

Reflections from Copenhagen: The Accord and the Way Forward

di Jennifer Morgan

29 dicembre 2009

The Copenhagen meeting broke new ground in a number of rather historic ways. Never before have heads of state from nations in Asia, Latin America, Africa and North America negotiated an agreement, let alone one so complex as this. Although not specifically planned, it became clear when leaders arrived that their negotiators had been unable to outline even the key choices they needed to make, forcing heads to either engage in a much more detailed fashion than expected or accept no outcome. Luckily they decided on the former, wrenching the decision away from a rather dysfunctional global diplomatic establishment which was unable to come to closure on any of the core issues.

The result of this engagement was an agreement that looks very different than what has come before. The world has shifted from a period in which a limited set of countries were taking limited actions without a stated long-term goal under a Protocol which had some good provisions but also a number of flaws, to a period in which almost all nations are committed to actions that are hopefully significant, with an explicit goal, under an Accord which right now leaves many many questions unresolved. This shift, along with the uncertainty of what it really means, has resulted in many governments and observer commentaries about the turn of events towards the end of the meeting. This piece focuses on what was agreed.

Prior to the Copenhagen meeting, WRI published a working paper which outlined three main areas where agreement was needed in order to judge the meeting a success: a solid foundation, the big picture (targets and actions) and support for developing countries.

In assessing the result of the meeting, the Copenhagen Accord (Accord) is a bit of a mixed result, one that is more or less encouraging depending on the expectations going into the meeting.

Reporting and Review

On the positive side, the Accord creates a system whereby every major economy must report and have internationally reviewed its emissions and national plans at least every other year. This new system of “measuring, reporting and verifying” was one of the core wins for the United States, which was operating under strong insistence from the US Senate that such a system be created. Those commitments, either in the form of economy-wide emission reduction targets for industrialized countries or nationally appropriate mitigation actions for developing countries will be written into the Copenhagen Accord, thus internationalizing national policies and measures so that there can be an international review of the implementation and effectiveness of such policies.

Clarity is needed on how to turn the short sentences of the Accord into operating mechanisms.

Committing to Targets

This “writing in”, “pledging” or “committing” of targets and actions into two appendices (one for developed and one for developing countries) has friends and foes as well. Friends of this concept cite the greater likelihood that such “internationalized” national commitments will be implemented and welcome a new reality check on internationally negotiated commitments. Foes note that there is no “negotiating up” of such national commitments towards a global goal. Targets and actions are no

longer negotiated but merely pledged, thus removing one of the main “value adds” of an international agreement, and would be completely dependent on national political circumstances.

The first test of this new approach is whether countries put forward ambitious targets and actions by January 31, 2010 as the Accord requires. Thus, only in February will the international community be able to judge whether countries are taking the Accord seriously and willing to go further than originally planned. This is perhaps mostly a question for Europe and Australia, both of which put forward conditional pledges that were never operationalized in Copenhagen. It would certainly build trust and strengthen the Accord significantly if both were to go up to the top of their ranges (i.e. 30% for Europe and 25% for Australia). Equally if not more important in this field of course is that the United States put in place a binding law to reduce emissions in the first half of 2010.

Creating Standards

In addition, there is a provision in the Accord to create rigorous, robust and transparent accounting standards for industrialized country targets. This is a hook to create a consistent set of international standards and norms by which countries set and measure their targets. If put in place it would move the system up from a mere “pledge and review” system to one in which apples can be compared with apples and oranges with oranges. The world will be able to compare country efforts and make judgments of implementation and build a global carbon market. This is therefore a high priority for rulemaking in 2010.

Looking at the Trade-offs

While it clearly is a solid step to get such a system in place, the price was extremely high. In the end there seems to have been a trade-off between creating such a system and agreeing on a set of ambitious emissions reduction targets. Rather than agreeing on a set of aggregate targets for global, industrialized and developing countries to reach in 2020 and 2050, as had long been suggested in the text and supported by many countries, the Accord merely (notes) the long-term goal of keeping global average temperature below 2 degrees C and suggests a full review of the Accord by 2015, keeping the 1.5 degrees C long-term goal in mind.

If Copenhagen is to be judged in the future as any type of success or step forward, the Accord must become the driving force for ambitious actions and support.

Gone are the benchmarks against which to measure whether national targets and actions are strong enough to make a difference in avoiding catastrophic climate change. In addition, such “commitments” are not being placed in a Protocol or other legally binding instrument, but rather in a non-binding Accord. Opinions and analysis vary on how important being internationally binding is for implementation of international commitments. It is clear, however, that when given a choice, legally binding is preferable. However it was not possible yet in Copenhagen. Perhaps if the United States can pass a nationally binding law, developing countries will feel more comfortable signing up to a binding international agreement, perhaps even with some aggregate long-term targets. The level of bindingness on the side of commitments from the United States and the major emerging economies will likely be fundamental in determining whether the Kyoto Protocol moves forward in the post-2012 time period.

Support for Developing Countries

The Accord does include a series of actions to support developing countries. Again, the credibility of the Accord rests on whether these items are quickly operationalized and whether the pledged funds are indeed new and additional or merely recycled support from prior times. One must hope that the \$30 billion of quick start funding ramping up to the \$100 billion of long-term financing is real and will start flowing quite quickly. Indeed, the new multi-lateral funding that is supposed to flow through the Copenhagen Green Climate Fund and the High Level Panel created to study the

contribution of potential sources of revenue are steps in the right direction. They must, however, be the first in a series of steps to deliver quick start and long-term financing. This will certainly be a central ingredient for many developing countries to decide whether to sign up to the new Accord and judge whether Copenhagen made any changes in their worlds or not.

The Accord includes a line that notes “the immediate establishment of a mechanism including REDD-plus, to enable the mobilization of financial resources from developed countries.” It also creates a “Technology cooperation mechanism” and actions new funding for Adaptation. All of these are generally welcome developments, but clarity is needed on how to turn these short sentences of the Accord into operating mechanisms. The decisions that were being negotiated in contact groups were quite far along and should serve as a basis for quick operationalization of these elements of the Accord.

The Future of the UNFCCC

Likely the most important open question is where this new Accord is housed and how it functions. Having been “taken note of” by the Conference of the Parties of the UN Framework Convention on Climate Change, it does have some rightful place under the UNFCCC. However, not all Parties are likely to sign such an Accord. While all but a handful of countries signaled support early on the final morning of Copenhagen, it is still unclear how many will sign up.

The Accord could provide a new forum that represents not just the largest and wealthiest as the G20 and Major Economies Forum (MEF) do. Seeing that most small island developing states (SIDs), Least Developed Countries (LDCs) and African countries indicated support, the Accord could form a new North-South basis for climate cooperation, freed from the blocking tactics of some oil producing nations and single issue countries. If the requirement of consensus voting for every decision means that it remains impossible to get rules of procedure adopted in the UNFCCC, (an item raised by Papua New Guinea the first day of Copenhagen and blocked by Saudi Arabia and others) a new way of working will be necessary.

Indeed if Copenhagen is to be judged in the future as any type of success or step forward, the Accord must become the driving force for ambitious actions and support, a place where the major economies, led by the industrialized countries, demonstrate their seriousness with deep targets and actions while at the same time providing the support needed desperately by the most vulnerable.

Let us hope that the Copenhagen Accord is the basis for such an ambitious coalition, with Step One being strong targets committed by January 31st 2010, Step Two being the passage of a strong climate bill in the United States Senate in the first half of 2010, and the final important Step Three being new and additional quick start and long-term finance. With that basis countries should then be prepared to go the extra step soon – agreeing to a legally binding instrument with strong aggregate targets and timetables. The stakes are too high to stay in the blame game. It is now time to act.