



THE COPENHAGEN ACCORD – WHERE NOW FOR CLIMATE CHANGE?

January 2010

Representatives of over 190 countries attended the UN Framework Convention on Climate Change (UNFCCC) 15th annual Conference of the Parties (COP15) at Copenhagen from 8-18 December 2009. In 2007 member countries of the UNFCCC agreed to the 'Bali Road Map', a document setting out a two year negotiating process that culminated at Copenhagen with the aim of creating a legally binding agreement to succeed the current Kyoto Protocol. After two long years of negotiations and despite the unprecedented presence of 110 world leaders, the final day of the Conference saw a desperate scramble to try and salvage some sort of deal. At the last-minute, a political agreement entitled the 'Copenhagen Accord' was drawn up by the US, China, South Africa and Brazil and accepted by the Conference of Parties on 19 December.

Does the Copenhagen Accord represent a failure?

The Accord certainly represents a failure to deliver the legally binding agreement envisaged under the Bali Road Map. However, a lot can change in two years and to anyone that has followed the course of climate change negotiations since Bali, the Accord will not come as too great a surprise. Well before COP15 it was becoming clear that the negotiations were desperately slow and there was not enough common ground between developed and developing nations to deliver a legally binding agreement. Negotiators realised that Copenhagen was far more likely to deliver a political 'accord' that would then provide the framework upon which a legal deal could be subsequently hammered out in 2010. The Accord therefore represents a partial satisfaction of these modified expectations, though its content is certainly not as comprehensive as some had hoped.

The status of the Copenhagen Accord

The Conference of Parties decided to 'take note of' the Accord. This gives the Accord some legal status under the UNFCCC without implying unanimous approval (five countries – Venezuela, Bolivia, Cuba, Sudan and Nicaragua – rejected the Accord outright). Countries will not be obliged to sign it and by doing so they are merely showing that they support continued negotiations towards a legally binding agreement based on its content. Despite initial protests, it is expected that the vast majority of countries will sign.

Key elements of the Copenhagen Accord

The Accord seeks to address the three fundamental issues in the climate change debate: The appropriate limit on temperature rise; the emissions cuts developed countries should commit to and the controlling measures on the emissions of major developing countries such as China and India; and the sums of money developed countries should provide to poorer countries to help them adapt to, and mitigate, the effects of climate change in both the short and long-term.

2 0C not 1.5 0C

The Accord sets an agreement to prevent global temperatures from rising by more than 2⁰C (the figure stated by the Intergovernmental Panel on Climate Change as being the crucial threshold above which global temperatures should not be allowed to rise). This is a particular disappointment for NGOs and developing countries who favoured a 1.5⁰C limit.

Emissions Cuts

On a global level the Accord provides that countries will make efforts to cooperate in achieving

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the peaking of global and national emissions "as soon as possible" which will please developing countries who do not want to prejudice their economic growth.

The Accord will commit developed (Annex I) countries to submit emissions cuts pledges for the period to 2020 to the UN Secretariat by 31 January 2010. For the EU this is likely to mean 20% cuts on 1990 levels, for the US 17% on 2005 levels and for Japan 25% on 1990 levels. Developing (non-Annex I) countries are committed to submit 'mitigation actions' to the same timeline. The phrase is vaguely defined but, in the case of India and China, this will presumably mean implementing the 'carbon-intensity' targets (% reductions in emissions per unit of GDP) they revealed before Copenhagen. Importantly, the Accord contains no long term emission reduction targets by developed Annex 1 countries.

Annex 1 countries are committed to a system of international verification to monitor progress towards emissions reduction targets, but Non-Annex 1 countries, like China, will not be subject to such a high-level of international scrutiny. This issue of 'transparency' was particularly hard fought over, with developed countries keen to ensure that China in particular would honour its commitments.

Climate Finance

In the short-term the Accord commits developed countries to provide \$30 billion in climate funding per year between now and 2012, subject to a balanced allocation between adaption and mitigation. Adaption funding will be prioritised towards the most vulnerable and least developed countries such as the small island states and Africa.

In the long-term the Accord sees developed countries agreeing to provide \$100 billion annually by 2020, but the mechanics of how this fund will be compiled lacks certainty beyond acknowledging that funding will come from a variety of public and private sources.

A legal agreement on Climate Change in 2010?

Before Copenhagen a lot of discussion about the desired content of a political agreement focused on the need for it to include a timeline by which countries could subsequently reach a legally binding agreement – essential in order to ensure that the pressure was kept up on negotiators and that the ultimate goal of the Bali Road Map be achieved. It was expected that the most likely long-stop date for this purpose would be COP16 in Mexico at the end of 2010. The Accord, however, contains no mention of timelines or deadlines at all. Despite this there is no doubt that negotiators will strive to turn the Accord into something legally binding in 2010.

Conclusions

Although it is undoubtable that the Accord is better than no deal at all, disappointment with the Accord is clearly evident. The Accord does not represent the comprehensive political agreement that it was hoped would be the end-product of the Conference and omits details of long term cuts, finance and timelines. Rather than marking the triumphant end of a long and difficult two year road, Copenhagen has clearly marked the beginning of much more work to come.

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