

DRAFT 271109

Decision 1/CP.15

(Decision 1/CMP.5 in separate document)

Adoption of

The Copenhagen Agreement

Under the United Nations Framework Convention on Climate Change

The Conference of the Parties,

Pursuant to the Bali Road Map adopted by the Conference of the Parties at its thirteenth session,

Acknowledging and building on the work by the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention and the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol,

Sharing a commitment to take immediate and enhanced national action under the Convention in pursuit of its ultimate objective, and in accordance with its principles and commitments including the principle of common but differentiated responsibilities and respective capabilities,

Seeking at the same time to move ahead promptly to take action related to address climate change,

Believing it imperative that the Parties continue to work together constructively to strengthen the world's ability to combat climate change,

Affirming the need to continue negotiations pursuant to decisions taken at COP13 and COP15, with a view to agreeing on a comprehensive legal framework under the Convention no later than COPXX

Decides to adopt this political agreement (hereinafter “the Copenhagen Agreement”), which will become effective immediately.

The Copenhagen Agreement

1. The Parties to the United Nations Framework Convention on Climate Change (hereinafter “the Parties”) seek to further the implementation of the Convention in a manner that pursues its ultimate objective as stated in its Article 2, that recalls its provisions, and that is guided by the principles in Article 3.

I. A Shared Vision for Long-Term Cooperative Action

2. The Parties underline that climate change is one of the greatest challenges of our time and commit to a vigorous response through immediate ambitious national action and strengthened international cooperation with a view to limit global average temperature rise to a maximum of 2 degrees above pre-industrial levels. The Parties are convinced of the need to address climate change bearing in mind that social and economic development and poverty eradication are the first and overriding priorities in developing countries. The Parties note that the largest share of historical global emissions of greenhouse gases originates in developed countries, and that per capita emissions in many developing countries are still relatively low. The Parties recognize the urgency of addressing the need for enhanced action on adaptation to climate change. They are equally convinced that moving to a low-emission economy is an opportunity to promote continued economic growth and sustainable development in all countries recognizing that gender equality is essential in achieving sustainable development. In this regard, the Parties:
 - Commit to take action to mitigate climate change based on their common but differentiated responsibilities and respective capabilities,
 - Commit to take action on adaptation including international support assisting the poorest and most vulnerable countries,
 - Commit to strengthen the international architecture for the provision of substantially increased finance for climate efforts in developing countries,
 - Commit to establish a technology mechanism to promote the development, transfer and deployment of environmentally sustainable technologies in support of mitigation and adaptation efforts.

Welcoming the significance of the commitments on all Bali Building blocks reflected in this Agreement, the Parties emphasize the need for full implementation, both domestically and internationally, take note of the additional efforts being taken, and planned, by the Parties, such as cooperative efforts regarding transformational and other technologies; and encourage each other to take appropriate additional steps.

3. Recalling the ultimate objective of the Convention, the Parties stress the urgency of action on both mitigation and adaptation and recognize the scientific view that the increase in global average temperature above pre-industrial levels ought not to exceed 2 degrees C. In this regard, the Parties:
 - Support the goal of a peak of global emissions as soon as possible, but no later than [2020], acknowledging that developed countries collectively have peaked and that the timeframe for peaking will be longer in developing countries,
 - Support the goal of a reduction of global annual emissions in 2050 by at least 50 percent versus 1990 annual emissions, equivalent to at least 58 percent versus 2005 annual

emissions. The Parties contributions towards the goal should take into account common but different responsibility and respective capabilities and a long term convergence of per capita emissions.

II. Adaptation

4. The adverse effects of climate change are already taking place and are posing a serious threat to the social and economic development of all countries. This is particularly true in the most vulnerable developing countries, which will be disproportionately affected. The adverse impact of climate change will constitute an additional burden on developing countries' efforts to reduce poverty, to attain sustainable development and to achieve the United Nations Millennium Development Goals. Both adaptation and mitigation efforts are fundamental to the fight against climate change. Adaptation must include action to reduce risk and vulnerability, taking into account gender equality, and build resilience in order to reduce the threats, loss and damages to livelihoods and ecosystems from disasters caused by extreme weather events and from slow-onset events caused by gradual climate change. Recognizing that the impact of climate change will differ according to regional and national circumstances, planning and implementation of adaptation actions must be considered in the context of the social, economic and environmental policies of each country. Adaptation action at national level will be a country driven process taking into account national development priorities and plans.
5. In this regard, the Parties endorse the adaptation framework in decision X4/CP.15 with the objective of reducing vulnerability and building resilience to present and future effects of climate change through national action and international cooperation. This includes the provision of finance, technology and capacity building in the immediate, medium and long-term. Support should be provided with priority for the poorest and most vulnerable countries. In the context of this Framework institutional arrangements will be established over time to support Parties' actions and provide technical assistance including for risk reduction and provide financial risk transfer such as insurance. Further, this will include a system to ensure mutual accountability with monitoring, review and assessment of support and actions and share lessons learned. A share of fast-start financing comprising [SX] for 2010-12 will be provided through existing channels, including the Adaptation Fund, to implement actions identified in National Adaptation Programmes of Action and other urgent needs and to build capacity for further planning.

III. Mitigation

6. The shared vision limiting global average temperature rise to a maximum of 2 degrees above pre-industrial levels is addressed by nationally appropriate mitigation contributions to be carried out by the Parties consistent with the principle of common but differentiated responsibilities and respective capabilities and with developed countries taking the lead.

Developed Countries nationally appropriate mitigation commitments and actions

7. The developed country Parties commit to individual national economy wide targets for 2020. The targets in Attachment A would expect to yield aggregate emissions reductions by X1 percent by 2020 versus 1990 (X2 percent vs. 2005). The purchase of international offset credits will play a supplementary role to domestic action. The developed country Parties

support a goal to reduce their emissions of greenhouse gases in aggregate by 80% or more by 2050 versus 1990 (X3 percent versus 2005).

8. Attachment A reflects the individual economy-wide targets, including quantified emission limitation and reduction objectives by all the developed country Parties.

Developing countries nationally appropriate mitigation actions

9. The developing country Parties, except the least developed countries which may contribute at their own discretion, commit to nationally appropriate mitigation actions, including actions supported and enabled by technology, financing and capacity-building. The developing countries' individual mitigation action could in aggregate yield a [Y percent] deviation in [2020] from business as usual and yielding their collective emissions peak before [20XX] and decline thereafter.
10. Attachment B reflects individual commitments to nationally appropriate mitigation actions by developing country Parties. Developing country parties which have not reflected their contributions at COP15 should do so before [XX], except least developed countries. A developing country Party may subsequently amend its national contribution to register additional national appropriate mitigation actions which increase its overall mitigation outcome.
11. A Registry in the form of a database under UNFCCC is established in order to enable the international recognition of developing country mitigation action. The Registry shall include supported mitigation actions that meet agreed MRV specifications and unsupported actions that are subject to national MRV based on internationally agreed guidelines and a consultative review under UNFCCC. Developing countries commit to inscribe supported nationally appropriate mitigation actions in the Registry and indicate the expected emissions outcomes. Unsupported action shall, except for the least developed countries which may do so at their own discretion, be inscribed via the National Communications and can be inscribed directly in the Registry beforehand on a voluntary basis.

Reducing emissions from deforestation and forest degradation

12. Reducing emissions from deforestation and forest degradation is an important aspect of the necessary response to climate change. Developing countries should contribute to enhanced mitigation actions through reducing emissions from deforestation and forest degradation, maintaining existing and enhancing carbon stocks, and enhancing removals by increasing forest cover. Parties underline the importance of enhanced and sustained financial resources and positive incentives for developing countries to, through a series of phases, build capacity and undertake actions that result in measurable, reportable and verifiable greenhouse gas emission reductions and removal and changes in forest carbon stocks in relation to reference emission levels. Parties collectively endorse the framework in Decision X/CP.15, with the aim of stabilizing forest cover in developing countries by [X] and reducing gross deforestation in developing countries by at least [XX]% by [2020] compared to current levels.

Bunkers

13. An effective mitigation response includes reduction of emissions from international bunker fuels. The Parties therefore commit to set and implement a global emission reduction target for international shipping equal to [x]% in 2020 compared to [2005] and a global emission

reduction target for international aviation equal to [y]% in 2020 compared to [2005]. The Parties shall work through the International Maritime Organization and the International Civil Aviation Organization to take this issue forward and secure a timely implementation of actions needed,

Carbon markets

14. An effective mitigation response requires a well functioning carbon market. Carbon markets have the potential to deliver significant mutual benefits to developed and developing countries in terms of both on-the-ground investment and environmental and energy security co-benefits. The Parties will work towards an effective and orderly transition from project based to more comprehensive approaches. They will also improve the existing project based carbon market mechanism in order to ensure the environmental integrity and further underpin a broad and liquid carbon market. [In this regard, the Parties endorse decision X3/CP.15 and X2/CMP.5.]

National policies

15. The Parties commit to further integrate low-emission development policies into national planning. The Parties commit to rationalize and phase out over the medium term inefficient fossil fuel subsidies that encourage wasteful consumption. As we do that, we recognize the importance of providing those in need with the ability to purchase essential energy services, including through the use of targeted cash transfers and other appropriate mechanisms. In addition, the Parties commit to work towards adopting domestic policies aiming at payment for actual consumption of energy. Furthermore, transparency concerning consumption and cost of energy should be increased.

Response measures

16. Parties decide that countries must strive to implement policies and measures in such a way as to minimize adverse social, environmental and economic impacts on developing country Parties taking fully into account all relevant articles of the Convention and as set forth in decision in X/CP.15. Parties further decide that action relating to response measures should be handled in a structured manner, in accordance with the Convention recognizing the needs of developing country Parties and as set forth in decision X/CP.15.

IV. Technology

17. The international community can only be fully successful in addressing climate change if it is able to effectively develop, diffuse and deploy existing climate friendly technologies and rapidly innovate new and transformational climate-friendly technologies. This will require a combination of efforts, including substantially increased public and private sector investment in RD&D, enhanced international cooperation and transfers, the removal of barriers, increased incentives to promote the development and dissemination of environmentally sustainable technologies, elaboration of global technology roadmaps, information sharing on best practices, and greater capacity-building efforts to promote the development and deployment of environmentally sustainable technologies in support of mitigation and adaptation efforts.
18. Parties commit to enable the accelerated large-scale development, transfer and deployment of environmentally sound and climate friendly technologies across all stages of the technology cycle, respecting IPR regimes including protecting the legitimate interests of public and private innovators. Developed country parties commit to work towards doubling aggregate public investments in climate related research, development and demonstration by 2015 from

current levels and quadrupling the efforts by 2020. Parties stress the need for up front finance for inter alia technology capacity building, joint research and development and demonstration projects. Parties endorse the “Technology Mechanism” set forth in decision X5/CP15, containing a technology objective, a UNFCCC technology body, the development of technology action plans, the establishment of six Climate Technology Innovation Centres in developing countries, support to joint RD&D efforts between developed and developing countries, and technology support to nationally appropriate mitigation actions, and adaptation activities, by developing country Parties.

V. Financial resources and investments to support actions on mitigation, adaptation, capacity-building and technology cooperation

19. Substantially scaled up financial resources will be needed to address mitigation, adaptation, technology and capacity building. It is essential to strengthen the international financial architecture for assisting the developing countries in dealing with climate change and to improve access to financial support. Resources will derive from multiple sources and flow through multiple bilateral and multilateral channels.
20. The Parties share the view that the strengthened financial architecture should be able to handle gradually scaled up international public support. International public finance support to developing countries [should/shall] reach the order of [X] billion USD in 2020 on the basis of appropriate increases in mitigation and adaptation efforts by developing countries.
21. The Parties *confirm* climate financing committed under this agreement as new and additional resources that supplement existing international public financial flows otherwise available for developing countries in support of poverty alleviation and the continued progress towards the Millennium Development Goals. In this regard:
 - Developed country parties commit to deliver upfront public financing for 2010-2012[2] corresponding on average to [10] billion USD annually for early action, capacity building, technology and strengthening adaptation and mitigation readiness in developing countries as set forth in Attachment C;
 - From [2013] The Parties commit to regularly review appropriateness of contributions and the circle of contributors against indicators of fairness based on GDP and emissions levels and taking into account the level of development as set forth in Attachment C.
22. Recalling article 4 of the Convention, Parties decide that a Climate Fund be established as an operating entity of the Financial Mechanism of the Convention, which should function under the guidance of and be accountable to the COP as set forth in article 11 of the Convention. The Fund should be operated by a board with balanced representation, which will develop the operational guidelines for the Fund and decide on specific allocation to programmes and projects. The COP will formally elect members of the Fund Board and endorse the operational guidelines and modalities for the Fund. The Fund should complement and maximise global efforts to fight climate change through up-scaled support for climate efforts in the developing countries, including mitigation, adaptation, technology and capacity-building. Support from the Fund may be channeled through multilateral institutions or directly to national entities based on agreed criteria. Parties commit to allocate an initial amount of [X] to the Fund as part of their international public climate support. Medium term funding

should be based on a share of no less than [y%] of the overall international public support. Parties decide to operationalise the work of the Fund following the modalities set forth in annex/decision [Y].

23. In the context of the commitment in paragraph [14] Parties commit to global financing contributions from international aviation and international maritime transport generated through instruments developed and implemented by the ICAO and IMO respectively should be channeled through the Climate Fund from [2013], [mainly for adaption purposes], taking into account the principle of common but differentiated responsibility.
24. To enhance transparency and overview The Parties decide to establish an International Climate Financing Board under the UNFCCC to monitor and review international financing for climate action and in this context identify any gaps and imbalances in the international financing for mitigation and adaptation actions that may arise. The Board will consist of [x] representatives from developed countries and [y] representatives from developing countries. [Z] Representatives from international institutions will participate in the Board as permanent observers. Decision making will be by consensus. [If all efforts to reach a compromise have been exhausted and no agreement has been reached, decisions shall be taken by a two-thirds majority]. The UNFCCC Secretariat will serve as secretariat for the International Climate Financing Board. Parties endorse the further guidelines as set out in attachment D and decision X7/CP.15.
25. [Placeholder for facilitative matching mechanism]

VI: Measurement, Reporting and Verification and improved National Communications

26. The Parties commit to robust measurement, reporting and verification (MRV) of the commitments undertaken in this Agreement and to review global progress in addressing climate change. The Parties endorse the further guidelines as set out in decision X7/CP.15.

Measurement, Reporting and Verification for developed countries

27. In order to promote transparency and accountability the developed country Parties will report on the implementation of their individual mitigation commitments or actions in Annex A, including methodologies and assumptions used. The implementation of the respective mitigation contributions and the related reductions are subject to international measurement, reporting and verification and each developed country Party is to report on emission reductions achieved in relation to targets in Attachment A utilising a common methodology. Finance, technology and capacity building for developing countries actions are subject to robust MRV. Provision of international public climate financing should be verified in conjunction with the MRV of supported action and according to international guidelines.

Measurement, Reporting and Verification for developing countries

28. In order to promote transparency and accountability the developing country Parties will report on the implementation of their individual mitigation actions and emission outcomes achieved in relation to their estimates in Attachment B. The supported mitigation actions and the related reductions are subject to robust MRV. MRV of supported actions must verify that financing as well as action is delivering in full towards commitments. Implementation of developing country mitigation actions that are not externally supported will be subject to national MRV based on international agreed guidelines and a consultative review under UNFCCC.

The Registry

29. Parties decide to establish a Registry that will be managed and operated independently by a professional secretariat which shall perform its tasks to the highest standards of professionalism and objectivity. The secretariat shall further prepare and propose the accounting standards for MRV of specific mitigation action and of financing. [further tasks]

Improved National Communications

30. Noting that low-emission development is indispensable to sustainable development and recognizing that development strategies and priorities are sovereign national decisions, the Parties decide to strengthen the reporting regime and to enhance the forward looking aspects in the National Communication by including mitigation plans. The Parties decide

- That Parties are to provide their greenhouse gas inventories on an annual basis with the exception that the developing countries can provide updates on a biannual basis and the least developed country Parties on a triennial basis;
- National Communications should be provided every 2 years. The Parties endorse the further guidelines as set out in decision X1/CP.15.
- To include a forward looking mitigation plan would help frame actions planned in the near- and medium- term (2020) in the context of longer-term goals (2050). The plans should describe countries' current mitigation and energy policy frameworks including regulation and pricing and mitigation potential. For developing countries, these plans will help facilitate access to support for mitigation actions anchored in the plans. The Parties, except the least developed countries which may contribute at their own discretion, are invited to put forward National Communication including forward looking plans as early as possible and [before 31 May 2011] in accordance with revised national communication principles and procedures in [Attachment X]/[Decision X/CP.15]. The plans will be updated every 2 year.
- The Parties will report, as applicable, on support received and support provided to developing countries for their actions in National Communications. A comprehensive set of statistics for climate change finance will be established enabling transparent monitoring of both provision of finance and supported climate actions. Financial flows from the international carbon market should be monitored and recognized separately.
- To enhance and expand the scope of the review of inventories and National Communications a consultation procedure is established under the SBI. The Parties undertake such consultations on the basis of input prepared by a newly established Expert group on National Communications that consider National Communications, including countries' forward looking plans.

VII: The Copenhagen Process

31. The Parties underline their commitment to immediate action pursuant to this Agreement. Furthermore, the Parties:

- Decide to continue negotiations pursuant to decisions taken at COP13 and COP15, with a view to agreeing on a comprehensive legal framework under the Convention no later than COPXX

- Decide on a review of commitments and actions under the Convention to be started in 2014 and completed in 2015 with a view of enhancing commitments and actions on mitigation and adaptation, and climate finance to achieve the Convention's ultimate objective and paragraph 2 and 3 above taking into account the conclusions of the Fifth Assessment Report of IPCC.
 - Will keep track of overall efforts with a view to ensure full transparency and allow The Parties to strengthen their collective commitments and efforts if necessary to deliver in full towards addressing the climate challenge.
32. The Parties commit to work together in international organizations, including international financial institutions, to further integrate climate aspects in their activities, including country reviews.

ATTACHMENT A

NATIONAL MITIGATION CONTRIBUTIONS

NAME OF COUNTRY *[developed countries]*

National Emissions Trajectory towards 2050	
<i>For example, reduce emissions to at least X per cent below X levels by 20XX, with milestones specified</i>	

National Contribution: Mitigation in 2020	
Brief Description	Emissions outcomes, including baseline and timeframe
<i>Economy wide quantified emission reduction target in the form of QELROs</i>	<i>X per cent reduction on 1990/2005 levels by 2020</i>
<i>Quantified emission limitation and reduction objective pursuant to or to be effected by domestic law and regulatory authority.</i>	<i>X per cent reduction on 1990/2005 levels by 2025</i>
<i>Use of carbon offsets</i>	<i>A maximum of X per cent being achieved with REDD credits included</i>
	<i>A maximum of Y per cent being achieved without REDD credits included</i>
	<i>Contributing to economy wide target</i>
<i>Policies and measures contributing to economy wide target if desired</i>	
<i>Eg Renewable energy target</i>	
<i>Eg Regulation on land clearing</i>	

ATTACHMENT B

NATIONAL MITIGATION CONTRIBUTIONS

NAME OF COUNTRY: *[developing country minus least developing countries]*

National Emissions Ambition
<i>For example, specific milestones towards peaking and reverse emissions</i>

National Contribution: Mitigation in 2020	
Brief Description	Emissions outcomes expected, including baseline and timeframe
<i>Eg Forest reference level</i>	<i>Eg X Mt CO2 eq relative to a base year of XXXX by 20XX or defined business as usual of X Mt CO2 eq</i>
<i>Eg Renewable energy target</i>	<i>Eg X Mt CO2 eq relative to a base year of XXXX by 20XX or defined business as usual of X Mt CO2 eq</i>
<i>Eg Regulations on land clearing</i>	<i>Eg X Mt CO2 eq relative to a base year of XXXX by 20XX or defined business as usual of X Mt CO2 eq</i>
<i>Eg Emissions / carbon / energy intensity target</i>	<i>Eg X hectares of clearing avoided.</i> <i>Eg X percent relative to a base year of XXXX by 20XX or defined business as usual of X Mt CO2 eq</i> <i>Eg X percent energy intensity improvement is implemented</i>

Additional Mitigation Receiving Support			
Brief description	Emissions outcomes expected, including baseline and timeframe	Total costs (all sources)	International support (component of total)
<i>Eg New Building Code: minimum energy efficiency for new constructions</i>	<i>Eg X Mt CO2 eq reduction relative to business as usual of X Mt CO2 eq or base year of XXXX by 20XX</i>	<i>\$X</i>	<i>\$X</i>

ATTACHMENT C:
FAST START FINANCE

Country	National Contribution for 2010-2012
<i>Listing of countries in alphabetical order</i>	\$X
Total pledge	[30]

Annexes:

- Attachment A: Mitigation Contributions by developed countries
- Attachment B: Mitigation Contributions by developing countries
- Attachment C: Upfront public financing pledging [and contribution key]
- Attachment D: Governance and MRV

CP Decisions

- X1/CP.15: Principles for enhanced national communications
- X2/CP.15: “REDD plus” framework
- [X3/CP.15: Improved market mechanisms]
- X4/CP.15: Adaptation Framework
- X5/CP.15: Elements of “Technology mechanism”
- X6/CP.15: Function and governance of Climate Fund
- X7/CP.15: Attachment E: Principles for amending attachment A+B

CMP decisions

- X/CMP.5: improvements of existing flexible mechanisms
- X/CMP.5: Rules for LULUCF
- Etc.