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Copenhagen Accord

(Draft)

Note: The Copenhagen Accord is a term to refer to a series of decisions adopted under the United Nations Framework Convention on Climate Change and its Kyoto Protocol, in particular the following two decisions adopted in accordance with the Bali Roadmap. The first is the CMP Decision under the Kyoto Protocol on further quantified emission reduction commitments by the Annex I Parties to the Convention; the second is the COP Decision under the Convention on mitigation, adaptation, technology transfer and financing to make arrangements regarding the implementation of the Bali Action Plan.

COP Decision under the Convention

Decision 1/CP.15

Long-term Cooperative Action to Enhance the Implementation of the Convention

The Conference of the Parties,

Pursuant to the Bali Action Plan (Decision 1/CP.13),

Guided by the ultimate objective, principles and the commitments of the Convention,

Further enabling the full, effective and sustained implementation of the Convention through long-term cooperative actions in order to achieve its ultimate objective,

Reaffirming that the Convention constitutes the fundamental legal framework for the global fight against climate change, and all climate change related actions or measures shall be in full conformity with the principle of equity and the principle of common but differentiated responsibilities and respective capabilities established by the Convention,

Recognizing that the right to development, under equitable conditions, is a right of all nations, and that social and economic development and poverty eradication are the

first and overriding priorities of developing countries,

With a view to capturing the progress achieved so far in the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention and

Affirming the need to undertake further negotiations on any unsolved issues in accordance with the mandate of the Bali Action Plan,

Decides as follows:

【A shared vision for long-term cooperative action】*

1. To achieve the ultimate objective of the Convention to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, all Parties shall, recognizing that social and economic development and poverty eradication are the first and overriding priorities of developing countries, as well as recognizing the scientific view that the increase in global temperature ought not to exceed 2° C°C, and in the context of sustainable development, enhance their long-term cooperative action to combat climate change and accordingly set a global goal, in the context of the paradigm of equity. Such a global goal shall be comprehensive and include objectives for sustainable development, mitigation, adaptation, technology transfer, financing and capacity building support.
2. To establish a long-term global goal for emission reductions, it is essential for developed country Parties to undertake ambitious long-term and mid-term quantified emission reduction targets and to provide adequate and effective finance, technology transfer and capacity building support to developing countries. Such a goal shall allow developing countries equitable development space and ensure their right to development, taking into full account the scientific basis and economic and technological feasibility.
3. Parties shall not resort to any form of unilateral measures, including fiscal and non-fiscal border measures, against goods and services imported from other Parties, in particular from developing country Parties, on grounds of stabilization and mitigation of climate change.

【Mitigation commitments by developed countries】

4. All Annex I Parties to the Convention shall, in accordance with Article 4.2 of the Convention, undertake an ambitious economy-wide binding target for quantified emission reductions from their 1990 level and adopt corresponding policies and actions.

(a) For any Annex I Party to the Convention that is also a Party to the Kyoto Protocol, its emission reduction target for the second commitment period under the

* 【】and the texts within are intended only for reader-friendly purpose and are not a part of the final text.

→ 2nd Comm Period.

Kyoto Protocol shall be considered as a commitment under this paragraph. For the measurement, reporting and verification of its emission reduction target, pertinent rules and procedures, including those for compliance under the Kyoto Protocol, shall apply;

(b) For any Annex I Party to the Convention that is not a Party to the Kyoto Protocol, its emission reduction commitment shall be comparable to the target referred to in subparagraph 4(a) above. For the measurement, reporting and verification of such a commitment, rules and procedures shall be the same as those of subparagraph 4(a) above. The commitments specified in this subparagraph shall be implemented mainly through domestic measures. The rules and procedures for the use of international offsets shall be further established by the Conference of the Parties.

【Nationally appropriate mitigation actions by developing countries】

5. Non-Annex I Parties to the Convention may, based on their specific national circumstances and in the context of sustainable development, take mitigation actions, which shall be reflected in accordance with the provisions of Article 12.

(a) Nationally appropriate mitigation actions supported and enabled by developed countries in terms of technology, financing and capacity building shall be registered in a registry, including both actions taken and relevant support of technology, financing and capacity building. Both the implementation of actions and the provision of technology, financing and capacity building support shall be subject to measurement, reporting and verification in accordance with relevant rules and procedures established by the Conference of the Parties;

(b) Autonomous national mitigation action based on the national resources of developing countries themselves shall be reflected through National Communications. The implementation of these actions will be subject to auditing, supervision and assessment conducted by developing countries themselves in accordance with their national rules and procedures, taking into account any guidelines the Conference of the Parties may elaborate, and the result shall be made publicly available for full transparency;

(c) To give effect to the present paragraph, the Conference of the Parties shall develop relevant guidelines for National Communications from Non-Annex I Parties with respect to its content, format and frequency. Levels of financing offered by Annex I Parties must be increased to ensure coverage of agreed full costs of National Communications of developing countries;

(d) Emission reductions generated from mitigation actions referred to in subparagraph 5(a) above shall not be used to offset quantified emission reduction targets undertaken by Annex I Parties to the Convention.

【Mitigation actions in forestry by developing countries】

6. Developed countries shall provide adequate, predictable and sustainable financing, technology and capacity building support, in accordance with the principles and relevant provisions of the Convention, to enable and support voluntary actions by developing countries to reduce emissions from deforestation and forest degradation and to increase forest coverage, stabilize forest carbon stocks and enhance carbon sinks through forest conservation and sustainable forest management, afforestation and reforestation.

【Response measures】

7. An appropriate forum shall be established to give full consideration to what actions are necessary to address the potential economic and social consequences and impacts of the design, selection and implementation of mitigation response measures implemented by Annex I Parties.

【Adaptation】

8. An institutional framework for adaptation shall be established to promote adaptation to climate change by all Parties, especially developing country Parties, in particular the least developed countries, small island developing States and African countries vulnerable to drought, floods and desertification.

(a) Parties will, as appropriate, formulate national adaptation plans. The developed country Parties shall provide developing country Parties with financing, technology transfer and capacity-building support for formulating and implementing national adaptation plans.

(b) Appropriate institutional arrangements for adaptation shall be established under the Conference of the Parties to the Convention to administer and promote international cooperation on adaptation and relevant activities under the Convention, including the formulation of a comprehensive international programme for adaptation.

(c) Regional Centers shall be established to promote regional adaptation activities and enhance information sharing and the exchange of experiences.

(d) Institutional and capacity building shall be strengthened at the national level.

(e) An adaptation financing window shall be established under the financial mechanism of the Convention to support adaptation actions in developing countries.

【Technology development and transfer】

9. A mechanism for technology development and transfer shall be established under the Convention to fully implement the commitments on technology development and transfer under the Convention, in particular Article 4, paragraphs 3, 5, and 7. All Parties shall enhance cooperation to promote the development, deployment, diffusion and transfer of climate friendly technologies, in particular to take effective measures to

encourage and incentivize technology transfer to developing countries, remove relevant barriers and appropriately address issues of intellectual property rights. To this end,

(a) Appropriate institutional arrangements for technology development and Transfer shall be established to plan, coordinate and implement activities of technology development and transfer under the Convention. They shall:

- (i) Formulate and promote the implementation of action plans of technology development and transfer;
- (ii) Coordinate actions by different stakeholders at national, regional and international levels;
- (iii) Remove barriers to technology transfer and enhance means of promoting technology transfer;
- (iv) Promote the establishment and enhancement of regional technology innovation centers and networks;
- (v) Promote capacity building, including personnel training and information exchange, to enhance the capability of developing countries for the development, absorption and application of climate friendly technologies; and
- (vi) Monitor and assess the progress and effectiveness of the development and transfer of climate friendly technologies under the Convention.

(b) A funding window for technology development and transfer shall be established under the financial mechanism of the Convention to provide financial support for activities specified in subparagraph 8(a) above.

(c) Cooperation and joint development of current, new and innovative technologies shall be enhanced

【Financing】

10. In accordance with Articles 4, paragraphs 3, 4, 5, 7, 8 and 9 of the Convention, developed countries shall provide new, additional, adequate, predictable and sustained public funding to support developing countries in fulfilling their commitments under the Convention and meet the agreed full costs or incremental costs, as indicated in the Convention, incurred by developing countries in fulfilling their commitments under the Convention. To this end,

(a) A Global Climate Fund shall be established under the Convention, which shall be fully accountable to the Conference of the Parties and subject to the overall policy guidance of the Conference of the Parties;

(b) The Fund shall consist of specialized funds or funding windows for mitigation, adaptation, technology transfer and capacity building;

(c) The Fund shall be governed by an Executive Board of equitable representation

of the Parties and follow the principles of openness, transparency, easy access and effectiveness;

(d) The reformed Global Environment Facility (GEF) shall be designated as the operating entity for the Fund, allowing multilateral development banks a supplementary role to play;

(e) Financing from private sectors and the carbon markets may serve as complementary funding for the Fund;

(f) Appropriate rules and procedures shall be established by the Conference of the Parties to monitor and evaluate the implementation by developed country Parties of their commitments to provide financial resources.

【Continued process】

11. The Ad Hoc Working Group on Long-Term Cooperative Action shall without any delay hold further sessions, in order to complete the work specified in the present Decision and the *Bali Action Plan* (Decision 1/CP.13). This Working Group shall complete its work by June 2010 and present the outcome of its work to the Conference of the Parties for adoption at the resumed session of its fifteenth session.

12. The sessions of the Working Group will be scheduled as often as is feasible and necessary to complete the work of the group, where possible in conjunction with sessions of other bodies established under the Convention.

13. The first session of the further sessions of the Working Group shall be held as soon as is feasible and not later than February 2010.

14. Following the alternation rule established under Decision 1/CP.13, the Chair of the Working Group for 2010 will come from a Party not included in Annex I to the Convention and the Vice-Chair from a Party included in Annex I to the Convention.

【Other matters】

15. It welcomes the information made available by developed country Parties on their quantified emission reduction targets, and on their provision of financing, technology transfer and capacity building support and the information made available by developing country Parties on their mitigation actions at and before the present session.

CMP Decision under the Kyoto Protocol

Decision 1/CMP.5

Adoption of the Amendment to Annex B of the Kyoto Protocol

The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fifth session,

Guided by Articles 2 and 3 of the Convention,

Reaffirming that the Kyoto Protocol is a legal instrument to effectively implement the Convention and give effect to the principle of common but differentiated responsibilities by establishing the modality for developed countries Parties to take the lead in reducing their GHG emissions.

Pursuant to Article 3, paragraph 9, Article 20 and Article 21 of the Kyoto Protocol,

Reaffirming Decision 1/CMP.1 adopted by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its first session,

Recalling that the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol established by Decision 1/CMP.1 shall aim to complete its work and have its outcomes adopted by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol as early as possible and in time to ensure that there is no gap between the first and second commitment periods,

Underlining the necessity of ensuring the entry into force of this Amendment as soon as possible,

1. Decides to adopt the annex that contains the Amendment to Annex B of the Kyoto Protocol which includes further emission reduction targets of Annex I Parties to the Convention after 2012.

2. Invites all Parties to the Kyoto Protocol submit their instruments of acceptance of the Amendment as early as possible to the Secretary-General of the United Nations that is the Depository of the Protocol.

Annex:

AMENDMENT TO ANNEX B OF THE KYOTO PROTOCOL TO THE UNITED
NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

Part I: Amendment to ANNEX B

Article 1

The following new annex B shall be put to replace the original Annex B to the Kyoto Protocol:

Annex B

<i>Party</i>	<i>Quantified emission limitation or reduction commitment (2008-2012) (percentage of base year or period)</i>	<i>Quantified emission limitation or reduction commitment 2013-2017)/[(2013-2020)] (percentage of base year or period)</i>
Australia	108	
Austria	92	
Belarus*	92	
Belgium	92	
Bulgaria*	92	
Canada	94	
Croatia*	95	
Czech Republic*	92	
Denmark	92	
Estonia*	92	
European Community	92	
Finland	92	
France	92	
Germany	92	
Greece	92	
Hungary*	94	
Iceland	110	
Ireland	92	
Italy	92	
Japan	94	
Latvia*	92	
Liechtenstein	92	
Lithuania*	92	
Luxembourg	92	

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Monaco	92	
Netherlands	92	
New Zealand	100	
Norway	101	
Poland*	94	
Portugal	92	
Romania*	92	
Russian Federation*	100	
Slovakia*	92	
Slovenia*	92	
Spain	92	
Sweden	92	
Switzerland	92	
Ukraine*	100	
United Kingdom of Great Britain and Northern Ireland	92	
United States of America	93	

* Countries that are undergoing the process of transition to a market economy.
c Countries that have not yet ratified the Kyoto Protocol

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Part 2: Consequential amendments to Article 3

Article 2

The following paragraph shall be added to paragraph 1, Article 3 of the Protocol after paragraph 1:

1 bis The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed in Annex B and in Accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by at least X per cent below 1990 levels in the commitment period 2013 to 2020.

Article 3

The following paragraph shall be added to paragraph 7, Article 3 of the Protocol after paragraph 1:

7 bis In the second quantified emission reduction commitment period, from 2013 to 2020, the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in Annex B of its aggregated anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by eight.