and main negotiating groups negotiated the “Copenhagen Accord”<sup>2</sup>, which outlined the main elements of the future framework and committed a significant amount of finance from developed countries to assist developing countries in combating climate change. The Accord however was not formally adopted at the closing plenary by the COP and CMP, but “taken note of”, which left it at the level of a political declaration rather than a formal decision under the United Nations.

The Copenhagen conference fell short of the high expectations to deliver a UN-level agreement on a future international framework on climate change. However, the results that have been achieved should also not be underestimated. Even though the Copenhagen Accord was

not formally adopted by all Parties, it reflects a political consensus – even if fragile – on the main elements of the future framework among the major emitters and representatives of the main negotiating groups,<sup>3</sup> reached at the level of Heads of State – an unprecedented development in international climate change processes to date. Moreover important progress was also made on several issues in the formal technical negotiations under the Convention.

While some uncertainty over how the Copenhagen Accord fits into the multilateral negotiations under the UNFCCC process remains, the negotiations scheduled to reconvene in April 2010 may take into account the guidance provided by the political leaders through the Copenhagen Accord.

The purpose of this paper is to evaluate the substantive results of the Copenhagen conference, including the status of the negotiations on the key issues under the formal negotiating tracks and the provisions of the Copenhagen Accord, and to draw implications for implementation of actions in developing countries.

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<sup>1</sup> FCCC/CP/2010/2: Work undertaken by the Conference of the Parties at its fifteenth session on the basis of the report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention.

<sup>2</sup> [http://unfccc.int/files/meetings/cop\\_15/application/pdf/cop15\\_cph\\_auv.pdf](http://unfccc.int/files/meetings/cop_15/application/pdf/cop15_cph_auv.pdf)

<sup>3</sup> There are several negotiating groups in the UNFCCC process including, among others, the Group 77 and China (includes most developing countries), Umbrella Group (includes US, Australia, Canada, Russia, Japan, New Zealand, Ukraine, and Kazakhstan), Alliance of Small Island States (AOSIS), and Least Developed Countries (LDC) group.

## 2. THE BALI ROAD MAP AND OUTCOMES OF COPENHAGEN

### *The Bali Road Map: Background*

The international negotiations on future action on climate change so far have proceeded along a “two-track” approach: the first track was launched in 2005 and the second in 2007.

The first track deals with the commitments for the industrialised countries (Annex I Parties) under the Kyoto Protocol for the period beyond 2012 when the first period of emission reduction commitments (2008-2012) expires. It deals in particular with emission reduction targets and means of implementation. These negotiations were launched in December 2005 at the first session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 1) in Montreal. The work is being carried out under a specially established subsidiary body – the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP).

The second negotiating track was launched under the Convention two years later in December 2007. The Conference of the Parties at its thirteenth session (COP 13) held in Bali adopted the Bali Action Plan.<sup>4</sup> It launched “a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012, in order to reach an agreed outcome and adopt a decision at its fifteenth session in Copenhagen in December 2009”. The Bali Action Plan identified four main building blocks for enhancing action on climate change:

particular in relation to mitigation. As the AWG-KP is discussing the next round of commitments for industrialised countries that are Parties to the Kyoto Protocol, the AWG-LCA, in addition to other issues, is looking at commitments for developed countries that are not Party to the Kyoto Protocol. Moreover the discussions on mitigation actions by developing countries under the AWG-LCA are politically linked to progress in relation to commitments by developed countries. Similarly the discussions on shared vision and long-term goal for emission reduction in the AWG-LCA are of direct relevance to the debate in the AWG-KP. Both bodies also look at the different tools to reach emission reduction targets and ways to enhance cost-effectiveness of mitigation, including through market-based approaches. In addition, negotiations are underway that are related to the future policy architecture under the two Subsidiary Bodies of the UNFCCC (i.e., negotiations on the methodological issues related to reducing emissions from deforestation and technology transfer, to mention two).

In addition to the Bali Action Plan, the Bali Conference in 2007 adopted a number of other decisions related to the future framework. A package of forward-looking decisions representing both negotiating tracks under the Convention and the Protocol that was adopted at the Bali Conference was labelled as “the Bali Road Map”.<sup>5</sup> The Bali Road Map launched an intensive two-year process of negotiations on an enhanced future climate change regime, which was to culminate in December 2009 at the climate change conference in Copenhagen.

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