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**International climate policy post-Copenhagen:
Acting now to reinvigorate global action on climate change**

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1. OPEN ISSUES AFTER COPENHAGEN

In Copenhagen there was significant progress in both the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) and the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), in particular on technical issues. A number of questions remain open and further progress can be made at the technical level in addressing these in the context of the political compromises in the Copenhagen Accord, while further streamlining and reducing the number of options. Further political guidance will however be needed early on to resolve a range of outstanding questions.

Three over-arching political questions played an important role in the negotiations leading up to and in Copenhagen but remain unresolved:

- Will the outcome of the AWG-LCA will be legally-binding?
- Will the Kyoto Protocol be amended or extended?
- What should be the relationship of the outcome of the AWG-KP and that of the AWG-LCA?

The following sections outline the state of play of the negotiations under the two negotiating tracks, the AWG-LCA and the AWG-KP, and spell out the possible influence of the Copenhagen Accord provisions. They represent a snapshot of the issues still open after Copenhagen and are provided without prejudice to the EU position on these various issues.

1.1. AWG-LCA – open issues after Copenhagen

1.1.1. Shared vision

- Discussions on long-term quantitative targets for global emissions reduction could not be concluded in Copenhagen – the recognition of the 2°C objective in the Copenhagen Accord may contribute to unlocking them;
- Some progress has been made on the question of which principles to mention in the preamble, but this remains to be concluded;
- Parties also need to conclude their discussion on how periodic reviews of progress would be organised;
- The question of whether to define a long-term goal for financing is still open.

1.1.2. Mitigation in developed countries

As there was no consensus on which text to use as a basis for negotiations, not much progress was made in Copenhagen, and key questions remain open, in particular:

- The legal nature of targets was not specified;

- A collective scale of commitments could not be decided, nor could individual targets. This issue will now be influenced by the pledges proposed by developed countries in the context of the Copenhagen Accord;
- The rules to make the system work (how to account for LULUCF emissions, what role for flexibility mechanisms, what to do with AAU surpluses, what length for commitment periods) could not be addressed;

1.1.3. MRV (Measurement, Reporting and Verification) of developed countries' reductions

- As foreseen in the Copenhagen Accord, the Measurement, Reporting and Verification (MRV) of developed countries' reductions will need to be done in accordance with existing guidelines, and any further guidelines to be adopted, which remain to be developed;
- This issue is currently not covered in the AWG-LCA negotiating texts.

1.1.4. Mitigation in developing countries

Many issues remain open in the AWG-LCA framework:

- Many developing countries have for the first time formally proposed nationally appropriate mitigation actions (NAMAs) in reaction to the request in the Copenhagen Accord; but the legal nature of these NAMAs and whether or how these should be reflected remains unclear;
- Whether to identify a collective range for developing countries' deviation from baseline needs to be addressed;
- It remains unclear whether developing countries will commit to preparing Low-Emission Development Strategies.

1.1.5. MRV (Measurement, Reporting and Verification) of developing countries' actions

- The Copenhagen Accord has contributed to clarifying the frequency of National Communications. However, guidelines on these more frequent National Communications, including inventories, remain to be adopted.
- The Copenhagen Accord specified that developing countries' unsupported actions will be MRVed at a domestic level and communicated through their National Communications, with provisions for international consultations and analysis under clearly defined guidelines – these guidelines remain to be elaborated.
- Good progress was made on the draft decision to set up a mechanism to record NAMAs and facilitate provision and recording of support, which was generally confirmed by the Copenhagen Accord; however the decision remains to be finalised.
- The Copenhagen Accord mentions that supported actions will be MRVed internationally, in accordance with guidelines to be adopted. These guidelines remain to be elaborated.

1.1.6. REDD+

Negotiations have led to the adoption of the term REDD+ which encompasses all categories of forest-related activities, from reducing emissions from deforestation to the conservation of standing forests.

It is undecided whether to

- define a quantitative and qualitative REDD+ objective;
- accept sub-national approaches; and
- enable a link of the performance-based phase of REDD+ or its individual sub-categories, and in such case when and under which conditions, to the carbon market so that trading systems could decide to allow use of such credits.

1.1.7. Agriculture

- The decision on agriculture is nearly finalised, few issues remain to be decided. The issue of a reference to trade restrictions is still open.

1.1.8. Aviation and maritime transport

- The negotiating text leaves open the principles on which the design of mitigation actions through UN bodies could be based (UNFCCC or ICAO-IMO principles);
- There are no overall quantitative reduction targets for the aviation and maritime sectors;
- The possible requirement at international level to use of revenues from these sectors to tackle climate change remains contentious.

1.1.9. Carbon market mechanisms

- Parties diverge on whether to establish new market-based mechanisms under the UNFCCC, and if yes, how these mechanisms should be designed, including with regard to their scope – e.g. encompassing mitigation actions at a sectoral level;
- The question of the relationship between such new mechanisms under the AWG-LCA and existing mechanisms under the Kyoto Protocol was not touched upon.

1.1.10. HFCs

- Parties need to decide whether to send a signal to the Montreal Protocol urging it to take action to tackle HFCs contributing to global warming requires a political arbitrage.

1.1.11. Response measures

Most issues remain unresolved, including:

- Whether a new institution (e.g. forum, see discussion on the unintended consequences above) is needed to share information on the impacts of response measures;
- Who should take the impacts into consideration in their actions (developed countries or all countries);
- The Copenhagen Accord links the potential impacts of response measures to adaptation to the impacts of climate change, which may reopen this discussion.

1.1.12. Cross-cutting trade issue

- The problem of further specifying trade safeguards could not be solved.

1.1.13. Adaptation

- Good progress was achieved in Copenhagen, but some issues remain open, including whether to create new institutions under the Conference of the Parties to follow up the implementation of the agreed Framework for Action on Adaptation;
- The Copenhagen Accord points out that adaptation to the impacts of climate change and adaptation to the impacts of response measures should be linked, which may reopen this discussion.

1.1.14. Technology

- Good progress was achieved with the general acceptance of a Technology Mechanism in the AWG-LCA (later confirmed by the Copenhagen Accord). Many of its functions have been identified, but a debate remains on whether the Technology Mechanism should play an active role in the recommendation of which activities should be funded;
- Some questions relating to Intellectual Property Rights are still open.

1.1.15. Finance

- The Copenhagen Accord clarified the agreement on the Copenhagen Green Climate Fund; what remains on the table is to give a well-defined mandate to the Fund and agree on effective governance arrangements;
- Some of the functions of the proposed "Finance Board" remain contentious – and its relationship with the "High-Level Panel" of the Copenhagen Accord will need to be clarified;
- In addition, consensus could not be reached on whether to reform, or to review, the arrangement with the Global Environment Facility (GEF).
- Provisions for the Measurement, Reporting and Verification of support provided for developing countries' NAMAs remain to be elaborated.

1.1.16. Capacity building

- Undecided remains whether to set up a new technical panel on capacity building (as opposed to addressing the issue in existing institutions);
- It is unclear how capacity-building will be financed, proposals include setting up a new dedicated fund;
- Parties need to decide who should report on capacity-building activities (developed countries or all countries) and how;
- Developing countries have proposed that support for capacity-building should be considered a legally binding obligation of developed countries.

1.2. AWG-KP – open issues after Copenhagen

It should be noted the decision text states that the AWG-KP should "continue its work drawing on the draft text forwarded as part of its report on its tenth session to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fifth session". This means that the progress that was made during the High-level segment of the Copenhagen Conference, as well as the text proposals of the EU made during those days, will not be reflected in the basic negotiation text.

1.2.1. Economy-wide emission reduction targets

- Quantified emission reduction objectives for each developed country enlisted in Annex B of the Kyoto Protocol, i.e. without the US, should be agreed. This issue will now be influenced by the pledges proposed by developed countries in the context of the Copenhagen Accord. With the lower end of pledges for Annex B, i.e. without the US, being around 18% by 2020 below 1990 levels and the higher end of pledges around 25%, these however remain insufficient in relation to the 25 to 40% range put forward by the Intergovernmental Panel on Climate Change (IPCC);
- Parties must also decide how to handle the likely surplus of Assigned Amount Units (AAUs) after the first commitment period of the Kyoto Protocol. An unlimited carry-over of AAUs would significantly lower the efforts to be achieved by developed countries (by around 6.8% from 1990 levels);
- Finally, Parties will have to define more technical parameters including base year (1990 or else), number (1 or 2) and duration (5 or 8 years) of future commitment period(s).

1.2.2. Market Mechanisms

The most contentious issues are:

- Whether to include carbon capture and storage (CCS) in the clean development mechanism (CDM);
- Whether to continue to exclude nuclear in CDM;

- provisions related to complementarity;
- while the discussion on new sectoral crediting and trading mechanisms is now mostly taking place in the context of the AWG-LCA, these mechanisms should also be recognised in the context of the AWG-KP.

1.2.3. Land Use, Land Use Change and Forestry

- Accounting rules for Land Use, Land Use Change and Forestry (LULUCF) will have an important impact on the level of ambition of the target of several Annex I Parties. Developed countries' emission reduction targets can therefore not be finalised until the future LULUCF rules have been agreed and taken into account;
- In addition, important parameters still need to be discussed and agreed such as the
 - way to set the reference level (based on historic data or projections),
 - cap, and
 - threshold for the eligibility of force majeure events;
- Parties need to decide whether accounting for forest management, cropland management and grazing land management should become mandatory after 2012 as foreseen by the Kyoto Protocol or whether they will stay voluntary.

1.2.4. Basket of issues

- Further work is needed on the possible inclusion of new gases and whether these new gases should be included for reporting purposes only or as part of the coverage of reduction targets;
- A choice also needs to be made between two different options regarding the choice of the appropriate Global Warming Potential (using values of the Second or of the Fourth IPCC Assessment Report).

1.2.5. Potential consequences

- The draft decision leaves undecided whether to create a forum where parties would report on the potential environmental, economic and social consequences, including spillover effects, of their policies and measures.

2. PARTIES SUPPORTING THE COPENHAGEN ACCORD, AND PLEDGES PUT FORWARD

2.1. Association with the Copenhagen Accord

So far **109 Parties** (including the EU and its Member States) have officially expressed their support for the Copenhagen Accord (state of play on 3 March). This includes almost all Annex I parties except Switzerland, Turkey and Ukraine. Among developing countries, all BASIC countries (Brazil, South Africa, India and China) have supported the accord and have submitted national actions, although neither China nor India have formally asked to be

associated with the Accord. Cuba, Ecuador, Nicaragua, Kuwait and Nauru officially notified their objection to the Copenhagen Accord.

2.2. Annex I economy wide emission reduction targets submissions

Submissions by Annex I parties under the Copenhagen Accord confirm previously announced pledges with a few exceptions:

- **Canada** reduced its offer from a 20% reduction from 2006 to a 17% reduction from 2005 by 2020 (i.e. from -3% to +3% compared to 1990);
- **Iceland** increased its offer from -15% to -30% compared to 1990 levels;
- **Switzerland and Ukraine** have not yet made a submission.

The table below summarises the level of ambition of existing pledges, assuming that Switzerland and Ukraine are keeping their pledges and will eventually make a submission under the Copenhagen Accord.

The overall level of emission reduction from 1990 level for all countries listed in Annex I to the UNFCCC (i.e. including the US) is in the range of -13% to -18%. This is insufficient to achieve the 2°C objective, and would be further reduced if the questions of possible surplus of AAUs and LULUCF accounting rules are not adequately addressed.

	Emissions (MtCO ₂ e)		Target (low pledge)		Target (high pledge)	
	1990	2005	From 1990	From 2005	From 1990	From 2005
Australia	416.214	524.635	13%	-10%	-11%	-29%
Belarus	129.129	77.435	-5%	58%	-10%	50%
Canada	591.793	730.967	3%	-17%	3%	-17%
Croatia¹	31.374	30.433	6%	9%	6%	9%
EU 27	5.572.506	5.119.476	-20%	-13%	-30%	-24%
Iceland	3.400	3.694	-30%	-44%	-30%	-44%
Japan	1.269.657	1.357.844	-25%	-30%	-25%	-30%
New Zealand	61.853	77.175	-10%	-28%	-20%	-36%
Norway	49.695	53.701	-30%	-35%	-40%	-44%

¹ The Croatian submission mentions a -5% reduction, but due to the use of a different base year calculation, this represents an actual 6% increase from 1990 level.

Russian Federation	3.319.327	2.117.821	-20%	25%	-25%	18%
<i>Switzerland</i>	52.709	53.665	-20%	-21%	-30%	-31%
<i>Ukraine</i>	926.033	417.529	-20%	77%	-20%	77%
United States	6.084.490	7.082.213	-3%	-17%	-3%	-17%
Annex I total (including US)	18.508.180	17.646.587	-13%	-9%	-18%	-14%

Sources: UNFCCC, submissions provided by Parties in the context of the Copenhagen Accord and of the AWG-KP (all data are excluding LULUCF)

2.3. Developing Countries' NAMA submissions

A number of **developing countries submitted their nationally appropriate mitigation actions** (NAMAs).

Many submissions include a qualitative description of NAMAs to be undertaken. E.g. Armenia puts forward actions it intends to undertake in the sectors of energy efficiency, renewable energy, transport, waste management, and REDD. Benin proposes actions related to transport, sustainable forest management and waste management.

Some of the submissions include quantitative pledges (Brazil, China, India, Indonesia, Maldives, Marshall Islands, Moldova, Mexico, South Korea, Singapore, South Africa) – see table below.

2.4. List of countries having officially expressed support for the Copenhagen Accord, and quantitative pledges put forward

The table below provides information on countries who have so far expressed support for the Copenhagen Accord, mentioning in each case in which way support has been expressed (generally through a letter to the UNFCCC, the date of which is specified).

Annex I countries are identified in blue, and the table specifies which reduction target they have put forward, against which base year, how much this represents compared to 1990 levels, and whether a conditionality has been expressed.

The table also indicates, when applicable, the quantified objectives put forward by developing countries as part of their nationally appropriate mitigation actions. A number of developing countries have submitted mitigation contributions that are not quantified. These are not included in the table below².

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Albania	26/01/2010	-	-	-	-
Armenia	29/01/2010	-	-	-	-
Australia	27/01/2010	-5% up to -15% or -25%	2000	+13% to -11% (-15% to -33% including LULUCF)	5% unconditional 15% or 25% conditional on the extent of actions by others
Bahamas	01/02/2010	-	-	-	-
Bangladesh	25/01/2010	-	-	-	-

² Complete documentation provided by Parties in the context of the Copenhagen Accord is available through <http://www.unfccc.int>.

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Belarus	02/02/2010	-5 to -10%	1990	-	Premised on the presence of and access of Belarus to the Kyoto flexible mechanisms, intensification of technology transfer, capacity-building and experience enhancement for Belarus taking into consideration the special conditions of economies in transition Annex I Parties, clarity in the use of new LULUCF rules and modalities.
Benin	08/02/2010	-	-	-	-
Bosnia and Herzegovina	29/01/2010	-	-	-	-
Botswana	25/01/2010	-	-	-	-
Bhutan	05/02/2010	-	-	-	-
Brazil	BASIC statement 24/01/2010 + submission of NAMAs 01/02/2010	-36.1% to -38.9%	BAU	-	-
Cambodia	29/01/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Canada	Press reports of speech, 30/01/2010	-17%	2005	+3%	-
Central African Republic	28/01/2010	-	-	-	-
Chile	02/02/2010	-	-	-	-
China ³	28/01/2010	-40% to -45% of its carbon intensity, 15% non-fossil fuel share of primary energy consumption, Increase forest coverage by 40m hectares and forest stock with 1.3bn m ³	2005	-	Voluntary; referring to the principles and conditions of Art 4.7, which mentions the need of developed countries to foresee finance and technology transfer
Colombia	29/01/2010	-	-	-	-
Congo (Dem. Rep.of)	30/01/2010	-	-	-	-
Congo (Rep.of)	01/02/2010	-	-	-	-
Croatia	01/02/2010	-5%	1990	-	Temporary target until EU accession

³ China has supported the Copenhagen Accord, but has not formally asked to be associated.

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Côte d'Ivoire	12/02/2010	-	-	-	-
Costa Rica	29/01/2010	-	-	-	-
Djibouti	02/02/2010	-	-	-	-
Ethiopia	01/02/2010	-	-	-	-
European Union	28/01/2010	-20% to -30%	1990	-	-20% unconditional -30% conditional upon comparable efforts from developed countries and adequate contribution from DCs
Fiji	30/01/2010	-	-	-	-
Gabon	22/02/2010	-	-	-	-
Georgia	01/02/2010	-	-	-	-
Ghana	13/01/2010	-	-	-	-
Guatemala	05/02/2010	-	-	-	-
Guyana	12/02/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Iceland	27/01/2010	-30%	1990	-	Comparable emissions reductions by developed countries and adequate contribution by DCs
India ⁴	Ministry press note 30/01/2010	Reduce the emissions intensity of its GDP by 20-25%	2005	-	Voluntary
Indonesia	30/01/2010	-26%	- ⁵	+22% (including LULUCF)	Voluntary
Israel	01/02/2010	-	-	-	-
Japan	26/01/2010	-25%	1990	-	Conditional on a fair, effective and global agreement
Jordan	01/02/2010	-	-	-	-
Kazakhstan ⁶	01/02/2010	-15%	1992	-	-
Kiribati	26/02/2010	-	-	-	-

⁴ India has supported the Copenhagen Accord, but has not formally asked to be associated.

⁵ Not specified in the submission to the UNFCCC.

⁶ Kazakhstan is not an Annex 1 Party but has declared that it wishes to be bound by the commitments of Annex I Parties.

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Laos	12/02/2010	-	-	-	-
Lesotho	29/01/2010	-	-	-	-
Liechtenstein	27/01/2010	-20% to -30%	1990	-	-20% unconditional -30% conditional upon comparable efforts from developed countries and adequate contribution from DCs
Former Yugoslav Republic of Macedonia	25/01/2010	-	-	-	-
Madagascar	25/01/2010	-	-	-	-
Malawi	29/01/2010	-	-	-	-
Maldives	23/01/2010	Carbon neutrality	-	-	-
Mali	22/01/2010	-	-	-	-
Marshall Islands	27/01/2010	-40%	2009		Conditional on adequate international support
Mauritania	22/02/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Mexico	31/01/2010	-30%	BAU	-	Provided the provision of adequate financial and technological support from developed countries as part of a global agreement
Moldova	01/02/2010	Min -25%	1990	-	-
Monaco	05/02/2010	-30% (carbon neutral by 2050)	1990	-	
Mongolia	28/01/2010	-	-	-	-
Montenegro	29/01/2010	-	-	-	-
Morocco	01/02/2010	-	-	-	-
Namibia	28/01/2010	-	-	-	-
Nepal	31/01/2010	-	-	-	-
New Zealand	01/02/2010	-10% to -20%	1990	-	Conditional upon global agreement including 2°C target, comparable efforts by developed countries, actions by emerging DCs, inclusion of LULUCF and carbon market.

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Norway	25/01/2010	-30 to -40%	1990	-	-40% conditional upon a global and comprehensive agreement where major emitting Parties agree on emission reductions in line with the 2 degrees Celsius target
Palau	29/01/2010	-	-	-	-
Panama	30/01/2010	-	-	-	-
Papua New Guinea	23/12/2009	-	-	-	-
Peru	28/01/2010	-	-	-	-
Philippines	27/01/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Russian Federation	01/02/2010	-15% to -25%	1990	-	Level reductions depending on: <ul style="list-style-type: none"> - The appropriate account of potential of the Russian woods in a context of the contribution to performance of obligations on reduction of anthropogenous emissions; and - Acceptance of legally significant obligations on reduction of anthropogenous emissions of greenhouse gases by all largest emitters.
Rwanda	29/01/2010	-	-	-	-
Samoa	20/01/2010	-	-	-	-
San Marino	18/02/2010	-	-	-	-
Senegal	02/03/2010	-	-	-	-
Serbia	29/01/2010	-	-	-	-
Sierra Leone	01/02/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
Singapore	28/01/2010	-16%	BAU	-	Contingent upon a legally-binding global agreement, but domestic measures already to be implemented
South Africa	BASIC statement 24/01/2010+ submission NAMAs 01/02/2010	-34%	BAU	-	Contingent upon a global legally binding agreement providing capacity building support and technology transfer.
South Korea	30/12/2009	-30%	BAU	-	-
Tanzania	03/02/2010	-	-	-	-
Trinidad and Tobago	29/01/2010	-	-	-	-
Togo	16/02/2010	-	-	-	-
Tunisia	11/02/2010	-	-	-	-
Uruguay	29/01/2010	-	-	--	-
United Arab Emirates	14/02/2010	-	-	-	-
Uruguay	28/01/2010	-	-	-	-

Country	Date of letter, or other source	Reduction by 2020	Base year	Compared to 1990 levels	Conditionality
USA	28/01/2010	(in the range of) -17% ⁷	2005	-3.67%	Final target in light of enacted legislation

⁷ The US submission includes a reference to the following: "The pathway set forth in pending legislation would entail a 30% reduction in 2025 and a 42% reduction in 2030, in line with the goal to reduce emissions 83% by 2050".