

Success or Failure in Copenhagen

Smoke and mirrors

Once the smoke blows away and the mirrors are removed it becomes obvious that the focus by some world leaders on *the process* of the climate negotiations is designed to obscure their reluctance to talk about the substance.

The paper tiger of 'politically binding' versus 'legally binding', the sorrowful acceptance of a 6-12 month delay and the general lowering of expectations are in danger of creating a global wave of apathy amongst politicians and the public and have neatly sidestepped the question of what the world actually needs to avoid disaster on an unimaginable scale.

The crunch issues

The real key to progress in Copenhagen is resolution and agreement on the crunch issues, those key elements that will put the world on a path to staying as far below a 2 degree C temperature as possible. That is what the science demands and what is required to ensure the survival of the world's most vulnerable countries and people and, ultimately, all of humanity.

In that respect:

- Industrialised countries, which are historically responsible for greenhouse gas emissions and have the most capacity to reduce them, must commit, as a group, to reductions of at least 40% on 1990 levels by 2020. The current 'pledges' from this group total a laughable 18% at best. This is unjust and completely inadequate.
- Commitment is required from industrialised countries to provide predictable funding to the tune of \$140 billion annually to assist developing countries onto a clean energy pathway, protect tropical forests and adapt to those climate change impacts that are now unavoidable.
- Major developing countries should agree to reduce their projected emissions growth by 15-30% by 2020 with financial and technological support from the industrialised world.
- A funding mechanism must be established for ending gross deforestation and associated emissions in all developing countries by 2020, and achieving zero deforestation by 2015 in priority areas, such as the Amazon and Congo Basin. Priority protection should be given to areas with high conservation value and those areas which are important for the livelihoods of indigenous peoples and forest communities.

These are the things that will put the world on track to peak emissions in the next few years from where they must decline rapidly to at least 80% below 1990 levels by mid-century. They are the first essential steps to getting the deal the world needs. With the momentum that has built over the last two years, there is no convincing argument as to why these steps cannot be taken in Copenhagen. For those industrialised countries citing lack of time, the truth is it's not about *can't* it's about *won't*.

Ratifiable Legal Instruments

Once agreement has been found on these key matters, they must be written down by governments in legal text. The most secure, legally and politically sound outcome of Copenhagen would be the adoption of ratifiable legal instruments, in the form of an amendment to the Kyoto Protocol and a new Copenhagen Protocol.

In the event that not every 'T' is crossed and every 'I' dotted in Copenhagen, governments must agree to a strong, unambiguous mandate for the completion of the legal text, including a detailed work plan and a strict time line. The agreement reached in Copenhagen should be enshrined in a 'protocol framework' the details of which will be filled in at the latest over the next 6 months.

In other words, the agreement struck in Copenhagen must be open *only* to further refinement that strengthens the deal and *not* for renegotiation. **To maintain the momentum, Heads of States will need to remain engaged until the treaties are signed.**

Unacceptable Outcome

A political declaration, COP decision(s) or any language that leaves open the question of what countries are committed to, or what the legal nature of their commitments are, would be a grave waste of the momentum of the Copenhagen process, and an unacceptable outcome.

The "Copenhagen political agreement" currently being promoted by the Danish Presidency suggests that key elements could be put into a legal form after Copenhagen. This could result in a long, indeterminate process with unclear results that would also run the risk of losing the essential architecture of the Kyoto Protocol. **This option is far too weak as a framework for a future climate regime and must be taken off the table.**

If Heads of State fail to agree to a legally binding outcome as defined here it will be an indication that they have not managed to solve the crunch issues that make up the substance of a fair, ambitious and binding agreement. It is industrialized countries that hold the key to rebuilding the shattered trust that pervades the international negotiations and unblocking these issues.

Copenhagen is the moment for world leaders

Very strong political momentum has been built up around the Copenhagen summit. The world is waiting for world leaders to make the breakthrough they have promised on climate change. It is crucial to make full use of this moment.