

# Copenhagen, Climate Change & Canada



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### **A summary of the December 2009 Copenhagen Climate Conference**

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The December 2009 United Nations Framework Convention on Climate Change (UNFCCC) Conference in Copenhagen coordinated three parallel negotiation sets:

- 1) The Copenhagen Accord
- 2) The UNFCCC Conferences of Parties
- 3) Climate presentations and side negotiations

#### **1. [The Copenhagen Accord](#)**

##### **What it is?**

The Copenhagen Accord (the Accord) is the main product of President Obama's 11<sup>th</sup> hour intervention at December's UN Climate Conference in Copenhagen (the Conference). The Accord is an agreement in principle, falling short of expectations for binding targets and a legal framework. For the last two days of the Conference final plenary sessions were cancelled, and the Accord negotiations took the place of the usual last-minute marathon of compromises and forward progress on UNFCCC implementation details.

The Accord lays out the principles for a future agreement to include the US and developing nations that did not sign up to the Kyoto Protocol, and sets up a voluntary register of commitments for greenhouse gas reductions targets (for the year 2020) and measures, to be tabled by January 31<sup>st</sup> 2010.

##### **What it covers**

The Accord recognizes the scientific view that the increase in global temperature should be held below 2°C. Negotiators claim that many countries, including USA and Europe, pushed for a containment goal of 1.5°C based on emerging science, but this was blocked by China. The Accord commits developed countries to \$10 Billion a year for three years in initial support to assist poor countries with adaptation, mitigation, technology and capacity-building, rising by 2020 to \$100 Billion annually. The crucial role of forests and land-based emission reductions and carbon sequestration will be recognized through incentives, market mechanisms and mobilization of financial resources. Key USA requirements of international oversight of emissions reductions, and the use of market-based approaches, are incorporated. The Accord implementation is to be assessed by 2015, including consideration of strengthening the long-term goal to contain temperature rises below 1.5°C.

##### **How it works**

The Copenhagen Accord is viewed as a "political agreement", made significant because the issue of climate change is now on the desks of every world leader. However, because it is a political (as opposed to legal) agreement, it only requires the signature of an appropriate representative of a Party (country) to report to the UNFCCC Secretariat their country's intention to associate with the goals and aspirations of the Accord.

Nations are invited to declare their commitment with the UNFCCC Secretariat by January 31<sup>st</sup>, 2010:

- a) Developed country signators can declare their 'quantified economy-wide emission targets' for 2020, with accountability based on existing and further guidelines adopted by the Conference of Parties.
- b) Developing country signators can declare their 'nationally approved mitigation actions' and will report progress every two years. Actions receiving financial support will be subject to international accountability guidelines.
- c) Least developed countries and small island developing States may take action voluntarily and on the basis of support.

*(postscript: by April 1<sup>st</sup> over 90 Nations, including Canada, have registered commitments.)*

### **What it means**

Some claim the Copenhagen Conference was a "qualified success." President Obama personally rallied the heads of state of emerging continental economic leaders China, Brazil, South Africa and India, and with the assistance of twenty other leaders (not including Canada) produced the Copenhagen Accord.

The USA, China and India are now publically committed to working towards a new international agreement to contain climate warming. This new voluntary framework for action may have a greater prospect of success than the UNFCCC process, since all world leaders representing the major emitting nations (present and future) were engaged for the first time.

Developed country commitment to finance climate mitigation and adaptation efforts of developing countries was increased dramatically: from hundreds of millions of dollars a year committed three years earlier in Nairobi, to the Accord's commitment to ramp up to one hundred billion dollars a year by 2020.

### **The contrary view**

Many in the community of individuals and organizations seeking binding targets and implementation mechanisms, with legal sanctions or penalties for free-ridership, considered the 'aspirational' Accord a poor substitute.

USA and China, the "Group of Two" major emitting nations, clung to problematic negotiating positions, on mitigation targets and verification respectively. This guaranteed the Conference's failure to achieve the complex set of resolutions negotiators have worked toward since the UN's Bali Climate Conference two years ago. European nations came prepared to toughen their year 2020 emission reduction target from 20% - to 30% - below 1990 levels. Absent a deal, this offer was withdrawn. Important detailed sub-agreements were sidelined and took a backseat to the Accord, a hastily prepared general statement of concern and principle. There is scientific consensus that delays in reducing GHG emissions will only make the inevitable emission reductions more costly.

### **Not a consensus**

Poorer and low-lying countries were extremely critical of the Accord as a "back room deal" absent the UN tradition of inclusiveness and transparency. They bemoaned its betrayal of the 1.5° C climate warming upper limit that countries most vulnerable to sea-level rise are calling for. And they disliked the regression to voluntary measures.

## **In sum**

Time will reveal if the horizon of an effective climate change framework receded or drew closer after Copenhagen. In the case of the earth's atmosphere all parties must move in the same direction or none will. The UNFCCC process stumbled and the hoped-for clarity of its next step did not materialize. However both Conference and Accord saw unprecedented engagement and commitment to the climate crisis by the top leaders of the United States and China. So perhaps the Accord will prove to be a small step in which major emitters are united, and possibly more productive than a bold step with key players divided.

## **2. The UNFCCC Conferences of Parties**

### **Two conferences**

Copenhagen was the site of two simultaneous UNFCCC Conferences – COP 15, the fifteenth Conference of the Parties to the UN Framework Convention on Climate Change, which entered into force in 1994; and CMP 5, the fifth Conference serving as a Meeting of the Parties to the Kyoto Protocol which came into force in 2005.

### **Two tracks**

COP 13/CMP 3 in Bali in 2007 faced a failure to engage the USA in negotiating the Kyoto Protocol's second commitment period, but achieved agreement on a two-track framework as a way forward. Kyoto signators continued to negotiate the post-2012 mitigation targets, mechanisms and organizational matters in CMP meetings, while non-signators simultaneously negotiate a parallel set of issues in a separate negotiating "track" in COP meetings. Thus in Copenhagen, Conference negotiators were pursuing keystone agreements among Kyoto signators and non-signators alike, building on years of previous negotiations. The intent was to achieve resolution on details regarding country mitigation targets, adaptation, financing for developing nations, technology transfer, market-based mechanisms, agriculture, verification and monitoring, and land and forest based carbon reserves (REDD+).

### **What went wrong**

The final push to agreement was derailed by lack of resolution of two of the three main roadblocks to finding a way forward. Funding for developing nations was resolved, but acceptable mitigation commitment by the USA, and international monitoring and verification of China reductions – were not. So key negotiators shifted to work on the Copenhagen Accord in the final days of the Conference. Major progress had been made on the majority of issues, and several chapters had concluded negotiations successfully. However, without all chapter texts agreed upon, none could be declared binding. Therefore no binding decisions were made by COP 15/CMP 5, whereas a quick scan will note that there were decisions every previous year. This makes the Conference a failure and that is how it was reported.

### **Forward movement nonetheless**

Nonetheless the accomplishment of the Conference is that over the two years since COP13 in Bali, and through the bulk of the Conference schedule, many disagreements had been resolved. The REDD+ text for example was completed with all brackets (points of disagreement) removed. This was a triumph for those who had worked for five years toward this end. Due to lack of binding agreement, COP/CMP text can be changed in the course of the coming year. Nonetheless, the compromises reached to date reveal

the contours of the actions that can now be taken in bi-lateral agreements. Many private climate businesses and voluntary and regional markets are commencing action within this framework.

### **What next**

On December 19<sup>th</sup>, the day after the Conference was scheduled to close, attending nations agreed to “take note” of The Copenhagen Accord, formally attaching the Accord to the COP 15/CMP 5 Conference proceedings. They will continue working toward a binding legal agreement at COP16/CMP6 in Mexico in December 2010.

The Conference’s failure raises serious doubt about the ability of the UNFCCC process, requiring unanimous consent for every detail, to remain the key framework for international action on climate change. One delegate noted it would be a herculean task to get 190 national leaders to agree on the best route from the Copenhagen airport to the conference centre, much less the roadmap to a deal as complex as addressing climate change. Some speculate progress in the near future will instead depend on the vast array of sub-national initiatives, as well as regional and bilateral agreements already being formulated or underway.

### **3. Climate presentations and side negotiations**

#### **Sharing ideas and solutions**

The annual UN Climate Conferences are the world’s marketplace of ideas regarding climate change. At COP15/CMP5, 35,000 engaged, talented, and informed people from around the world offered a very wide range of perspectives and expertise. Multiple conference rooms hosted continuous side events and presentations, offering leading-edge analysis and solutions by scientists, business leaders and policy-makers. It was always a pleasure to attend the side events, and network with participants. It was even a pleasure to stand in line somewhere because it offered an opportunity to meet interesting and surprising people – for example - the delegate representing a research team whose modelling demonstrates that 4-8% of global warming emission reductions can be achieved by accelerating the elimination of HFCs and HCFCs regulated under the Montreal Convention to protect the ozone layer. And at one side event a group of top European researchers presented their analysis of the 12 main potential climate ‘tipping points’, along with updated science regarding the risk threshold, probability, predicted magnitude of impact, and proposed a framework for prioritising international research and action.

#### **Bilateral and regional agreements**

Because the Conference was so well attended, bi-lateral agreements were initiated and in some cases finalized. A good example of such a bi-lateral agreement is [Guyana’s commitment to Norway](#) to protect its national forests from deforestation in exchange for \$1 billion in development money. This has the potential to make Norway carbon neutral, and to make Guyana an emerging economy. Guyana is building a large hydro electric dam with Norway’s first tranche of \$250 million.

Many similar deals were struck, some larger and many smaller. These agreements rely on pre-compliance standards like the [Voluntary Carbon Standard](#) (VCS) which emerged in 2009 to replace the heavily bureaucratic process of the Clean Development Mechanism (CDM) for forest and agriculture projects. Consensus emerging from the COP15/CMP5 negotiations, accompanied by strong new standards, offer opportunities for early action. Because the contour of climate action is now clear in

energy, forests and even agriculture, the risk of engaging in pre-compliance project development is so low that many projects were commenced in Copenhagen.

### **A missed opportunity for Canada**

Our current government's disengagement from climate solutions means Canada opted out of these potential bi-lateral agreements and opportunities. A natural fit for Canada could, for example, be a partnership similar to Norway's, but in our case with Haiti. A national reforestation plan for Haiti was recently completed, commissioned the FAO in 2008. If focussed on restoring the country's degraded ecosystems, Canada's ongoing investment in Haiti could provide a portion of our national emission mitigation obligation, and simultaneously help Haiti create a viable path to a sustainable future.

### **Liberal commitment to action**

The Copenhagen Conference did not slow the world's momentum to grapple with climate change. The consensus on the risks of human-caused climate warming, and the imperative to commit to targets and measures to contain warming below 2°C or less, was more widespread than ever before. Despite their reluctance to conform to the UN process, the USA and China are competing head to head to grasp climate action leadership from Europe, thus accelerating the global competition for solutions and economic advantage.

Canada's Conservative government has stalled and created a vacuum which corporate, municipal, provincial and regional initiatives are starting to fill. However a patchwork of climate initiatives is far from effective – a coordinated approach across this vast and diverse country is required. I believe the international momentum on climate action will cause an increasing push, by Canadians, for national leadership; a push by individuals and organizations across the spectrum of trade, competitiveness, innovation, environment, social, ethical – to name a few.

Filling this vacuum with an urgent and comprehensive action framework will be a key priority for a Liberal government under Michael Ignatieff. Doing our part to avert dangerous levels of climate warming is a humanitarian imperative, good economic and environmental policy, and the only way to regain Canada's credibility with our citizens, and on the international stage.

For more information on a recent Liberal motion on climate change: <http://bit.ly/liberalmotion>

For more information on the Liberal plan for climate change: <http://bit.ly/lavalspeech>

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