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UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

**AD HOC WORKING GROUP ON LONG-TERM COOPERATIVE ACTION
UNDER THE CONVENTION**

Eighth session

Copenhagen, 7–15 December 2009

Agenda item 3 (a–e)

Enabling the full, effective and sustained implementation of the Convention through long-term cooperative action now, up to and beyond 2012, by addressing, inter alia:

A shared vision for long-term cooperative action

Enhanced national/international action on mitigation of climate change

Enhanced action on adaptation

Enhanced action on technology development and transfer to support action on mitigation and adaptation

Enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation

Ideas and proposals on the elements contained in paragraph 1 of the Bali Action Plan

Submissions from Parties

1. The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), at its second session, invited Parties to submit to the secretariat ideas and proposals on the elements contained in paragraph 1 of the Bali Action Plan (decision 1/CP.13).¹
2. The secretariat received four such submissions from Parties between 21 November and 12 December 2009. As requested by the AWG-LCA, they have been posted on the UNFCCC website.² In accordance with the procedure for miscellaneous documents, the submissions are attached and reproduced* in the language in which they were received and without formal editing.
3. Submissions received from accredited intergovernmental organizations are available in document FCCC/AWGLCA/2009/MISC.9 and have been posted on the UNFCCC website.³ In line with established practice, submissions received from non-governmental organizations have been posted on the UNFCCC website.⁴

¹ FCCC/AWGLCA/2008/8, paragraph 25.

² <http://unfccc.int/meetings/ad_hoc_working_groups/lca/items/4578.php>.

³ <http://unfccc.int/parties_observers/igo/submissions/items/3714.php>.

⁴ <http://unfccc.int/parties_observers/ngo/submissions/items/3689.php>.

* These submissions have been electronically imported in order to make them available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

FCCC/AWGLCA/2009/MISC.8

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PAPER NO. 1: ALGERIA ON BEHALF OF THE AFRICAN GROUP

The Copenhagen Decisions

Submission on the outcome of the Ad Hoc Working Group on Long Term Cooperative Action under the Convention under item 3

**Proposal by the African Group – Rev.1
(Copenhagen – Denmark, 12 December 2009)**

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

The Conference of Parties,

Guided by the ultimate objective (Article 2), Principles (Article 3) and Commitments of the Parties under the Convention,

Further enhancing and 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 United Nations Framework Convention on Climate Change (UNFCCC) constitutes the fundamental legal framework on climate change,

Further reaffirming that all climate change related actions or measures shall be in full conformity with the principles and provisions of the Convention in particular the principles of common but differentiated responsibilities and respective capabilities of the Parties, equity and historical responsibility;

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

Recognizing that warming of the climate system, as a consequence of human activity, is unequivocal, and that global atmospheric concentrations of greenhouse gases have increased markedly as a result of human activities since 1750 and now far exceed pre-industrial values,

Noting that current atmospheric concentrations are principally the result of historical emissions of greenhouse gases, the largest share of which has originated in developed country Parties,

Noting further that the adverse effects of climate change will be felt most acutely by those countries and communities who have contributed least to climate change but who are already in vulnerable situations,

Recognizing that the right to rapid economic development and industrialization and equitable sharing of atmospheric space are inalienable fundamental rights of all nations and peoples, and that economic and social development and achievement of development goals including the Millennium Development Goals are the first and overriding priorities of developing country Parties, taking into account the environmental and economic vulnerability of developing country Parties especially in Africa,

Recognizing also the just, fair and equitable right of developing country Parties in particular Africa to achieve development making use of the atmospheric space and resources taking into account the accumulative historical use of such resources by developed country Parties,

Emphasizing that deep cuts in global emissions by developed country parties in accordance with their historical responsibilities, as well as the principles of equity and common but differentiated responsibilities, will be required to prevent dangerous interference with the climate system and achieve the ultimate objective of the Convention,

Emphasizing that further delay by developed country Parties in implementing their commitments to reduce emissions will increase their climate debt to the developing country Parties and significantly constrain opportunities to achieve lower stabilization levels of greenhouse gases and increase the risk of more severe climate change impacts,

Recognizing also the need to achieve sustainable development including protecting the environment and ensuring harmony between humanity and nature,

Determined to deal with the root causes of climate change, including the elimination of unsustainable patterns of consumption and production in the developed country Parties and the dominant global financial and economic system that gives rise to these,

Recalling that the extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology,

Urges all Parties to cooperate for enhancing and promoting a supportive, just and open international economic system and architecture, including the global international trade system that would lead to economic growth and sustainable development in particular in developing country Parties including, to better address the problems of environmental degradation. With the objective to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system,

Reaffirming the need to reform the international and economic systems to ensure fair and equal voice and participation of developing country Parties, in particular, African countries, especially those related to Climate change,

Recognizing that adaptation to climate change has a human rights dimension because the effects of climate change if not addressed will make impossible the realisation of the economic and social rights including the right to life, to food, to housing and to health,

Recognizing that adaptation to climate change and its economic consequences is urgent and essential to the survival and existence of developing country Parties in particular African countries, least developed countries, small island developing states and other developing countries that are vulnerable to the adverse effects of climate change,

Determined to enhance and consolidate the progress achieved so far in the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, and affirming the need to undertake further negotiations on unresolved issues in accordance with and in order to achieve the mandate of the Bali Action Plan,

Decides as follows:

A shared vision on long-term cooperative action

1. All Parties shall enhance their contribution to long-term cooperative action to combat climate change with a shared vision which is based on and in fulfillment of the objective, principles and provisions of the Convention in particular with their common but differentiated responsibilities and respective capabilities, equity and historical responsibility.

2. The shared vision is for long-term cooperative action, whose essential elements include:

(i) Fulfillment of commitments by developed country Parties to enable developing country parties to develop and implement adaptation policies, plans, programs and projects through providing substantial, new and additional public financial resources, environmentally sound technologies and capacity building in a predictable and prompt manner;

(ii) Fulfillment of commitments by developed country Parties to demonstrate they are taking the lead in modifying longer-term trends in anthropogenic emissions consistent with the objective of the Convention, including their efforts to modify their consumption and production patterns, in accordance with the Convention;

(iii) Voluntary Nationally Appropriate Mitigation Actions (NAMAs) by developing country Parties, in accordance with Article 4.1 of the Convention, which are enabled and supported by financial resources, technology development and transfer and capacity building, from developed country parties to developing country parties, and in line with the overriding priorities of developing country Parties for development and poverty eradication (under Article 4.7 of the Convention);

(iv) Fulfillment of commitments by developed country Parties to provide adequate, new, substantial and sustained financial resources to developing country Parties, that enable Developing Country Parties to implement their adaptation and mitigation actions;

(v) Technology development and transfer from developed country Parties to developing country Parties, including, *inter alia*, the identification and removal of all barriers to access at the most affordable cost to technologies and appropriate treatment of intellectual property rights (IPRs) including exclusion of patents on climate related technologies to developing country Parties; and

(vi) Fulfillment of commitments to provide capacity building in developing country Parties including provision of financial resources to develop institutions and programmes to deal with climate change issues; and capacity building in developed country Parties;

3. A global goal for emission reduction is an integral part of a set of goals and objectives, all of which have to be taken as parts of an integral whole of the shared vision. These include:

(i) Aggregate targets for developed country Parties for emissions reduction in the second and subsequent commitment periods of the Kyoto Protocol and targets for a comparable effort for Annex I parties that are not party to the Kyoto Protocol, that reflect their historical responsibilities and debts, meet the needs of developing country Parties to an equitable share of atmospheric space and are adequate to meet requirements according to the IPCC findings and the latest science;

- (ii) A goal for eliminating unsustainable patterns of consumption and production by developed country Parties;
- (iii) A goal for adequate financial resources to be transferred from developed to developing country Parties that enable developing country Parties to implement their adaptation and mitigation actions and enable global emissions to peak and decline in order to achieve the ultimate objective of the Convention;
- (iv) A goal for technology development and for technology transfer from developed country Parties to developing country Parties, including the identification and removal of all barriers to developing country Parties' access to technologies at the most affordable prices and cost and an appropriate treatment of intellectual property rights including exclusion of patents on climate related technologies in developing country Parties to ensure that developing country Parties have access to technology at the most affordable prices as part of the attainment of this goal;
- (v) A goal for supporting and enabling developing country Parties to undertake effective adaptation activities and to meet the full costs of the adverse effects of climate change;
- (vi) A goal for rapidly upgrading the capacity of developing country Parties to deal with climate change; and
- (vii) An objective to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system in a time frame sufficient to allow ecosystems to adapt naturally to climate change and ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.

4. In line with the above, decides that in accordance with the principles and provisions of the Convention in particular their common but differentiated responsibilities and respective capabilities, equity and historical responsibility, all Parties shall strive towards a global goal, with developed country Parties taking the lead through deep and adequate economy wide emissions reductions in the medium and long terms and taking effective measures to fulfill their commitments relating to the provision of substantial financial resources, capacity building and to provide technology development and transfer of environmentally sound technologies and know how to developing country Parties . This support and enabling is critical and an important measure to enhance the contribution and voluntary efforts of developing country Parties to the efforts of stabilizing of greenhouse gas concentrations in the atmosphere.

5. Developed country Parties shall not resort to any form of unilateral climate related including border adjustment measures and tariffs against the goods and services of developing country Parties on climate-related grounds as such measures violate the principles and provisions of the Convention including those related to common and differentiated responsibilities (Article 3.5 of the Convention), trade and climate change and the relation between mitigation actions of developing country Parties and and provision of finance and technology by developed country parties (Articles 4.3 and 4.7 of the Convention).

6. Actions by developed country Parties shall not be taken to deal with environmental challenges including taxation or imposing levies on developing country Parties services or sectors (e.g. aviation/maritime) or environmental measures addressing trans-boundary or global

environmental problems unless such measures have been agreed to by international consensus and are in coherence with the principles and provisions of the Convention.

Enhanced action on adaptation

7. Adaptation to the adverse impacts of climate change arising from the historical cumulative green house gases (GHG) emissions of developed country Parties, poses a serious threat to economic and social development, and is an additional burden on developing country Parties efforts to reduce poverty and achieve their development goals. Adaptation activities encompass urgent and immediate, short, medium and long term actions at national, regional and international levels.

8. An institutional framework on adaptation to climate change is hereby established under the Convention to enable developed country Parties to fulfill their commitments to fund the full incremental costs incurred by developing country Parties of implementing programmes to facilitate adequate adaptation to climate change, and to meet the costs of adapting to the adverse effects of climate change as elaborated in para 21 of this document. It shall enhance and support adaptation to climate change in all developing country Parties and in particular African countries, Least Developed Countries and Small Island Developing States. The institutional arrangements shall comprise:

(i) An adaptation executive body under the authority and guidance of the Conference of Parties and that comprises equitable geographical representation, to promote international cooperation on adaptation and other relevant activities under the Convention, set the criteria and parameters of activities to be funded and where appropriate help mobilize financial resources from public and other sources of finance, to support the implementation of country driven strategy, programs and projects, including at the regional levels.

(ii) A new adaptation fund window under the Convention to finance the full costs of adaptation activities and actions and the related transfer of technology sharing and capacity building in developing country Parties, **with sources of funding be new, substantial and sustained public funding from developed countries, with an annual scale not less than 2.5 % of the GNP of developed countries, and including through fulfilling thier financial commitments under the convention.**

(iii) A comprehensive adaptation programme to enhance action on adaptation in a coordinated and coherent manner at all levels, now, up to and beyond 2012, ranging from assessments through planning to implementation, including through reducing vulnerability, minimizing unavoidable loss and damage, and building the resilience of societies, economies and ecosystems to present and future adverse effects of climate change. The program shall:

(a) Support the formulation of national adaptation measures (in accordance with Article 4.1) in particular in developing country Parties;

(b) Provide support, including finance, technology development and transfer and capacity-building, by developed country Parties for adaptation actions in developing country Parties (in accordance with Articles 4.1, 4.3 and 4.5 of the Convention), especially those that are most vulnerable to impacts to climate change; and

(c) Establish and where appropriate strengthen regional centers, networks, initiatives and coordinating bodies for adaptation, building upon and complementing national adaptation

action on all levels.

(iv) An international mechanism to address the unavoidable loss and damage resulting from the adverse effects of climate change, and associated lost opportunities for development, with the following components:

- (a) An international facility to address risks associated with climate-related extreme weather events, that incorporates measures to reduce, manage and prevent risk;
- (b) A compensation and rehabilitation component for climate-related slow onset events
- (v) A compliance mechanism under the Convention for measuring and verifying the provisions of financial resources and transfer of technology from developed country Parties (within the new operating entity under the Convention Financial mechanism).

9. The COP shall adopt the rules and modalities for operationalization of the framework and its bodies, with a view to finish its work at the latest by the COP16.

Mitigation commitments by developed country Parties

10. All Annex I Parties to the Convention shall, in accordance with their commitments of Article 4.2 of the Convention, undertake ambitious national economy-wide binding targets for quantified emission reduction commitments of at least 45% of the 1990 levels by 2020 and adopt policies and actions accordingly to achieve these targets.

(i) For any Annex I Party to the Convention that is also a Party to the Kyoto Protocol, its emission reduction target for the second and subsequent commitment periods under the Kyoto Protocol shall be considered (as their economy wide commitment) under this paragraph. For the measurement, reporting and verification of its emission reduction target, pertinent rules and procedures under the Kyoto Protocol shall apply.

(ii) For any Annex I Party to the Convention that is not a Party to the Kyoto Protocol, its economy wide emission reduction commitment shall be comparable in magnitude, time scale and compliance to the economy wide commitments referred to in subparagraph (i) above. Such commitments shall be reflected in an annex in accordance with Article 4.2 of the Convention. For the measurement, reporting and verification of such commitments, the rules and procedures shall be elaborated by the Conference of Parties at its 16th session, using as reference the procedures referred to in sub-paragraph (i) above. The rules and procedures for international offsets shall be further established by the Conference of Parties.

(iii) For any Annex I Party to the Convention that is a Party to the Kyoto Protocol and did not undertake ambitious reduction targets for second and subsequent commitment periods, its emissions reductions will be at least 45% by 2020, and at least 95 % by 2050, compared to their 1990 emissions. For the measurement, reporting and verification of its emission reduction target, pertinent rules and procedures under the Kyoto Protocol shall apply.

11. The principle of comparability of efforts among all developed country Parties shall be applied (in accordance with para 1(b)(1) of the Bali Action Plan Decision 1/CP.13).

Nationally appropriate mitigation actions by developing country Parties in the context of economic development

12. Non Annex I Parties to the Convention may, based on their specific national circumstances and in the context of their national economic development, take mitigation actions including, where appropriate, strategies, policies, plans, programs, projects and other activities.

13. Nationally appropriate mitigation actions (NAMAs) of Non Annex I Parties are voluntary measures and/or programs to mitigate climate change under Article 4.1 of the Convention that are enabled by finance, technology and capacity building in accordance with Articles 4.3 and 4.5, and based on their specific national priorities and circumstances and in the context of sustainable development. A mechanism shall be established to match developing country mitigation actions with finance, technology and capacity building support.

14. Emission reductions resulting from NAMAs shall not be used to offset quantified emission reduction targets undertaken by Annex I Parties to the Convention.

15. Non Annex I NAMAs supported and enabled by developed country Parties in terms of technology, finance, and capacity building, may be subject to MRV in accordance with relevant rules and procedures established by the Conference of Parties.

16. Measurement, reporting and verification of the transfer of financial resources, technology and capacity building shall be undertaken in the context of the UNFCCC Compliance mechanism identified in paragraph paragraph below, with the following objectives:

(i) Measurement shall be in accordance with methodologies to measure provision of financial resources, technology transfer and Capacity building (in accordance with Article 7.2(d) of the Convention);

(ii) Reporting shall be on the provision of financial resources and transfer of technology, in accordance with Article 4.7 and communicated under Article 12.3 of the Convention; and

(iii) Verification of the combined effects of these measures shall be undertaken by the SBI under Article 10.2(a), based on inputs from the finance and technology mechanisms:

(a) Verification of the provision of finance for enabled actions to be conducted by the financial mechanism (in accordance with Article 11.1 of the Convention); and

(b) Verification of the provision of technology transfer for enabled actions shall be conducted by the technology mechanism under Article 7(2)(i) of the Convention.

17. The autonomous national mitigation actions taken with the support of national resources of developing country Parties themselves shall be reflected through their national communications, consistent with Article 12(1)(b) of the convention in accordance with national guidelines and procedures.

Mitigation actions in forestry by developing country Parties

18. Developed country Parties shall provide adequate, predictable and sustained financing, technology and capacity building in accordance with the relevant provisions of the Convention to enable and support national development needs and voluntary actions to be undertaken by developing country Parties consistent with their national circumstances in the context of reducing

emissions from, *inter alia*, deforestation, forest and land degradation and to increase forest coverage, stabilize forest carbon stocks, enhance carbon sinks through forest conservation, sustainable management of forests, afforestation, reforestation, restoration of degraded ecosystems, improved land use and agriculture practices.

Response Measures

19. An appropriate forum shall be established under the Convention 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 response measures.

Enhanced action on financial resources and investment

20. We stress that the financial commitments of Developed Country Parties under the Convention have not been met, and emphasizing the urgent need for these parties to honor their commitments in accordance with Article 4 and in particular Articles 4.3, 4.4 and 4.5, and to provide substantial financial resources to developing country Parties that commensurate with the unprecedented challenge of climate change which constitutes the greatest risk that humanity has ever faced.

21. Developed country Parties and other developed Parties included in Annex II in accordance with their commitments under the Convention including Article 4, paragraphs 3, 4, 5, 7, 8 and 9 shall provide substantial, new, additional, adequate, predictable and sustained public funding additional to and different from the ODA to meet the agreed full costs and/or incremental costs incurred by developing country Parties to effectively implement their commitments under the Convention, taking into consideration that other sources of finance like private sector and carbon market can play a supplementary role.

22. In accordance with Article 11(3)(d) of the Convention, it is agreed that the amount of funds to be made available annually to developing country Parties shall be equivalent to at least five (5) per cent of the GNP of developed country Parties. Of this amount at least 50% will be for adaptation activities in developing country Parties. It is equally agreed that four hundred billion US dollars (US\$400 billions), from public finance sources, shall be made available by developed countries for fast track financing of global efforts to address climate change. An equivalent of one US\$ (150 billions) worth of Special Drawing Rights shall be issued immediately by the IMF as partial fulfillment of this undertaking by developed countries.

23. A financial mechanism of the Convention, to be known as the (Multilateral Climate Fund), is hereby established, in accordance with Article 11.1. It shall function under the authority, guidance of and be fully accountable to the Conference of Parties. It shall comprise, *inter alia*, the following elements:

- (i) An Executive Board, which shall be the governing body, with equitable and geographically-balanced representation of the Parties, and which shall follow the principles of openness, transparency, effectiveness and easy access;
- (ii) Multiple specialized Funds or funding windows, including for adaptation, mitigation, technology transfer and development, and capacity building;
- (iii) A trustee or trustees that shall be appointed by the Board;

- (iv) Technical panels of experts;
- (v) A Monitoring and Verification group or mechanism, mentioned in paragraph (24) of this document.

24. A Compliance mechanism shall be established for the evaluation and verification of the fulfillment of developed country Parties of their commitments under the Convention including their financial contributions to adaptation, mitigation, technology transfer and capacity building to developing country Parties, to identify insufficiencies between the enabling means provided and needed and address non-compliance with commitments.

25. The rules and procedures of the compliance mechanism shall be established by the Conference of the Parties not later than the 16th Conference of Parties. The MRV of the support to NAMAs and NAPAs of developing country Parties shall be undertaken under this compliance mechanism.

Enhanced Action on Technology Development and Transfer

26. Recognizing that enhancement, development, demonstration, deployment, diffusion and transfer of new and existing innovative technologies is urgent and essential to strengthening developing country Parties capacities in particular in African countries, least developed countries, small island developing states and other developing countries that are vulnerable to the adverse effects of climate change.

27. All Parties shall enhance cooperation to promote research, development, demonstration, deployment, transfer and diffusion of environmentally friendly technologies, and in particular to take effective measures to encourage and enable development and transfer of technology to developing country Parties, remove barriers including intellectual property rights in the context of making to technology development and transfer. Specific measures shall be established to remove barriers to development and transfer of technologies from the developed country to transfer environmentally sound technologies to developing country Parties arising from intellectual property rights protection.

28. A mechanism for technology development and transfer is hereby established under the Convention that shall function under the authority, guidance of and be fully accountable to the Conference of Parties, to fully implement the commitments on technology development and transfer under the Convention, in particular Article 4, paragraphs 3, 5, 7 and 9, that comprises:

- (i) A Technology Executive Board aimed at achieving the most effective implementation of technology transfer to developing country Parties including through *inter alia* develop strategy and policies, provide guidance, assess and elaborate on technology matters and develop a Technology Action Plan and its updated versions, comprising government representatives, elected by the Conference of Parties, which will have equitable regional representation;
- (ii) Technical Panels for adaptation and mitigation technologies to generate and compile expert information;
- (iii) A Technology Action Plan to support concrete programs and actions to enable technology development and transfer, enhance endogenous technologies and capacities and enhance action in all sectors, and at all stages of the technology cycle (in accordance with Article 4.5). The TAP will define policies, actions and funding for relevant technology actions and

programs under the following classification: public domain technologies, patented technologies and know-how and future technologies. The Technology Action Plan will have short, medium and long term actions and programs that covers all sectors ;

(iv) A Multilateral Climate Technology Fund/window to meet the full and the full incremental costs of technology transfer (in accordance with Article 4.3). The fund will be part of the financial mechanism of the Convention. It shall provide financial support for the activities agreed on by the Technology Mechanism.

(v) A compliance mechanism for measuring and verifying commitments of developed country Parties for technology transfer, finance and development, as mentioned in paragraph 24 of this document;

29. The technology mechanism shall among its objectives and functions have the following:

(i) Achieve access to affordable technology by developing country Parties, achieve removal of barriers to technology transfer, diffusion and development; support the enhancement and development of endogenous capacities and technologies of developing country Parties, develop technology action plans, coordinate actions and assess performance;

(ii) Formulate and promote the implementation of action plans on technology development and transfer;

(iii) Coordinate actions by different stakeholders at national, regional and international levels;

(iv) Remove barriers to technology transfer and enhance means to promote technology transfer;

(v) Promote the establishment and enhancement of national and regional technology innovation centers and networks;

(vi) Promote capacity building, including personnel training and information exchange, to enhance the capability of developing country Parties for the development, absorption and application of climate friendly technologies;

(vii) Monitor and assess the progress and effectiveness of the development and transfer of climate friendly technologies under the Convention;

(viii) Provide advice on and assess the appropriateness of technology, including the environmental, social and economic and developmental aspects on the technology aspects of developing countries voluntary national appropriate mitigation actions and adaptation activities and plans; and

(ix) Accelerate further research, development and production of technologies in developing countries

(x) Strengthen technical and institutional capacities including technology centers in developing countries

(xi) Stimulate and support the wide dissemination of existing technologies

30. Cooperation and joint development of current, new and innovative technologies shall be enhanced.

31. Intellectual property rights can enable and drive innovation. However, they also represent a barrier to technology development, diffusion and transfer in developing countries. These shall be addressed with a view to ensure affordable access by developing country Parties to climate-related technologies at the most affordable prices and cost and to support the development of endogenous technologies in developing country Parties. In this regard, patents on climate-related technologies may be excluded by developing country Parties. Steps shall be taken to expand technologies in the public domain. Nothing in international intellectual property agreements shall be interpreted or implemented in a manner that limits or prevents any Party from taking measures to address climate change, in particular the development and transfer of technologies.

Enhanced action on capacity building

31. A Capacity building committee–mechanism shall be established to develop and support capacity building needs of developing country Parties, in particular African countries, least developed countries, small island developing countries and other developing countries that are vulnerable to the adverse effects of climate change, including through funding, focused training, mentoring and learning by doing approaches.

32. The committee/Mechanism shall support developing country Parties to, *inter alia*:

- (i) Develop the capacity of institutions and human resources;
- (ii) Formulate strategies, policies and action plans;
- (iii) Enhance research and knowledge management;
- (iv) Strengthen endogenous capacities;
- (v) Strengthen the capacity for data collection and use and for modeling; and
- (vi) Build capacity for planning and decision-making including the participation of nongovernmental actors.

33. Developed Country Parties shall enable developing country Parties to implement the identification of activities (including national-level action plans), which shall be funded at full costs under Article 4.3 and 11.1 of the Convention.

Continuation of Process

34. The Ad Hoc Working Group on Long-Term Cooperative Action shall hold further sessions in order to continue and finish its work specified in and in accordance with the Bali Action Plan (Decision 1.CP.13) and this Decision. The Working Group shall complete its work by June 2010 and present the outcome of its work to the Conference of Parties for adoption at the resumed session of its 15th session.

35. The Position of Chair and Vice-Chair of the Working Group shall rotate between Annex 1 and non-Annex I Parties on an annual basis.

36. The future sessions of the Working Group shall be held in New York and/or Geneva, to enhance the participation of developing country members of the Convention.

PAPER NO. 2: ALLIANCE OF SMALL ISLAND STATES

**AD-HOC WORKING GROUP ON LONG-TERM COOPERATIVE ACTION UNDER THE
CONVENTION**

UNDER AGENDA ITEM 3

**PROPOSAL BY THE ALLIANCE OF SMALL ISLAND STATES (AOSIS) FOR THE
SURVIVAL OF THE KYOTO PROTOCOL**

AND A

**COPENHAGEN PROTOCOL TO ENHANCE THE IMPLEMENTATION OF THE UNITED
NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE**

11 December 2009

AOSIS has 43 members, 39 of which are Party to the United Nations Framework Convention on Climate Change and its Kyoto Protocol: Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba, Dominica, Dominican Republic, Federated States of Micronesia, Fiji, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Mauritius, Nauru, Niue, Palau, Papua New Guinea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Singapore, Solomon Islands, Suriname, Timor Leste, Tonga, Trinidad and Tobago, Tuvalu, and Vanuatu. The other members are: American Samoa, Guam, Netherlands Antilles and Virgin Islands (U.S.).

**DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES
(XXth plenary meeting, 18 December, 2009)**

Decision 1/CP.15

**Adoption of the Copenhagen Protocol to Enhance the Implementation of the United Nations
Framework Convention on Climate Change**

The Conference of the Parties,

Recalling the Bali Action Plan (decision 1/CP.13) adopted by the Conference of the Parties at its thirteenth session, and recognizing the need for long-term cooperative action among all Parties to enable the full, effective and sustained implementation of the Convention now, up to and beyond 2012 in order to achieve its ultimate objective,

Guided by the ultimate objective of the Convention, as stated in its Article 2,

Recalling the principles, provisions and commitments set forth in the Convention, in particular the provisions of Article 3,

Having noted decision -/CMP.5 on further commitments for Parties included in Annex to the Convention that are also Parties to the Kyoto Protocol,

Having considered the work of the Ad Hoc Working Group on Long Term Cooperative Action under the Convention pursuant to paragraph 2 of decision 1/CP.13,

AOSIS would replace text proposed hereafter by the AWG-LCA Chair (Version 11/12/09) with the following:

Noting the Report of the Ad Hoc Working Group on Long Term Cooperative Action under the Convention at its eight session,

Having considered with appreciation the report presented by the Chairman of the Ad Hoc Working Group on the Long Term Cooperative Action,

Recognizing the need to prepare for early entry into force of the Copenhagen Protocol to Enhance the Implementation of the United Nations Framework Convention on Climate Change,

Aware of the timely commencement of work to pave the way for rapid action on climate action relating to mitigation and adaptation by all Parties now, up to, and beyond 2012,

1. *Decides* to adopt the Copenhagen Protocol to Enhance the Implementation of the United Nations Framework Convention on Climate Change ('the Copenhagen Protocol'), annexed hereto;
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Copenhagen Protocol and to open it for signature in New York from [xx March 2010] until [xx March 2011];
3. *Invites* all Parties to the United Nations Framework Convention on Climate Change to sign the Protocol on the [xx March 2010] or at the earliest opportunity thereafter, and to deposit instruments of ratification, acceptance or approval, or instruments of accession, where appropriate, as soon as possible;

4. *Requests* the [Chairman of the Subsidiary Body for Scientific and Technological Advice and the Chairman of the Subsidiary Body for Implementation,] or [a new body established for the rapid implementation of the Copenhagen Protocol] to give guidance to the secretariat on the preparatory work needed for consideration by the Conference of the Parties at its sixteenth session of the following matters and to allocate work thereon to the respective subsidiary bodies as appropriate:

[elements to be specified];

5. *Invites* the [Chairman of the new body] or the Chairman of the Subsidiary Body for Scientific and Technological Advice and the Chairman of the Subsidiary Bodies for Implementation] to make the necessary preparations to complete the preparatory work needed to enable the Conference of the Parties at its sixteenth session to give full effect to the provisions of the Copenhagen Protocol.

COPENHAGEN PROTOCOL TO ENHANCE THE IMPLEMENTATION OF THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

The Parties to this Protocol,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Convention”

In pursuit of the ultimate objective of the Convention as stated in its Article 2,

Recalling the provisions of the Convention, and the principles contained in its Article 3,

Pursuant to Decision 1/CP.13 (the ‘Bali Action Plan’), adopted by the Conference of the Parties at its thirteenth session, and recognizing the need for long-term cooperative action among all Parties to enable the full, effective and sustained implementation of the Convention now, up to and beyond 2012, in order to achieve its ultimate objective,

Recalling the provisions of the Kyoto Protocol to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Kyoto Protocol”, and acknowledging its important and ongoing role in contributing to the achievement of the ultimate objective of the Convention,

Emphasizing the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change that warming of the climate system is unequivocal,

Cognizant of the urgency to address climate change,

Renewing the political determination to strengthen a global partnership that enhances long-term cooperative action and addresses existing implementation gaps, and to continue building an inclusive, fair and effective implementation of the Convention that takes into account the first and overriding priorities of all developing countries, which are the promotion of sustainable economic and social development and poverty eradication

Mindful that cumulative historical emissions in developed countries remain relatively high compared with those in developing countries, and that the negative impacts of climate change are already evident and widespread, particularly in vulnerable regions of the world,

Recognizing that climate change has significant negative implications for human society and ecosystems that are already occurring and pose an existential threat to particularly vulnerable developing countries, especially the least developed countries and small island developing countries and countries in Africa affected by drought, desertification and floods who have contributed least to the problem;

Taking note of UN Human Rights Council resolution 10/4 of 25 March 2009 on “Human rights and climate change”,

Acknowledging that deep cuts in global emissions will be required in as short a possible timeframe to achieve the ultimate objective of the Convention, including through fast action strategies, and that every year of delay in reducing emissions incurs significant additional costs whilst constraining opportunities to achieve lower stabilization levels and increasing the risk of more severe climate impacts,

Recognizing the need to address the health, human rights and security implications of climate change including the grave threat to the inherent dignity, livelihood, and security of the particularly vulnerable

developing countries, as well as the need for initiatives, where necessary, to prepare communities for relocation.

Have agreed as follows:

Article 1 DEFINITIONS

For the purposes of this Protocol, the definitions contained in Article 1 of the Convention and Article 1 of the Kyoto Protocol shall apply *mutatis mutandis*. In addition:

“Conference of the Parties” means the Conference of the Parties to the United Nations Framework Convention on Climate Change;

“Party” means, unless the context otherwise indicates, a Party to this Protocol; and

“Particularly vulnerable developing countries” refers to least developed countries, small island developing states¹ and countries in Africa affected by drought, desertification and floods.

Article 2 SHARED VISION

1. In their actions to achieve the ultimate objective of the Convention and to implement the provision of this Protocol, the Parties’ shared vision is to enhance their implementation of the Convention henceforth in a balanced and comprehensive manner by addressing mitigation, adaptation, technology, financing and capacity-building support.

2. A long-term global goal for emissions reduction is part of the shared vision. The Parties shall be guided by a shared vision to limit global average temperatures to well below 1.5 degrees Celsius above pre-industrial levels and to long term stabilization of greenhouse gas concentrations in the atmosphere to well below 350 parts per million of carbon dioxide equivalent in order to prevent additional dangerous anthropogenic interference with the climate system. To this end, the Parties agree that global emissions should peak by no later than 2015 and will need to be reduced by at least 85 per cent below 1990 levels by 2050.

3. The Conference of the Parties shall periodically review the overall progress towards the achievement of the ultimate objective of the Convention and actions related to the shared vision on mitigation, adaptation, finance, technology transfer and capacity-building, in accordance with the review procedure set out in Article 14 of this Protocol. Taking into account the need to prevent and minimize further impacts on particularly vulnerable developing countries, and the need to avoid breaching critical impact thresholds, the Conference of the Parties shall, in the context of such reviews, periodically review the adequacy of, and progress towards the achievement of the global goals set out in paragraph 2 above. Reviews shall be based on:

- (a) the best available scientific knowledge, including the assessments of the Intergovernmental Panel of Climate Change;

¹ ‘Small island developing states’ refers to small island developing states and associated low-lying coastal states of the Alliance of Small Island States.

- (b) the observed impacts of climate change, especially in particularly vulnerable developing countries;
- (c) relevant technical, social and economic information;
- (d) information submitted by Parties; and
- (e) an assessment of the overall aggregated effect of the steps taken by the Parties to combat climate change in order to achieve the ultimate objective of the Convention and the shared vision.

Article 3 ADAPTATION

1. Parties agree that enhanced action on adaptation is urgently required to enable, support and implement action to reduce vulnerability and build resilience to the impacts of climate change.
2. Developing countries, especially the particularly vulnerable developing countries, shall be provided with the necessary financial, technological and capacity-building support by developed country Parties² through the Multilateral Fund on Climate Change (MFCC), established in Article 12, for the full range of adaptation actions undertaken pursuant to this Protocol. Adaptation actions shall include, *inter alia*: action at the project, sectoral and national levels; administrative and legislative actions; protection of people displaced by the impacts of climate change; and addressing loss and damage arising from the adverse effects of climate change.
3. Financial support for implementing adaptation action shall be grant-based, long-term and over and above existing official development assistance commitments. Developing country access to this financial support shall be simplified, expeditious and direct, with priority given to particularly vulnerable developing countries.
4. National adaptation actions may be developed and implemented at different time scales reflecting the diverse national circumstances of Parties.
5. All Parties shall develop, update periodically and make available to the Conference of the Parties, their National Adaptation Priorities (NAPs), drawing where available on existing strategies and plans. The absence of a NAP shall not be an impediment to eligibility for financial, technological and capacity-building support for adaptation actions and priorities.
6. Developing country Parties shall be supported to establish or strengthen designated national level institutional arrangements for adaptation to enhance work on the full range of adaptation actions from planning to implementation, including risk management planning for the international mechanism for addressing loss and damage.
7. Regional centres for adaptation shall be established or strengthened to assist developing country Parties with the implementation of adaptation action. The mandate, control and contribution to the funding of regional centres will be guided by the developing country Parties in the relevant region, supported by developed country Parties.

² For the purposes of this Protocol, obligations under the Convention to provide support apply to the developed country Parties and other developed Parties included in Annex II to the Convention.

8. The Conference of the Parties shall consider the implementation of adaptation as a standing item on its agenda. The consideration of adaptation issues by the Conference of the Parties shall be supported by the Adaptation Committee, established below, which shall provide an annual report to the Conference of the Parties on its activities, together with any recommendation for actions by the Conference of the Parties.

9. An Adaptation Committee under the authority and guidance of the Conference of the Parties is hereby established. The Adaptation Committee shall be comprised of Parties to this Protocol and have a majority of Parties not included in Annex I to the Convention, and may also include representatives from relevant international organizations.

10. The purpose of the Adaptation Committee shall be to support the work of the Conference of the Parties in assisting developing country Parties to implement adaptation actions, paying special attention to the needs of particularly vulnerable developing countries. The functions of the Committee shall include, *inter alia*:

- (a) interacting with Parties and bodies currently engaged in adaptation implementation;
- (b) analysing existing work and identifying best practice;
- (c) helping countries to access adaptation related funding and support;
- (d) identifying adaptation gaps and enhancing action to respond to such gaps;
- (e) assessing delivery of financial, technological and capacity-building support; and
- (f) advising on technical matters building on work of existing Convention bodies and expert groups.

11. An international mechanism addressing risk management and risk reduction strategies and insurance related risk sharing and risk transfer mechanisms, including mechanisms to address loss and damage from the impacts of climate change, is hereby established and defined. The purpose of the international mechanism shall be to support developing country Parties, especially the particularly vulnerable developing countries, to build resilience through addressing the risks associated with climate-related extreme weather events; and compensation and rehabilitation for loss and damage resulting from climate-related slow onset events, including sea level rise, increasing temperatures and ocean acidification.

12. Financial support for planning and implementing adaptation actions that address loss and damage in developing countries shall be provided by developed countries through the adaptation and insurance windows of the Multilateral Fund on Climate Change.

13. All Parties should enhance reporting on the implementation of adaptation actions through national communications funded and submitted pursuant to Article 4, paragraph 3, and Article 12 of the Convention.

Article 4 MITIGATION

1. All Parties should contribute to the global effort to combat climate change on the basis of equity in accordance with their common but differentiated responsibilities and respective capabilities, which

oblige developed country Parties to take the lead in combating climate change and the adverse effects thereof. Enhanced national action on mitigation by all Parties should, in aggregate, deliver reduction of emissions and enhanced removals by sinks of greenhouse gases not controlled by the Montreal Protocol sufficient to ensure a global emission pathway consistent with the shared vision defined in Article 2 above.

2. Accordingly commitments of developed countries shall result in a collective reduction of overall emissions of at least 45 per cent below 1990 levels by 2020, while actions by developing countries should in aggregate aim to achieve significant deviations from baselines by 2020, recognizing the role of Article 2 of the Convention and the principles set out in Article 3 of the Convention.

3. Commencing in 2012, all developed country Parties to this Protocol shall formulate, submit to the secretariat and revise every five years, a low-GHG-emissions development strategy (LGEDS).

4. Developing country Parties, based on national circumstances and in the context of sustainable development, poverty reduction and access to energy, and enabled by financing, technology and capacity-building support provided by developed country Parties through the mitigation window of the MFCC, shall submit strategies for achieving substantial deviation from baselines. Initial submissions may be based on existing sources of information such as national communications and national plans and strategies.

5. Such strategies shall be communicated to the Parties, through the Secretariat, alongside national communications in accordance with Article 12 of the Convention. Least developed countries and small island developing states may make their initial and subsequent submissions of their strategies at their discretion, but where they have chosen to do so, such countries shall be entitled to expedited and prioritized funding for these strategies through the mitigation window of the MFCC, taking into account the need to support Parties in their efforts to transition to lower-emission forms of development.

6. In accordance with their common but differentiated responsibilities and respective capabilities, which oblige developed countries to take the lead in combating climate change and the adverse effects thereof, all Parties shall undertake measures to enhance the mitigation of climate change by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol, as follows:

- (a) The Parties included in Annex I to the Convention that are also Party to the Kyoto Protocol shall, individually or jointly, ensure that for the second commitment period under the Kyoto Protocol (2013 to 2017) and subsequent commitment periods, their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A to the Protocol do not exceed their assigned amounts calculated pursuant to their quantified emissions limitation and reduction commitments inscribed in Annex B to the Kyoto Protocol, as duplicated in Annex Z to this Protocol. Parties' quantified emissions limitation and reduction commitments for subsequent five-year commitment periods, established in amendments to Annex B to the Kyoto Protocol, shall be duplicated in Annex Z to this Protocol.
- (b) Any Party included in Annex I to the Convention that is not Party to the Kyoto Protocol shall ensure that its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex Y do not exceed its inscribed amounts for the assessment period 2013 to 2017 or for subsequent assessment periods, calculated pursuant to its economy-wide quantified emission limitation or reduction commitments inscribed in Annex Z to this Protocol. Commitments for subsequent five-year

assessment periods shall be inscribed in Annex Z to this Protocol in accordance with the adjustment procedures set out in Article 14 of this Protocol.

- (c) If, subsequent to the adoption of this Protocol, a Party to the Convention not addressed in subparagraphs (a) and (b) above voluntarily proposes a national emissions limitation target for the assessment period 2013 to 2017 or subsequent assessment period, the following procedures and rules shall apply:
 - (i) The Conference of the Parties shall determine whether the proposal would contribute to the achievement of Article 2 of the Convention and the shared vision set out in Article 2 of this Protocol, taking into account the need to ensure consistency and transparency with regard to the measurable, reportable and verifiable nature of the targets agreed pursuant to this sub-paragraph and subparagraphs (a) and (b) above.
 - (ii) In the case of a positive determination, the Conference of the Parties shall take the necessary action to inscribe this target in Annex Z of this Protocol in the form of a national or sectoral voluntary emission limitation target expressed as a percentage of base year or period.
- (d) “Inscribed amounts” shall be calculated on the basis of methodologies, rules and procedures used to calculate and record the assigned amount of Annex I Parties to the Kyoto Protocol pursuant to Articles 3, 5, 7 and 8 of the Kyoto Protocol.
- (e) The Conference of the Parties shall at its next session following the adoption of this Protocol define the relevant principles, modalities, rules and guidelines for the generation and use of units that may be transferred and acquired for compliance, guided by the eligibility requirements for participation in the mechanisms under the Kyoto Protocol.

Article 5

NATIONALLY APPROPRIATE MITIGATION ACTIONS

1. Developing country Parties shall undertake nationally appropriate mitigation actions (NAMAs) in the context of sustainable development, which shall aim to reduce emissions and enhance removals by sinks of greenhouse gases not controlled by the Montreal Protocol supported and enabled by technology, financing and capacity-building provided by developed country Parties through the mitigation window of the Multilateral Fund on Climate Change.
2. NAMAs may include a range of actions, undertaken at the national, sectoral or project level which, to be registered, must result in a quantifiable reduction of emissions of greenhouse gases below baseline.
3. Proposals for NAMAs by developing countries may be submitted for pre-registration in the Registry established pursuant to Article 6 of this Protocol, in accordance with the guidelines for pre-registration, financial matchmaking, notification of implementation and recording for NAMAs adopted by the Conference of the Parties. All NAMAs that have been notified to the Registry as being implemented by developing countries shall be recorded in the Registry, whether or not such NAMAs are being financially supported.

4. The results of NAMAs undertaken by developing countries pursuant to this Article shall be compiled by the Secretariat. The purpose of the compilation shall be to provide information on developing country Parties' mitigation efforts, individually and collectively, and the intended and actual results of their mitigation actions. The Conference of the Parties shall consider and adopt detailed guidelines for the format and functioning of the compilation.

Article 6 THE REGISTRY

1. A Registry is hereby established.
2. The purpose of the Registry shall be to register and facilitate the implementation of nationally appropriate mitigation actions by developing country Parties to this Protocol through the arrangement of financing of NAMAs, where so requested by a developing country Party, and recording the financial, technological and capacity related support provided by developed country Parties to this Protocol to support NAMAs.
3. The Registry shall function under the authority of the Conference of the Parties and shall be maintained by the secretariat of the Convention. The Registry's structure and governance arrangements, including the establishment of technical panels to assess the potential outcomes of NAMAs, shall be further elaborated by the next session of the Conference of the Parties after the adoption of this Protocol.
4. NAMAs eligible for registration may include:
 - (a) actions that are supported by developed country Parties;
 - (b) actions for which support is sought; and
 - (c) actions that are domestically funded by developing country Parties.
5. Under the Registry:
 - (a) Developing country Parties seeking support for nationally appropriate mitigation actions shall submit information about proposed nationally appropriate mitigation actions, including:
 - (i) a description of the action for which support is sought;
 - (ii) the expected outcomes in terms of quantifiable emission reductions in tons of carbon dioxide-equivalent relative to nationally determined baselines;
 - (iii) the time frame for implementation; and
 - (iv) the estimated cost.
 - (b) Information about proposed NAMAs, as outlined in paragraph (a) above, shall be assessed by a technical panels coordinated by the secretariat, in accordance with guidelines agreed by the Conference of the Parties to determine whether a proposed NAMA shall be recorded as registered in the Registry.

- (c) Developing country Parties shall report on registered NAMAs in an agreed format that indicated the impacts of their NAMAs on national emissions inventories. Emissions reductions achieved by developing country Parties that are below measured, reported and verified baselines shall be recognized and, subject to the rules, procedures and modalities relating to market mechanisms established pursuant to Article 9, may lead to the generation of offsets.
- (d) Developing country Parties with emissions representing in excess of [X] percent of global emissions in [XXXX] shall report every two years, with the first report to be presented no later than [date]. This provision shall not apply to Least Developed Countries and small island developing states, which may report at their discretion or through the national communication process pursuant to Article 12 of the Convention.
- (e) Monitoring, review and verification of NAMAs may be undertaken by accredited national, regional and international bodies in accordance with guidelines to be adopted by the Conference of the Parties. Support for NAMAs provided by developed country Parties under the Registry shall be measured, reported and verified annually, in accordance with guidelines to be adopted by the Conference of the Parties.

Article 7

EMISSIONS FROM INTERNATIONAL AVIATION AND MARITIME TRANSPORT

The Conference of the Parties, with a view to reducing emissions on a scale consistent with the shared vision outlined in Article 2, invites the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) to initiate additional technical and operational actions, and provide updates of progress to the Conference of the Parties at each of its sessions, commencing at its sixteenth session. Parties to this Protocol that are also members of the IMO and ICAO shall take the actions necessary to bring effect to these actions in the IMO and ICAO, respectively.

Article 8

REDUCING EMISSIONS FROM DEFORESTATION AND FOREST DEGRADATION IN DEVELOPING COUNTRIES; AND THE ROLE OF CONSERVATION, SUSTAINABLE MANAGEMENT OF FORESTS AND THE ENHANCEMENT OF FOREST CARBON STOCKS IN DEVELOPING COUNTRIES

1. All Parties shall aim to halt forest cover loss in developing countries by 2030 at the latest and reduce gross deforestation in developing countries by at least 50 per cent by 2020 compared to current levels.
2. All Parties shall undertake policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation (REDD) in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries.
3. Actions taken by Parties in the context of paragraph 1 above shall:
 - (a) contribute to the objective prescribe in Article 2 of the Convention;
 - (b) be country-driven and voluntary;

- (c) be undertaken in accordance with the respective capabilities and national circumstances of Parties and respect sovereignty;
- (d) be consistent with national sustainable development goals;
- (e) contribute to poverty reduction;
- (f) promote broad country participation;
- (g) contribute to the adaptation needs of countries; and
- (h) support developing countries in reorganizing the role of forests in the context of supporting low-carbon economies.

4. When undertaking actions referred to in paragraph 1 above Parties shall ensure that:

- (a) non-permanence of actions is adequately addressed;
- (b) necessary actions are taken to address leakage and international and national displacement of emissions;
- (c) robust, transparent and accountable forest governance structures and accessible support mechanisms are established and maintained, while taking into account national legislation;
- (d) actions are consistent with relevant international conventions and agreements;
- (e) all actions are consistent with the United Nations Declaration on the Rights of Indigenous Peoples and respect the knowledge and rights of indigenous peoples including ensuring their free, prior and informed consent;
- (f) all actions promote the full and effective participation of all relevant stakeholders; and
- (g) all actions are consistent with the conservation of biological diversity and do not provide incentives for the conversion of natural forests.

5. In accordance with national circumstances, developing country Parties aiming to undertake actions referred to in paragraph 1 above shall develop:

- (a) national action plans;
- (b) national reference emission levels and or national reference levels which shall be regularly updated and submitted for review and verification by the Conference of the Parties in accordance with procedures and guidelines developed by the Conference of the Parties; and
- (c) robust and transparent national monitoring and reporting systems for emissions and removals within the context of action taken with respect to paragraph 1 above.

6. National action plans referred to in paragraph 5(a) above, shall incorporate policies and measures to address issues, concepts and principles referred to in paragraph 4, subparagraphs (a) to (g) above.

7. All Parties shall undertake policies and measures to address the drivers of deforestation and forest degradation and promote conservation, sustainable management of forests and the enhancement of forest carbon stocks.

8. The implementation of actions prescribed in paragraph 1 above shall be supported by finance, technology and capacity development through a REDD funding window of the MFCC under this Protocol and through, *inter alia*, a variety of sources, including public, private and market-based sources, as appropriate³, that employs robust methodological standards for measurable, reportable and verifiable actions. Robust environmental integrity will need to be maintained if a REDD mechanism is linked to international carbon markets.

9. In support of actions prescribed in paragraph 1 above, developing country Parties shall establish community-based trust funds and national forest conservation funds.

10. At its next session following the adoption of this Protocol, the Conference of the Parties shall adopt appropriate means of measuring, reporting and verifying nationally appropriate mitigation actions associated with reducing emissions from deforestation and forest degradation, and elaborate modalities and procedures for establishing reference emission levels and/or reference levels.

11. At its next session following the adoption of this Protocol, the Conference of the Parties shall adopt appropriate means for establishing an international reference level and international monitoring systems to address international emissions displacement.

12. Regional REDD centres shall be established to assist developing countries to undertake actions prescribed in paragraph 1 above.

Article 9 POLICIES AND MEASURES

The use of policy and measures to meet the commitments of developed country Parties shall be subject to the authority of the Conference of the Parties. To facilitate the use by Parties of such policies and measures, the Conference of the Parties shall, at its next session following the adoption of this Protocol, define the relevant principles, modalities, rules and guidelines for specific policies and measures established under this Protocol. In doing so, the Conference of the Parties shall ensure that there is no double-counting between different forms of units generated by policies and measures, including those established pursuant to the Kyoto Protocol.

Article 10 CAPACITY BUILDING

1. Parties affirm that capacity-building is a cross-cutting issue that is fundamentally related to the implementation by developing countries of their actions under the Convention and this Protocol. To enable developing country Parties to participate fully in national and international processes related to the implementation of the Convention and this Protocol, developed country Parties agree to provide financial and technological support in the context of Article 4, paragraph 9 of the Convention in a transparent, expedited, sustainable and predictable manner, with direct access, under the overall guidance of the Conference of the Parties, through a dedicated window for funding for capacity-building to be established under the MFCC.

³ Tuvalu has expressed a reservation on the reference to market-based sources.

2. Parties agree that enhanced action on capacity building shall be, *inter alia*:
 - (a) A continuous, progressive and iterative process;
 - (b) Country-driven and consistent with national priorities and circumstances; and
 - (c) Participatory.
3. Parties agree that capacity-building actions shall be enhanced in order to fully implement the framework for capacity-building in developing countries as contained in the annex to decision 2/CP.7, including, *inter alia*,
 - (a) to build, develop, strengthen, improve and enhance, as appropriate, the capacity of developing country Parties in areas identified in the agreed outcome of the building blocks of the Bali Action Plan;
 - (b) to support developing country Parties in formulating and implementing capacity building projects, programmes and activities related to all aspects of the Convention and this Protocol;
 - (c) to strengthen subnational, national or regional capacities, skills, capabilities and institutions to address emerging capacity-building needs, particularly those related to the enhanced implementation of the Convention and this Protocol;
 - (d) to strengthen the capacity to plan, prepare and implement climate change actions, including the integration of such actions into relevant national strategies and plans; and
 - (e) to strengthen the capacity to monitor and report on climate change action, including for the preparation of national communications.

Article 11 TECHNOLOGY DEVELOPMENT AND TRANSFER

1. All Parties shall enhance cooperation and joint development to promote the development, deployment, diffusion and transfer of climate friendly technologies, in particular to take effective measures to encourage and provide incentives for technology transfer to developing countries, remove relevant barriers, and appropriately address issues of intellectual property rights.
2. A mechanism for technology development and transfer, the Technology Mechanism, is hereby established to fully implement the commitments on technology development and transfer under the Convention, in particular Article 4, paragraphs 3, 5, and 7 of the Convention.
3. The Technology Mechanism shall operate under the authority and guidance of the Conference of the Parties and be accountable to it. It shall be comprised of an Executive Body on Technology which shall oversee panels to support technology development and transfer incentives programs, capacity building programs and innovation centers and networks, and other priority areas to be further elaborated by the Conference of the Parties.
4. The Executive Body on Technology shall be comprised of 21 members, as follows: four members from each United Nations regional grouping, taking into account the need to ensure

representation from Least Developed Countries, and one member representing the small island developing states. The structure of the Technology Mechanism and its detailed rules and working modalities, including majority decision-making procedures, shall be further elaborated by the Conference of the Parties. The core functions of the Executive Body shall be to:

- (a) Accelerate the development, demonstration, deployment, adoption and diffusion of environmentally sound technologies in developing country Parties, and the transfer of such technologies from developed country Parties to developing country Parties, in order to avoid the lock-in effects of technologies that are not environmentally sound, and to promote sustainable development in developing country Parties;
- (b) Provide access to technology for adaptation at national, subregional and regional levels, enabled by capacity-building and the provision of new and additional, adequate and predictable financing resources to meet the costs of both integration of adaptation into the development process and stand-alone adaptation activities;
- (c) Monitor and assess the financial support and performance of development and transfer of environmentally sound technologies in terms of speed, range and size of the technological flow;
- (d) Remove barriers for technology development and transfer to developing countries, and enhance the means of facilitating this transfer in order to promote urgent access to advanced environmentally sound technologies;
- (e) Promote the establishment of and strengthen, as appropriate, national and regional technology innovation centres and networks, including centre-to-centre twinning arrangements, with a view to enhancing cooperative research and development and North-South, South-South, and triangular technology cooperation, to accelerate the development, demonstration, deployment, diffusion and transfer of environmentally safe and sound technologies to support action on mitigation and adaptation by developing country Parties; and
- (f) Report annually to the Conference of the Parties on progress to achieve the objective set out in paragraph 1 above, including recommendations for further action.

5. Technology related activities and actions are eligible for support from the MFCC on the basis of priorities determined by the Conference of the Parties taking into account existing programmes of work undertaken pursuant to the Convention, and any other additional guidance decided by the Conference of the Parties pursuant to this Protocol.

Article 12

THE MULTILATERAL FUND ON CLIMATE CHANGE

1. Developed country Parties and other developed country Parties included in Annex II shall provide new, additional and predictable financial resources to support enhanced action on mitigation and adaptation in all developing countries, in accordance with Article 4 of the Convention. The provision of financial resources shall be guided by the principles of the Convention and the priorities of developing countries that are Party to this Protocol, especially particularly vulnerable developing countries.

2. In the context of the implementation of Article 4, paragraphs 3, 4, 5, and 7, of the Convention and the provisions of Article 11 of the Convention, a Multilateral Fund on Climate Change is hereby established.
3. The Conference of the Parties shall elect an Executive Board to manage the MFCC. The Executive Board shall operate under the authority and guidance of, and be accountable to the Conference of the Parties, and shall exercise authority and provide overall strategic guidance to the MFCC.
4. The Executive Board shall have an equitable and balanced representation, and be comprised of 19 members, as follows: three members from each United Nations regional grouping, two members representing the small island developing states, and two members from the group of Least Developed Countries.
5. The MFCC shall have six discrete funding windows: Adaptation; Mitigation; REDD; Insurance; Capacity-Building and Technology. The Board shall recommend to the Conference of the Parties the proportion of funding that shall be allocated to each funding window, but shall give priority to funding for adaptation.
6. The Executive Board shall establish technical advisory panels for each of the funding windows to, *inter alia*, identify sources of funding and priorities for funding, and provide assistance, on request from developing countries, in developing project proposals and finding appropriate financial support. Under the guidance of the Conference of the Parties, the Executive Board shall also develop strategic guidance on ensuring equity in the distribution of financial resources to ensure that developing countries are able to undertake their proposed NAMAs and National Adaptation Priorities.
7. The Executive Board shall provide to the Conference of the Parties annual estimates of the financial resources pledged, distributed and allocated to enhance the implementation of the Convention, as well as the needs of developing countries in respect of mitigation and adaptation, taking into account the proposed mitigation and adaptation actions proposed by developing countries for the relevant timeframe. Such estimates shall be used to inform reviews of the implementation of this Protocol in accordance with Article 14.
8. The Conference of the Parties shall invite existing international institutions to serve as the secretariat of the MFCC. The Conference of the Parties shall further invite an existing international financial institution to serve as Trustee to the Board, determined on the basis of an open bidding process.
9. The MFCC shall be made operational no later than the 16th session of the Conference of the Parties.
10. The MFCC shall be financed from new and additional financial resources over and above Official Development Assistance (ODA) generated through a combination of various sources, including the following:
 - (a) an assessed contribution from developed country Parties, based on [{GDP} {the polluter pays principle} {current emission levels} {historical responsibility}, amounting to {{0.5 to 1} {0.8} {2} per cent of gross national product} {0.5 to 1 per cent of GDP}]⁴;
 - (b) revenues generated by the Kyoto Protocol and transferred by the Adaptation Fund to the adaptation window of the MFCC.

⁴ This list is without prejudice to further discussions on sources of financing for the purposes of this Protocol.

- (c) revenues generated by any policies and measures established under Article 9 of this Protocol;
- (d) penalties or fines imposed as a consequence of non-compliance by developed country Parties with respect to their emission reduction and financial support commitments; and
- (e) other sources including, but not limited to, resources being provided by an entity that operates the Financial Mechanism under the Convention.

Article 13 COMPLIANCE

The Conference of the Parties shall approve appropriate and effective procedures and mechanisms to determine and address cases of non-compliance with the quantified emission limitation and reduction commitments undertaken by developed country Parties pursuant to subparagraphs 6(a) and 6(b) of Article 4 of this Protocol. Such procedures and mechanisms shall be based on those established pursuant to Article 18 of the Kyoto Protocol, including related decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, in order to address cases of non-compliance, and shall be strengthened.

Article 14 REVIEW AND ADJUSTMENT PROCEDURES

Review

1. Commencing in 2015, and at least every five years thereafter, the Conference of the Parties shall review the implementation of this Protocol. Such periodic reviews shall include the review of the adequacy of, and progress towards the achievement of, the shared vision, in accordance with paragraph 3 of Article 2 of this Protocol.

2. The Conference of the Parties shall establish modalities for conducting the periodic reviews not later than 2012, including an indicative list of actions that may be taken by the Conference of the Parties at its first review to advance the achievement of the shared vision and progress towards the achievement of the ultimate objective of the Convention.

Adjustment

3. Parties shall consider adjustment of the long-term global goals in paragraph 2 of Article 2 of this Protocol on the basis of periodic reviews conducted in accordance with paragraph 3 of Article 2 and paragraph 1 of this Article. The Parties shall decide whether adjustments should be made, and if so, the nature of such adjustments, including their scope, scale and timing.

4. Proposals for such adjustments shall be communicated to all Parties to the Convention at least six months before the session of the Conference of the Parties at which they are proposed for adoption. In taking decisions on adjustments to paragraph 2 of Article 2, the Parties to this Protocol shall make every effort to reach agreement by consensus. If all efforts at consensus have been exhausted, and no agreement is reached, such decisions may, as a last resort, be adopted by a two-thirds majority vote. Decisions to adjust the long-term global goals in paragraph 2 of Article 2 shall be communicated to the Parties by the Depositary. Such adjustments shall take effect six months after the date of circulation of the communication by the Depositary.

Adjustment of Annexes

5. Consideration by the Parties of adjustments to Annexes Y and Z shall be initiated at least two years before the end of the current commitment period, taking into account the provisions of paragraph 1 of Article 4 of this Protocol and the results of periodic reviews. Proposals for such adjustments shall be communicated to all Parties to the Convention at least six months before the session of the Conference of the Parties at which they are proposed for adoption. The Parties to this Protocol shall make every effort to reach agreement by consensus. If all efforts at consensus have been exhausted, and no agreement is reached, such adjustments may, as a last resort, be adopted by a two-thirds majority vote, provided that any adjustment shall be adopted only with the written consent of the Party concerned, and that no adjustment may be made within one year before the end of the current commitment period. Decisions to adjust Annex Z shall be communicated to the Parties by the Depositary, and shall take effect six months after the date of circulation of the communication by the Depositary.

Article 15
AMENDMENT OF THE PROTOCOL

1. Any Party may propose amendments to this Protocol.
2. Amendments to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the Conference of the Parties to this Protocol. The text of any proposed amendment to this Protocol shall be communicated to the Parties by the secretariat at least six months before the session of the Conference of the Parties at which it is proposed for adoption. The secretariat shall also communicate the text of any proposed amendments to the Parties and signatories to the Convention and, for information, to the Depositary.
3. The Parties shall make every effort to reach agreement on any proposed amendment to this Protocol by consensus. If all efforts at consensus have been exhausted, and no agreement is reached, the amendment may, as a last resort, be adopted by a two-thirds majority vote of the Parties present and voting. The adopted amendment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance.
4. Instruments of acceptance in respect of an amendment shall be deposited with the Depositary. An amendment adopted in accordance with paragraph 3 above shall enter into force for those Parties having accepted it on the thirtieth day after the date of receipt by the Depositary of an instrument of acceptance by at least half of the Parties to this Protocol.

Article 16
SETTLEMENT OF DISPUTES

The provisions of Article 14 of the Convention on settlement of disputes shall apply *mutatis mutandis* to this Protocol.

Article 17
**RELATIONSHIP BETWEEN THIS PROTOCOL,
THE CONVENTION AND THE KYOTO PROTOCOL**

1. The Conference of the Parties, the supreme body of the Convention, is also the supreme body of this Protocol.

2. When the Conference of the Parties is taking decisions under this Protocol, such decisions shall only be taken by those that are Party to this Protocol. Only Parties to this Protocol shall be entitled to serve on the constituted bodies established pursuant to this Protocol.

3. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Protocol. Article 8, paragraph 2, of the Convention on the functions of the Secretariat, and Article 8, paragraph 3, of the Convention on arrangements made for the functioning of the secretariat, shall apply *mutatis mutandis* to this Protocol. The secretariat shall, in addition, exercise the functions assigned to it under this Protocol.

Article 18

IMMUNITIES FOR PERSONS SERVING ON BODIES CONSTITUTED UNDER THE PROTOCOL

Without prejudice to the legal status, immunities accorded to the Convention secretariat, officials, a Party or Parties, persons, officials, representatives of Members by the Headquarters Protocol with the Government of the Federal Republic of Germany, the Conference of the Parties shall, at its next session following the adoption of this Protocol, examine the issue of immunities for persons serving on bodies constituted under this Protocol.

Article 19

RESERVATIONS AND WITHDRAWALS

1. At any time after three years from the date on which this Protocol has entered into force for a Party, that Party may withdraw from this Protocol by giving written notification to the Depositary.

2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.

3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Protocol.

4. No reservations may be made to this Protocol.

Article 20

ENTRY INTO FORCE

1. This Protocol shall be open for signature and subject to ratification, acceptance or approval by States and regional economic integration organizations which are Parties to the Convention. It shall be open for signature at United Nations Headquarters in New York from X to Y. This Protocol shall be open for accession from the day after the date on which it is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

2. The Protocol shall enter into force 30 days after the date of deposit of the [XXth] instrument of ratification, approval, acceptance or accession.

3. For Party to the Convention which ratifies, approves or accepts this Protocol or accedes thereto after the deposit of the [XXth] instrument of ratification, approval, acceptance or accession, this Protocol shall enter into force on the thirtieth day following the deposit of its instrument of ratification, approval, acceptance or accession.

Article 21
PROVISIONAL APPLICATION

1. Each signatory agrees to apply this Protocol provisionally pending its entry into force, to the extent that such provisional application is not inconsistent with its constitution, laws or regulations.
2. Provisional application as defined in paragraph 1 above shall be effective for a period of 12 months from January 1st, 2012. In the event that this Protocol does not enter into force before the period of provisional application expires, that period may be extended if all signatory States so decide. The period of provisional application shall in any event terminate when this Protocol enters into force. However, the Parties to this Protocol and the signatory States in respect of which this Protocol is yet to enter into force may then decide to extend the period of provisional application in respect of those signatory States.

Article 22
DEPOSITORY

The Secretary-General of the United Nations shall be the Depositary of this Protocol.

Article 23
AUTHENTIC TEXTS

1. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Protocol,

DONE at Copenhagen, this eighteenth day of December two thousand and nine.

ANNEX Y

Greenhouse gases

Carbon dioxide (CO₂)
Methane (CH₄)
Nitrous oxide (N₂O)
Hydrofluorocarbons (HFCs)
Perfluorocarbons (PFCs)
Perfluorinated compounds
 Sulphur hexafluoride (SF₆)
 Nitrogen trifluoride (NF₃)
Hydrofluoroethers/Fluorinated ethers (HFEs)
Perfluoropolyethers (PFPMIE)
Trifluoromethyl sulphur pentafluoride (SF₅CF₃)

Sectors/source categories

Energy
 Fuel combustion
 Energy industries
 Manufacturing industries and construction
 Transport
 Other sectors
 Other
Fugitive emissions from fuels
 Solid fuels
 Oil and natural gas
 Other

Industrial processes
 Mineral products
 Chemical industry
 Metal production
 Other production
 Production of halocarbons and sulphur hexafluoride
 Consumption of halocarbons and sulphur hexafluoride
 Other

Solvent and other product use

Agriculture
 Enteric fermentation
 Manure management
 Rice cultivation
 Agricultural soils
 Prescribed burning of savannas
 Field burning of agricultural residues
 Other

Waste

ANNEX Z

[Table to be inserted]

[FOR INFORMATION ONLY]

COPENHAGEN AMENDMENTS TO THE KYOTO PROTOCOL

The following paragraph shall be inserted after Article 3 paragraph 1 of the Protocol:

Article 3.1 bis. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to the quantified emission limitation and reduction commitments inscribed in Annex B and in accordance with the provisions of this Article, to reduce overall emissions of such gases [33] per cent below 1990 levels in the commitment period 2013-2017, towards the aim of reducing overall emissions of such gases by at least [45] per cent below 1990 levels by 2020 .

The following paragraph shall be inserted after Article 3 paragraph 7 of the Protocol:

Article 3.7 bis. In the second quantified emission limitation and reduction commitment period, from 2013 to 2017, the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in Annex B of its aggregate 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 five.

The following paragraph shall be added to Article 3 of the Protocol after paragraph 9:

9 bis The Conference of the Parties serving as the meeting of the Parties to this Protocol shall initiate the consideration of further commitments at least seven years before the end of any commitment period.

The following paragraph shall be added to Article 6 of the Protocol after paragraph 5:

5bis The Conference of the Parties serving as the meeting of the Parties to this Protocol shall ensure that a share of the proceeds from approved project activities established under this Article is used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

Rename the paragraph in Article 17 as paragraph 1 and insert Article 17, paragraph 2:

2. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall ensure that a share of the proceeds from the issuance of assigned amount units is used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

Rename the paragraph in Article 18 as paragraph 1 and insert Article 18, paragraph 2:

2. In accordance with paragraph 1 above, the procedures and mechanisms relating to compliance under the Kyoto Protocol adopted by decision 27/CMP.1 of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall apply.

The following paragraph shall be added after Article 15 of the Protocol as Article 15bis.

Without prejudice to the legal status, immunities accorded to the Convention secretariat, officials, a Party or Parties, persons, officials, representatives of Members by the Headquarters Protocol with the Government of the Federal Republic of Germany, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall examine the issue of immunities for persons serving on bodies constituted under this Protocol.

Proposal to replace Annex A with the following:

Annex A

Greenhouse gases

Carbon dioxide (CO₂)

Methane (CH₄)

Nitrous oxide (N₂O)

Hydrofluorocarbons (HFCs)

Perfluorocarbons (PFCs)

Perfluorinated compounds

 Sulphur hexafluoride (SF₆)

 Nitrogen trifluoride (NF₃)

Hydrofluoroethers/Fluorinated ethers (HFES)

Perfluoropolyethers (PFPMIE)

Trifluoromethyl sulphur pentafluoride (SF₅CF₃)

Sectors/source categories

Energy

 Fuel combustion

 Energy industries

 Manufacturing industries and construction

 Transport

 Other sectors

 Other

Fugitive emissions from fuels

 Solid fuels

 Oil and natural gas

 Other

Industrial processes

 Mineral products

 Chemical industry

 Metal production

 Other production

 Production of halocarbons and sulphur hexafluoride

 Consumption of halocarbons and sulphur hexafluoride

 Other

Solvent and other product use

Agriculture

 Enteric fermentation

 Manure management

 Rice cultivation

 Agricultural soils

 Prescribed burning of savannas

 Field burning of agricultural residues

 Other

Waste

Proposal to replace Annex B to the Kyoto Protocol

Annex B

Party	Quantified emission limitation or reduction commitment (2008-2012) (percentage of base year or period)	Quantified emission reduction commitment (2013-2017) (percentage of base year or period)
Australia	108	
Austria	92	
Belgium	92	
Belarus ⁺		
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	
Kazakhstan [^]		
Latvia*	92	
Liechtenstein	92	
Lithuania*	92	
Luxembourg	92	
Malta [±]		
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.

+ Countries that have proposed amendment to the Kyoto Protocol which is still to come into effect.

^ Country which will request an amendment to Annex B to the Kyoto Protocol to include a target for emission levels

± Country which is under consideration to join Annex I

PAPER NO. 3: BOLIVIA (PLURINATIONAL STATE OF)

Shared Vision for Long term Cooperative Action

The Conference of Parties,

1. *Recognizing* that human beings are part of an interdependent system with which we must live together in harmony and balance while respecting the rights of all;
2. *Recognizing* the need to achieve not merely peace among humanity but to restore equilibrium and harmony to nature by defending everything that has life and gives life;
3. *Acknowledging* that we have followed the laws of humanity while violating the fundamental laws of nature giving rise to climate change and other forms of ecological destruction;
4. *Believing* that to achieve the realization of human rights and human dignity it is necessary to recognize and defend the rights of Mother Earth;
5. *Recognizing* that access to and use of the Earth's atmosphere and climate system is necessary for the realization of human rights including the right to development, and that atmospheric space should be fairly shared between all countries and peoples;
6. *Recalling* that the Intergovernmental Panel on Climate Change has recognized that global atmospheric concentrations of greenhouse gases have increased markedly as a result of human activities since 1750 and now far exceed pre-industrial values;
7. *Noting* that the majority of the historical emissions contributing to current atmospheric concentrations and to current and committed future warming originated in the developed countries;
8. *Recognizing* that the past, current and proposed future emissions by and for developed countries are limiting and will further limit access to and use by developing countries of an equitable share of the atmospheric space required for their development;
9. *Affirming* that by over-consuming the available capacity of the Earth's atmosphere and climate system to absorb greenhouse gases the developed countries have run up an "emissions debt" to developing countries;
10. *Recognizing further* that current levels of warming are damaging forest, mountain and other ecosystems, melting snow and glaciers, thinning ice sheets, causing the oceans to rise and acidify, threatening coral reefs and intensifying droughts and floods, fires and extreme weather events and that these adverse effects threaten to worsen as the warming already committed in the Earth's systems takes effect;
11. *Recognizing* that the countries most vulnerable to the adverse effects of climate change are developing countries and that climate impacts are already imposing substantial and rising costs, damages and setbacks to development thereby undermining the rights and aspirations of developing countries to development;
12. *Acknowledging* that climate change has caused and is causing increasing adverse impacts to indigenous peoples, local communities and other vulnerable groups and that the human rights, including the inherent rights of indigenous peoples as affirmed in the UN Declaration on the Rights of Indigenous

Peoples and other instruments, must be respected in all efforts to mitigate and adapt to climate change;

13. *Affirming* that the historical emissions of developed countries are causing disproportionate harm to developing countries and that developed countries are thus responsible for compensating developing countries for their contribution to these adverse effects as part of an “adaptation debt” owed by developed countries to developing countries;

14. *Recognizing* that developed countries emissions debts and adaptation debts together constitute a climate debt, which in turn is part of a broader ecological debt reflecting the environmental footprint, excessive consumption of resources, materials and energy and contribution to declining biodiversity and ecosystem services;

15. *Emphasizing* that further delay by developed countries parties in addressing their excessive emissions and consumption, and reducing and repaying their climate debts to the developing countries, and significantly constrain opportunities to achieve lower stabilization levels of greenhouse gases and increase the risk of more severe climate change impacts;

16. *Seeking* to ensure the full, effective and sustained implementation of the Convention through long-term cooperative action;

Decides as follows:

17. All parties shall enhance their contribution to long-term cooperative action to combat climate change with a shared vision which is based and in fulfillment of the objective and principles of the Convention in particular common but differentiated responsibilities and respective capabilities, equity and historical responsibility.

18. The shared vision is for long-term cooperative action, which is comprised of a range of essential elements including:

- (a) Enhanced implementation by developed countries of their commitments to enable developing countries to facilitate adequate adaptation to climate change and to meet the costs its adverse effects, in accordance with Articles 4.1, 4.3, 4.4, 4.7 and 4.8;
- (b) Enhanced implementation by developed countries of their commitments to implement policies and measures that demonstrate they are taking the lead in modifying longer-term trends in anthropogenic emissions consistent with the objective of the Convention established in Article 2, in accordance with Article 4.2;
- (c) Enhanced implementation by developed countries of their commitments relating to the provision to developing countries of financial resources in accordance with Articles 4.1, 4.3, 4.4, 4.5 and 4.7, including through the provision of full costs for the implementation by developing countries of commitments relating to the communication of information related to implementation under Article 12.1 and the provision of agreed full incremental costs of implementation of commitments included in Article 4.1 of the Convention;
- (d) Enhanced implementation by developed countries of their commitments relation to the development and transfer of technology and the enhancement of endogenous technologies and capacities in developing countries, in accordance with Articles 4.1, 4.3, 4.4, 4.5 and 4.7;

- (e) Enhanced action by developing countries to mitigate climate change including through voluntary nationally appropriate mitigation actions in the context of sustainable development, in accordance with Article 4.1 of the Convention, supported and enabled by technology, financing and capacity-building, in a measurable, reportable and verifiable manner; and
- (f) Changes to the international financial, economic and social system, which drives excessive production and consumption, including the excessive production of greenhouse gas pollution, and perpetuates unfair and unbalanced relations between peoples and between peoples and nature.

19. A shared vision integrates a set of global goals including a global goal for emission reductions. These include:

- (a) The equitable allocation atmospheric space between developed countries and developing countries during the period 1750 to 2050 based on the principles of equity and historical responsibility, and the needs of developing countries in order to achieve their economic and social development and poverty eradication;
- (b) Achievement by Annex I countries that are not party to the Kyoto Protocol of total and domestic emission reductions comparable to those undertaken by Annex I parties to the Kyoto Protocol through a second and subsequent commitment periods;
- (c) Provision of financial resources by developed countries to developing countries for adaptation, technology transfer, capacity building and mitigation as described in subparagraphs (d) to (g) of this paragraph;
- (d) Provisions by developed countries of means of implementation to developing countries to facilitate adequate adaptation to climate change, to meet the costs of its adverse effects and to repay adaptation debts including through the provision of financial resources by developed countries equivalent to at least 3% of their GNP;
- (e) The transfer of environmentally sound technologies to developing countries and enhancement of their endogenous capacities and technologies including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;
- (f) Capacity building to enable the upgrading of developing countries institutional capacities to address climate change and its adverse effects including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;
- (g) Measures by developing countries to mitigate climate change, including nationally appropriate mitigation actions supported and enabled by developed countries including through the provision of financial resources by developed countries equivalent to at least 1% of their GNP;
- (h) Identification and removal of all barriers to access to technologies at the most affordable cost and appropriate treatment of intellectual property rights including exclusion of patents on climate related technologies to developing country Parties;

- (i) Capacity building for developed countries to enable them to reduce their high per-person greenhouse gas emissions, to live in harmony with nature and to reduce their climate and ecological debts to developing countries and nature; and
- (j) Quantified changes to the unsustainable patterns of consumption and production by developed countries.

20. Subject to the fulfillment of the global goals established in paragraph 19, and in order to achieve the objective of stabilizing greenhouse gas concentrations in the atmosphere at a level that prevent dangerous interference with the climate system, the parties will seek to return greenhouse gas concentrations in the atmosphere to well below 300ppm CO₂eq with a view to returning concentrations to levels as close as possible to pre-industrial levels in the longer-term, and to limit the average global temperatures to well below 1°C with a view to returning temperatures to levels as close as possible to pre-industrial levels in the longer-term.

21. Achieving the shared vision requires reversing the trend of increasing global greenhouse gas emissions through a just, comprehensive and science-based approach. It calls for:

- (a) Agreement on the equitable allocation of global atmospheric space between developed and developing countries;
- (b) The deepest possible reduction of emissions from domestic sources by developed countries; and
- (c) Adequate and timely provision of financial resources and transfers of technology to developing countries to enable and support their measures to mitigate emissions, including nationally appropriate mitigation actions.

22. Achieving an equitable allocation of global atmospheric space between developed and developing countries is determined by:

- (a) An agreed global emission budget between the period [1750][1900] to 2050;
- (b) An agreed methodology for sharing the global emissions budget among developed and developing countries reflecting cumulative historical and/or per-person annual emissions and the needs of developing countries to achieve economic and social development and poverty eradication; and
- (c) The allocation, based on this methodology, of total and domestic assigned amounts to Annex I parties under the Kyoto Protocol and targets for a comparable effort for Annex I parties that are not party to the Kyoto Protocol.

23. For this purpose, developed countries shall take on total and domestic commitments to reduce greenhouse gas emissions that reflect an equitable allocation of atmospheric space and address the needs of developing countries. Developed countries shall ensure that:

- (a) Their greenhouse gas emissions do not exceed their total assigned amounts, with a view to modify longer-term trends in global greenhouse gas emissions consistent with the objectives of the Convention and enabling developed countries to repay their emissions debt to developing countries; and

- (b) Their greenhouse gas emissions from domestic sources do not exceed their assigned domestic amounts, with a view to ensuring that their overall domestic emissions of greenhouse gases are reduced by a minimum of 49% by 2017 to enable developing countries to have access to adequate atmospheric space to achieve economic and social development and poverty eradication.

24. A developed country may, with the agreement of other parties, meet the difference between its total assigned amount and its assigned domestic amount by the provision of financial resources and the transfer of technology through mechanisms operating under the authority of the UNFCCC, in the context of its commitment to provide the agreed full incremental costs of actions by developing countries under the Convention.

25. The implementation by developed countries of their commitments to reduce greenhouse gas emissions, and to provide the agreed full incremental costs of actions by developing countries to implement their commitments under the Convention, shall together enable parties to reverse the trend of increasing global greenhouse gas emissions, and to ensure that global greenhouse gas emissions peak before 2015 at the latest and decline thereafter.

26. Developed countries shall further ensure that they reduce their net domestic greenhouse gas emissions by more than 100% before 2040 through the reduction of greenhouse gas emissions from sources and enhancement of greenhouse gas removals by sinks.

27. Developed countries shall not resort to any form of unilateral climate related-measures including border adjustment measures and tariffs against the goods and services of developing countries on climate-related grounds as such measures violate the principles and provisions of the Convention including those related to common and differentiated responsibilities, trade and climate change and the relation between mitigation actions of developing countries and provision of finance and technology by developed countries.

28. Developed countries shall not take actions to deal with environmental challenges including taxation or imposing levies on the services or sectors of developing countries (e.g. aviation/maritime) or environmental measures addressing trans-boundary or global environmental problems unless such measures have been agreed to by international consensus and are in coherence with the principles and provisions of the Convention.

29. The inherent rights of indigenous peoples as affirmed in the UN Declaration on the Rights of Indigenous Peoples and other instruments must be respected in all efforts to mitigate and adapt to climate change.

30. The extent to which developing countries will effectively implement their commitments under the Convention will depend on the effective implementation by developed countries of their commitments under the Convention related to financial resources and transfer of technology.

PAPER NO. 4: PERU

**SUBMISSION BY THE PERUVIAN GOVERNMENT
Copenhagen, December 2009**

Subject:

Enhanced national/international action on mitigation, and Shared Vision on Ad-Hoc Working Group on Long-term Cooperative Action (AWG-LCA)

The largely expected global commitment to reduce the risks of climate change cannot be postponed. An immediate agreement is required because developing countries must not delay the right of our people and their lands to attain sustainable development, and our governments have the mandate to ensure it.

Peru seeks a global, ambitious and effective agreement for the future climate regime. The Peruvian position is proactive and aims international consensus, in order to guarantee compliance with the United Nations Framework Convention on Climate Change. As our country is highly vulnerable to the adverse effects of climate change, we cannot accept non-ambitious global emissions targets that will, ultimately, imply costly adaptation processes.

Peru expects that a binding ambitious agreement should allow a decrease of 45% of global greenhouse gas emissions up to 2020 and a decrease of 95% up to 2050, with respect to 1990. This agreement should also:

- Include a scheme for periodic assessment
- Evaluate performance and effectiveness of mitigation measures
- Be readjusted according to the scientific development related to climate change impacts and mitigation options
- Exclude binding commitments or conditions for developing countries

Peru strongly believes that developing countries can contribute significantly to global mitigation, with voluntary and audacious proposals according to their own capacities. These proposals should focus on achieving 40% reduction of emissions up to 2050 with respect to their current emissions path (*business as usual*). The proposals should promote mitigation actions in all countries considering the principle of common but differentiated responsibilities. They should be accompanied as well as by support mechanisms and incentives at an international and national level.

In consonance with this position, during the COP 14, Peru announced its will to reduce the net deforestation rate of its tropical forests to zero up to 2020. This would be an important contribution of our country to the global mitigation effort. It is important to notice that emissions caused by deforestation represented 47% of the total national emissions in 2000.

This proposal is part of an effective forestry policy in Peru which aims to the conservation of the biological diversity and global environmental services of our forest ecosystems. It seeks as well the reorientation of the development process, as it will incorporate sustainability and adaptation criteria and responses to cope with climate change impacts.

The initial cost for the implementation of these initiatives is 350 million dollars per year approximately. Peru recognizes the co-benefits involved and has therefore allocated 80 million dollars for implementing a monitoring and control system for deforestation. However, it is still necessary to allocate 270 million

dollars per year, amount that represents 60% of the total estimated resources required for mitigation actions in Peru (450 million dollars).

Peru has established the National Initiative for Forest Conservation that includes, among others, the Program “*Conservando Juntos*” (Joining for Conservation). This Program promotes the conservation and sustainable use of forests by the Amazon ethnic groups in Peru and contributes to their economies through a monetary incentive of 3.5 dollars per hectare/year. The Program has started with a seed fund, and will be extended to 10.5 million hectares of community owned forests. This Initiative still requires additional funding, so Peru is asking the international cooperation agencies to substantially increase their contributions in order to attain this goal.

Additionally, Peru supports the establishment of a political and technical agreement to define a REDD mechanism as a complement to the national initiatives as well as a source of additional resources. This mechanism should include efforts from developed and developing countries to face deforestation drivers with different approaches (national and subnational) thus allowing an effective readiness.

Peru has also established an energy policy looking to reach the goal of one third of the national energy matrix based on renewable energies. This effort is being implemented through the assessment and application of incentives to initiatives and projects that use non-conventional renewable energies.

Peru demonstrates through these decisions and immediate actions its proactive and decisive position, We hope that this will serve as an inspiration to other Parties to add to the global efforts required to guarantee a sustainable future for our people and our planet.
