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Failure or Opportunity?

A Regional Analysis of the Copenhagen Climate Conference and How its Outcome Has Been Perceived

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Summary:
From a sheer climate protection perspective, various experts claim that the outcome of the Copenhagen climate conference has been a failure: Ambitious mid- and long-term goals for emission reductions are missing; hands-on policies for adaptation, finance, and technology transfer have not been set in place. Yet politically, it remains unclear whether Copenhagen can be called a failure, or whether it can be called a step forward. This, it seems, much depends on the regional and national perspectives. For some countries, for example most European countries, Copenhagen completely failed their expectations. For others, for example the United States or Brazil, it has quite played out to their particular interest, or has at least created some space for furthering their climate interests. Six weeks after the Copenhagen climate summit, this paper sheds some light on the different regional and national expectations of the conference, explains negotiation positions, and analyzes how perceptions on the outcome of the conference vary between key countries and regions. The paper concludes with an outlook on challenges to the international climate policy process in the months ahead.

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1 The hopes were high…

The year 2009, no doubt, will be remembered as the year when climate protection ultimately reached the highest levels of politics. Never before has the world come so close to a mutual understanding that the global climate is changing and that time for urgent action is now. In advance of the climate change conference in Copenhagen (COP15), high-level political forums like the G8 and the G20 all embraced the necessity and the objective of avoiding dangerous anthropogenic interference with the global climate system. Scientific evidence had again mounted to show the impacts of climate change to be even more drastic than anticipated by the Fourth IPCC Assessment Report published in 2007. Public awareness about the threat posed by global warming – as well as the fear of what the future might look like continuing with business as usual – was hardly ever this pronounced. In addition, confidence that a low-carbon economy would be the most vital way into a sustainable future, even in sheer economic terms, had reached even conservative and mainstream politicians and populations.

Critics in some countries even say the hype about global climate change and the Copenhagen conference had gone below the point of saturation, whereby citizens experienced an unprecedented level of climate-fatigue. One important factor that contributed to this fact lies in the disappointing progress of the negotiation rounds in preparation of the conference. While the threat of climate change and the necessity to act had been widely acknowledged, climate politics had increasingly been perceived to be ultimately in the hands of, and at the whims of, politicians. Civil society engagement or individual action seemed to have little impact at this stage. Hence there was enormous pressure on the Copenhagen climate summit negotiators to come up with a strong agreement in order to restore faith in politicians and the international diplomacy of climate politics.

To be fair, nobody really hoped for achieving a ready-to-ratify international climate treaty in Copenhagen. Since the Asia-Pacific Economic Cooperation meeting in November 2009, key governments had reiterated that they were not yet ready to finalize a treaty at COP15. Already several months before, experts had pointed out that negotiation texts were still in the bargaining and drafting stages, with too many brackets and conflicting positions to be channeled into consensus until Copenhagen.

However, there were hopes for a political agreement of a non-binding nature that would give a clear mandate on further negotiations throughout 2010, so as to provide the terms of references for new international climate legislation that was to be finalized a few months after Copenhagen. Of course, hopes about the actual level of ambition of that political agreement had varied starkly during the debate: Some projected the terms of references for a truly

ambitious, fair, and legally binding accord; others expected rather a “greenwash” political agreement that would not build up pressure for new and ambitious national climate legislation. Despite these different expectations for the actual content, hopes converged on the general assumption that if 113 heads of state did come together, they would not leave Copenhagen with empty hands but with whatever “deal” they could sell to the press and their home constituencies. To the perception of many, this did not happen.

What ultimately emerged after two weeks of hard negotiations was even below most expectations. The Copenhagen Accord, barely two and a half pages in length, is far from being a legally binding agreement. It could not achieve consensus as a draft for further negotiations. Few parties openly denied consensus on the Accord, while many more countries had stated deep skepticism during the final hours of negotiations. As a result, the COP only took note of the Accord without formally endorsing it.

On the positive side, the Copenhagen Accord endorses the objective to keep global warming below 2 degree Celsius – the first time such an endorsement has been achieved at the global level. The Accord lays the basis for a financing deal for developing countries, including fast-start numbers of US$30 billion for 2010–12, and promises mid-term figures of US$100 billion annually by 2020. Finally, it requires developed countries to submit emission reduction targets and developing countries to put mitigation actions on the table by January 31, 2010, in order to resume negotiations early in 2010. The undeniable downside is that the Accord does not even mention potential solutions on several of the most pressing divergences of interest among parties. To mention but a few, it does not give a hint on the legal character of the final treaty, or whether there will be one or more treaties; the actual balance between measurable financial contributions from developed countries and measurable mitigation measures from developing countries remains unclear; the treatment of sinks and emissions from deforestation (REDD) is barely mentioned; the kind of new institutions and the architecture that will govern climate finances and supervise countries’ emission reduction performance in the future has been left to the side.

The Copenhagen Accord is not the only outcome of COP15. The two Ad-hoc Working Groups, which have comprised formal negotiations since COP13 in Bali, 2007, have delivered much progressed texts that provide a good basis for further negotiations. Texts have been condensed and streamlined to the main divergent interests by putting them in square brackets. Few subtexts – in particular those on adaptation and on technology development and transfer – are even considered almost ready for the final agreement. Yet the Ad-hoc Working Groups had left all the “big” political questions open. Negotiators assumed these would be clarified during the high-level segment by heads of state and environmental ministers. This, however, clearly did not happen either. Heads of state were focused on delivering results during the

Copenhagen Accord – which could then be sold to the press – but not to progress in actual negotiations.

Apart from the two next milestones in international climate negotiations – the conferences in June 2010 in Bonn and in November/December 2010 in Cancun – the subsequent process and outcome of international climate diplomacy has never been as vague as now. More than 100,000 people – be they negotiators, observers, or demonstrators in the streets – left Copenhagen with very mixed feelings. It is clear that Copenhagen did not deliver on the hopes and expectations of most of them – neither for those who hoped for a collapse (as no deal would be better than a bad deal), nor for those who expected this unprecedented gathering by heads of state to lift the international endeavor to stop climate change to new heights.

Nevertheless, it remains unclear whether Copenhagen can be called a failure, or whether it can be called a small step forward. This, it seems, much depends on the regional and national perspective. For some countries, Copenhagen completely failed their expectations. For others, it has quite played out to their particular interests, or has at least created some space for further raising their positions. In the following part, this paper will shed some light on these different regional and national contexts in order to better understand and evaluate the Copenhagen climate summit.

2 Regional analysis

2.1 Don’t overstrain the home audience: tailwind from Copenhagen for the United States

A couple of weeks before the conference, President Barack Obama announced the United States would be ready to commit to emission reductions of minus 17% by 2020 in comparison to 2005 levels. This signal was carefully drafted, as the legislative process in the US Congress had been (and still is) unfinished. The US target had been a central concern for many Senators and Congressmen in the domestic climate debate. It was also clear that the conservative opposition in Congress would attack Obama if the US committed to any mandatory targets unilaterally in Copenhagen. Therefore, it was no coincidence that China announced its efficiency action target a day later. Without this signal, it would have become very difficult for the US administration to go into the Copenhagen negotiations. It seems that a lot of observers were optimistic that the minus 17% target was only an initial offer of the US administration. But the proposed target was already the final word of the US. Because of the described domestic constraints, it was clear for most close US observers that the administration could not top its offer in Copenhagen.

National politics remain the main focus

Most climate advocates in the US define Copenhagen as a success and an important step forward toward tackling global climate change. This conclusion obviously is in stark contrast to perceptions in the European Union and most of the developing world, where governments and analysts are rather frustrated and disappointed. The difference becomes understandable when considering Copenhagen as a tailwind for the domestic process in the US. And in order to understand the tailwind, a closer look at the domestic climate policy process of the US is needed.

Obama officials had wanted to achieve a climate law through Copenhagen, but that effort stalled in the Senate. That is why US officials negotiated at COP15 with the goal of doing no harm to the efforts of Congress that were aimed at passing a comprehensive climate bill. Copenhagen could have harmed the legislative process by having the US sign up to something like a new Kyoto Protocol. At the same time, the administration demonstrated that it was tough on China and demanded more transparency for emission reduction action in emerging economies. This should boost both US domestic and international confidence that countries are doing what they pledged. In addition, in the months before Copenhagen China has shown incredible movement in terms of domestic legislation. The two big political questions of the US Senate as the key player for climate legislation – Does China fight climate change? Can this be internationally monitored? – have been answered. This result promises to give some desperately needed tailwind for domestic climate legislation in the US.

This tailwind – namely communicating that Copenhagen was a success – is especially needed since domestic legislation has not been finished yet. The State Department points out that the Copenhagen Accord opens a way forward that is in line with science. Both developed and developing countries participated, framing the expectation that actions would be taken by all parties, not only developed and key developing countries. In particular, Obama's participation as head of state in the last day of COP15 countered the US's historical reluctance to engage in these types of negotiations. The US was seen as professional and serious, bringing a number of high-level officials and the president to negotiate the actual text of the agreement. The media and the public debate even stylized Obama as the deal maker: Before President Obama arrived, failure was expected, and when he left, there was an accord. He was made partially responsible for an outcome and avoided a catastrophe. US observers like the Center for American Progress and the World Resources Institute claim that Obama and the leaders of the major developing economies hammered out the Copenhagen Accord, which they describe as a really quite good, four-page agreement that would provide much of what the US wants substantively in a next-step kind of architecture.

Critics focus on the UN system

In the eyes of many of those celebrating Copenhagen as a success, it is the UN system that is considered as being the loser in the process. The final deal in Copenhagen was not struck by the United Nations; it was presented on a take-it-or-leave-it basis by a small group of powerful players to the other world leaders. This has damaged the credibility of the UN and undermined its legitimacy on tackling climate change. Moreover, a lot of progressive forces in the US point out that it was countries like Sudan, Venezuela, Nicaragua, Bolivia, and Cuba that forced the international community to only "take note" of the accord. This again questions the legitimacy of the UN process, and whether it works toward the interests of the US.

A number of US policy experts claim that the complexity of the issue requires more effective structures than the UN. Often the Major Economies Forum – a group that former President George W. Bush launched and President Obama re-engineered in the run-up to Copenhagen – is mentioned as a potential new seat of power. Others talk of the G20 plus some representatives of small and vulnerable island states as being the right forum to come up with solutions. Eventually the big emitters would have to decide how to reduce emissions. Once a smaller group of countries has agreed on commitments outside the UN, this agreement should be brought back into the UN process and be adopted. As deputy climate envoy Jonathan Pershing puts it: "It is impossible to imagine a global agreement in a place that doesn't essentially have a global buy-in. There aren't other institutions besides the UN that have that."

2.2 Easy play for Brazil: nothing to loose, only to win

While Copenhagen may have been a disappointment in terms of international climate policy, it was nevertheless a big moment for Brazil. President Inacio Lula da Silva was a major player, delivering a widely discussed speech on the last day, vigorously admonishing the industrialized countries and presenting Brazil as a model of climate protection. From Brazil's national point of view, Copenhagen was a success.

Perhaps it was even more than that: "Copenhagen did not change the world, but it did change Brazil," notes Miriam Leitão, a prominent journalist of the powerful Globo media group. It is more likely, however, that changes became apparent in Copenhagen that had taken place in the months before. For years, Brazil had consistently taken a defensive stance in the climate talks: "The climate problem is not our problem" was a commonly-heard argument in Brazil. The country's strategy thus consisted of acting in comfortable lockstep with other emerging economies to avert concrete commitments that were deemed potentially damaging for its development perspectives.

In the run-up to the Bali conference in 2007, a process pushed by erstwhile Environment Minister Marina Silva to lead Brazil out of its defensive posture had already been set in motion, however. On closer inspection, it becomes apparent that Brazil's position differs from those of other emerging economies: Around two-thirds of its CO_2 emissions were the result of deforestation, primarily of the Amazon rainforest. And with its substantial share of hydroelectric power, Brazil's energy mix is one of the world's cleanest, at least with regard to CO_2 emissions.

Brazil achieved its first breakthrough at the Poznan conference in 2008 when it announced a national goal for the reduction of deforestation. The trend was furthered by the incorporation of deforestation reduction (the REDD+ mechanism) into current negotiations as a key element of a future climate regime. The year 2009 then marked the start of a vigorous campaign by Brazilian and international NGOs, a campaign that was soon joined by the governors of the Amazon states. It called for the Brazilian government to campaign actively for the inclusion of REDD in international emissions trading. This led to a significant paradigm shift over the course of that year. Climate policy was no longer perceived as a threat to national development interests, but rather as an opportunity to tap important new revenue streams. In return, however, Brazil had to commit to a major reduction of deforestation by 2020.

Arriving as a winner in Copenhagen

The campaign was a success: On November 13, 2009, Brazil launched its National Plan on Climate Change, which stated reduction goals for the first time and thus formalized the paradigm shift. According to the plan, emissions are slated to decrease by 36 to 39% by 2020 in comparison to a business-as-usual scenario. Closer examination shows that this merely entails tightening up the country's deforestation goals slightly, as two-thirds of the reductions will be realized by decreased deforestation. Emissions related to power generation and industry can even increase further without violating the plan. In other words, reducing deforestation-related emissions gives Brazil the leeway to cheerfully continue emitting in other sectors.

This option naturally puts Brazil in a completely different position than India or China. With its new climate policy, Brazil put itself in an excellent position to come on strong in Copenhagen. Current figures indicating a reduction in deforestation over the past three years provided an additional boost. Brazil thus had good news for the world in Copenhagen: No other country had cut CO_2 emissions as deeply as Brazil in recent years, and none had comparably ambitious reduction goals for the year 2020.

Copenhagen thus also enabled Brazil to show that it was living up to its role as an emerging power and that it can stake a new claim to global leadership. The fact that Germanwatch

boosted the country's position on the organization's Climate Performance Index also fit nicely in the overall picture.

If the international process does not deliver the money, what else could?

Somewhat similar to the debate in the US, where Copenhagen has been celebrated as a success as well, various voices in Brazil doubt the effectiveness and credibility of the UN system. Instead they rather bet for a consensus between some major players – of which Brazil, of course, would be part of. These big players do not necessarily need to be the BASIC countries (Brazil, South Africa, India, and China) – a group which many see as a temporary phenomenon – but one that points in the right direction. In the opinion of a panel of experts organized by Folha de São Paulo, a renowned daily, the major climate powers of the South can no longer hide behind the ostensibly unanimous positions of the G77, but must themselves actively drive the negotiations toward a new treaty in the form of a climate G20 or similar grouping.

By contrast, the REDD lobby considers the development of emissions markets to be more important than a new treaty. It increases Brazil's inclination not to adhere to the position of the majority of developing countries, which definitely seek a continuation of the Kyoto Protocol. Forest protection has not played a role in it so far, and Brazil therefore has no interest in a robust continuation of the Kyoto Protocol at the expense of negotiating a new treaty that also encompasses forest protection. The Brazilian government has not yet adopted such a position as a line of negotiation, however, but continues to seek a global treaty.

For critical environmental groups, Lula's moment of glory in Copenhagen tends to be problematic. Lula successfully corrected his previous image as a president blind to environmental issues. In the wake of the big show in Copenhagen, Brazil's day-to-day politics – and thus the anti-ecological positions of the government – have not changed: Vast Amazon dams, new nuclear power plants, and an expansion of tree plantations remain the order of the day – only now, they come under the mantle of climate protection. Copenhagen was not able to change the fact that climate policies focused on CO_2 emissions do not necessarily entail sustainable ecological development.

2.3 No deal is better than a bad deal: China gets some blame

Less than two weeks before the Copenhagen conference, China had announced a new domestic climate change mitigation target. The country committed to a 40–45% reduction of carbon emission per unit GDP by 2020 (compared to 2005 levels). The announcement followed on the foot of the announcement by the US a day before that they would offer at best a 17% emission cut by 2020, compared to 2005 levels. Yet China's target does not mean an

absolute reduction in carbon emissions, but it will slow down the growth of Chinese green house gas emissions. China communicated this target as proof of its willingness for cooperative action and, in return, expected positive moves from the developed countries on the key issues of significant domestic reduction targets and financial commitments to support mitigation and adaptation in developing countries.

China's hope for Copenhagen was that such commitments would become legally binding, but it was not necessarily expecting a new treaty. China is suspicious that long-term commitments will be abandoned by other parties, as it has witnesses that many developed countries have not been able to meet the targets agreed upon in the Kyoto Protocol, and the US never even ratified the treaty. That is why China keeps emphasizing the historical responsibility of the developed world for the current accumulation of greenhouse gases (GHG), and therefore strongly opposes accepting legally binding targets to reduce its own GHG emissions. In fact, China demands that the Kyoto Protocol and its reduction goals for developed countries (Annex I countries) should remain relevant – and should be met if China is to take on binding targets in the future. At the same time, China points out its own need for further development, based on its still low per capita income and lower per capita emissions when compared to the developed countries.

China's domestic target may be considered ambitious, but it cannot be considered "additional." Already in 2004, before being called upon by the international community, China made a mid- and long-term plan for energy conservation, which included a target of reducing its energy intensity by 3% every year until 2020. This already implied a reduction of carbon intensity of more than 40%.

Mission "world power" accomplished...

As a developing country, China was not facing pressure to reduce its carbon emissions in absolute numbers. Having announced an ambitious domestic target just before the conference, the Chinese delegation felt confident of being in a strong position to negotiate. Especially the US seemed to be in a much weaker position, as they only offered a weak mitigation target and initially had not made a financial commitment.

China opposed having any long-term reduction targets put into the agreements unless there were meaningful short-term commitments by developed countries. It demanded that the US and Annex I countries should reduce GHG emissions by 40% of their 1990 emission levels by 2020, as was suggested by the Intergovernmental Panel on Climate Change (IPCC) and more recent scientific evidence. Yet until the very end of COP15, developed countries offered much less. Therefore, China preferred that no targets at all be agreed upon, neither for 2020 nor for 2050. China wanted the developed countries, including the US, to meet ambitious and science-based short-term targets first.

During the conference, China strongly opposed having its domestic mitigation actions internationally verified. This drew harsh criticism, especially from the US – an unexpected development to the Chinese delegation. They reacted with strong language. China merely kept repeating its position and criticizing developed countries. No progress was made on this issue until Premier Wen Jiabao arrived in Copenhagen. Yet the Chinese premier was absent in the "Friends of the Chair" meeting, which was attended by more than 20 heads of state. According to Xinhua, the official Chinese news agency, Premier Wen Jiabao had not been invited to this meeting and the Chinese delegation was furious about this. It remains an open question how much this diplomatic misunderstanding or miscommunication has influenced the attitudes in the ongoing negotiations.

China emphasized the solidarity among the developing countries in its rhetoric during Copenhagen. But the alliance of the BASIC countries (Brazil, South Africa, India, and China) does not necessarily share the same interests with smaller developing countries. The divergence between the emerging economies and the most vulnerable countries became undeniable in the COP plenary.

Consensus among the US and the BASIC countries provided the last push to the agreement on a final version of the Copenhagen Accord. China made a concession on transparency by agreeing to submit its domestic mitigation data to international consultation. It is notable that the accord did not come as a result of the two-track UN negotiation, but from the closed-door meetings of the countries in the Friends of the Chair meeting, particularly from the US and the BASIC countries.

…but without taking a lead role in climate diplomacy

In the aftermath of COP15, Western media much criticized China for having watered down the Copenhagen Accord and, thus, having obscured a more progressive outcome. However, the Chinese government did not get what it was pushing for. The developed countries did not increase their mitigation pledges; and the commitment of financial support in the Copenhagen Accord is neither sufficient nor clear. Yet the Chinese government did not want a legally binding treaty with weak targets. In this light, China is somewhat satisfied with a kind of second-best outcome: They prefer no deal over a bad deal.

The Chinese government still hopes that a meaningful consensus can be reached in future negotiations. At the same time, China successfully defended its domestic mitigation actions from international verification – a very sensitive issue for China. The Chinese government also welcomes that there was a clear mandate to continue the two-track negotiations under UN Framework Convention on Climate Change (UNFCCC). It will keep pushing for a strong climate deal on these two tracks while working to meet its domestic targets, regardless of the outcome of the negotiation.

Nevertheless, the Chinese delegation's communication style and inflexible rhetoric did not help China's image of being a responsible country in the Western world. It is interesting to know that Mr. He Yafei, vice minister of China's Ministry of Foreign Affairs – one of the toughest voices in the Chinese delegation – was removed from his position just after the Copenhagen conference. China will have to do a lot of work to repair the damages in the relationship and build trust again with developed countries, and also within the G77. Hopefully, Premier Wen Jiabao's extensive meeting in Copenhagen with the leaders of some small island states, least developed countries, and African countries to listen to their opinions will be continued into the future so as to prevent a further split among emerging economies and the rest of the developing world.

Chinese environmental NGOs were disappointed by the outcome of the conference. They felt that the major countries kept shuffling and delaying, that the Chinese government was part of this play while small and vulnerable countries became more radical and progressive. Overall, the conference did not achieve the expected results, and the cooperative dynamic that was anticipated before has been damaged. Moreover, the communication of the government delegation was seen as the cause of unnecessary tensions and misunderstandings.

Chinese NGOs also expressed worries about the Chinese nationalism, which became apparent in the media debate around the conference. On the one hand, it was a good sign that never before had there been so many Chinese journalists attending a climate conference, resulting in extensive Chinese media reporting on the negotiations. Yet media reports overall pronounced that China has performed responsibly and received much attention and respect. In the aftermath of COP15, most media also reported that China was criticized unfairly. To the contrary, all criticism went to the developed countries. There were few exceptions of journalists giving more differentiated reports. The majority of the media failed to bring different perspectives to the public, or to address the scientific facts of climate change. This because most of them are government censored, and also because they lack experience and understanding of this complicated issue.

2.4 Not successful in selling it as a success: India between all chairs

India arrived in Copenhagen with much of the same red lines as China, despite India's environment minister having optimistically announced to "think out of the box." These red lines were essentially: no legally binding targets on greenhouse gas emission reductions; the future regime had to be based on the principles of the UNFCCC, in particular to maintain differentiation between parties according to their common but differentiated responsibilities and respective capabilities; and, India rejected that its unilateral domestic mitigation actions

would be monitored and verified by the international community. The red lines were put forth by the Environment Minister in the Indian Parliament.

Before COP15, there was tremendous pressure on India to initiate domestic actions on low carbon growth. Thus, most of the work was focused on evolving or strengthening mitigation positions. In November 2009, India announced its "Solar Mission" with an ambitious renewable energy target of 20,000 MW as installed capacity, and actual generation in the range of 4000 MW at a 19% efficiency level by 2022. It also submitted its intention of reducing energy intensity by 20–25% against GDP by 2020. The announcements answered the conditions raised by many developed countries and at the same time legitimized India's demands for ambitious reduction commitments by developed countries.

On geopolitical aspects, though, India cannot be compared with China in terms of its responsibility for greenhouse gas reductions. But it still prefers to negotiate in the group where China negotiates face to face with the US and other industrialized countries, primarily due to the concern that the two countries may be used against each other by some industrialized countries. The two countries have many areas of conflict that could be used by developed countries to their advantage in climate negotiations and, thus, both decided to negotiate together in mutual interest. It was becoming very difficult for India to maintain its position and protect its interests while negotiating within the G77 and China due to the changing positions of other developing countries and groups, such as the African Group, the Small Island Developing States, and the Least Developed Countries. In the end, India joined China, Brazil, and South Africa to form the BASIC group, which became an important group for developed countries to deal with due to its resilience against diplomatic pressure. Also, the group shares one common issue to counter with in climate negotiations: the US-led pressure to mitigate its growing GHGs in the near future.

Historic responsibility of the North remains a central demand

India followed the common strategy of all BASIC countries in Copenhagen while reiterating the energy-intensity target it had announced before. During week one, India negotiated to ensure a climate deal based on two tracks that have formed the basis of negotiations since COP13 in Bali in 2007 and to ensure that they would continue. One of the two tracks is meant to ensure that the developed countries, that is, those that have signed emission reduction commitments under the Kyoto Protocol, conclude negotiations on emission reduction targets for the Kyoto Protocol's next commitment period after 2012. Indeed, it is most important for India not to threaten the future of the Kyoto Protocol. Therefore India, along with the other BASIC countries, did not support the move by the Alliance of Small Island States (AOSIS) to initiate parallel negotiations that would have prolonged the Kyoto Protocol negotiations on the one hand, but at the same time would have threatened its future existence by providing an escape door for developed countries to only opt for a new treaty apart from the Kyoto

Protocol. A split within the G77 was visible, and it continued to get bigger as the days passed. Many developing countries within the G77 were under tremendous diplomatic pressure to either join the AOSIS initiative or declare solidarity with the BASIC countries.

Already before the beginning of COP15, the Indian government was suspicious of the Danish presidency due to its continuous efforts to prepare and push a Danish draft. After this draft had leaked to the press during the first days of the COP, the BASIC countries released their own draft to beat the initiative of the presidency. The purpose was achieved very strategically. When Obama announced that there was progress on the Danish draft and, thus, that he would be participating in the heads of state negotiations on the final day of Copenhagen, many eyebrows were raised. The participation of India in the group of 28 countries that finally crafted the "Copenhagen Accord" can be attributed to the environment minister's "out of the box" attitude and he did play a very damaging role by weakening the position of developing countries.

After COP15, the Copenhagen Accord was projected as a success in India not on the account of progress made, but on being able to inform the Indian Parliament that the Indian delegation managed to protect its red lines by not committing to any legally binding targets and review mechanisms under international authority.

As of now, in India there are two schools of thought at the policy level. One is reflected by Environment Minister Jairam Ramesh, who advocates a Copenhagen Accord-based regime that brings all polluting countries onboard with all the red lines of each country protected. On the other hand, the prime minister's climate envoy, Shyam Saran, advocates the future climate regime being based on a two-track approach, as this would enjoy the legitimacy of a multilateral process while still being in convergence with science-based recommended actions. Most of the stakeholders have been following the second school of thought – supporting Mr. Saran's positions – primarily because this ensures that equity-based principles are used as a basis for climate regime rather than political interests. Recently. Mr. Saran announced his resignation from his post as the 'PM's Climate Envoy'; most likely, the high political ambition on domestic actions will remain, in particular the range of 20-25% Energy intensity reduction against GDP. Yet the change we may see is the expectations from international community.

How to repair the damage within the G77?

The Indian government portrayed the outcome of Copenhagen as a success for the country. The environment minister's statement in the parliament primarily signaled that "we have been able to protect our red lines, and no compromise was made that would have jeopardized our economic growth." Yet parts of the opposition criticized that the government had somewhat yielded on the issue of monitoring and verification, as the Copenhagen Accord now indeed

foresees an international review process for at least internationally-financed mitigation actions. The Indian media reported this fact with anger and distress, because it was seen as a weakening of the country's position. And large parts of the civil society in India reacted with mixed feelings of depression and the feeling of having been cheated because no environmentally ambitious and fair global deal to protect India from the impacts of catastrophic climate change had been achieved.

In addition, much of the criticism from the developing world to the BASIC group was loaded on India because India is considered the country that is best prepared to close the growing rift between the emerging economies on the one hand, and most of the poorer developing countries on the other. However, it failed to play that role effectively. In the aftermath of Copenhagen, this has created confusion among Indian policymakers on which way to go and what the future of the Copenhagen Accord is with its "noted" status. And again India decided to join the BASIC countries in their cautious approach on January 31, 2010, which did not mention a word about "association with the Copenhagen Accord." However, at the same time, India is now engaging in intensive exchanges with other developing countries to keep the G77 and China unified. The task will be difficult to accomplish due to the diverse positions within developing countries. In particular, many small countries have expressed their support for the Copenhagen Accord in the hopes of short-term financing.

2.5 "There is always a George": Full-fledged frustrations in the European Union

Without a doubt, the European Union was one of the first few actors to put a proactive negotiation position on the table way ahead of Copenhagen in order to build trust among nations. One important move was the EU Climate and Energy package, tailored during COP14 in Poznan, 2008, which foresees reducing carbon emissions independent of the outcome of the international climate negotiations. Among others, it includes the unconditional commitment to reduce CO_2 emissions to 20% by 2020 (compared to 1990 levels), and to scale this up to 30% should other parties also commit to significant reductions. Another move was the release of the declaration by the EU Council in March 2009, which laid the groundwork for the EU's negotiation position in the final hours of Copenhagen. Among other things, it includes the promise to contribute to significant financing for mitigation efforts in developing countries – however, it does this without agreeing on concrete numbers or reliable sources of financing, and avoids specifications as regards interrelations with official development aid.

For about a year now, however, the EU has received rather negative critiques as regards its role in the negotiations. It was increasingly difficult for the Union to talk "with one voice" and to maintain its role as a driving force in the negotiations. Internal divergences made it

difficult for the EU to intervene with progressive proposals in a timely manner. In effect the EU increasingly took a defensive position. After more than 15 years of representing *the* driving force in international climate diplomacy, the EU now has been pushed out of the driver's seat and into a bystander role.

Merely watching others to obstruct a deal

The Swedish EU presidency was unable to encourage the EU member states to take a leading role in the run-up and during the conference. For instance, shortly before and at the beginning of COP15, countries like Poland and Germany consistently blocked moves by Great Britain and other countries to announce the 30% emission cuts as an unconditional offer. The defensive role culminated in the EU's strategy to repeatedly stress the fact that they had already offered more than most other parties in the past. However, this argumentation was perceived wrongly when it came to financing. Only shortly before Copenhagen, the EU managed to put on the table its fast-start share for the years 2010–12. Yet it missed the opportunity to offer long-term financing in order to encourage concrete offers by other parties.

A red card for the Swedish presidency was handed out for forestry negotiations, whereby narrow timber-industry-dominated interests were bluntly out in the open. This biased attitude prevented the EU from taking leadership for global financing mechanisms to protect forests. At the same time, the EU maintained its questionable position of putting carbon sinks toward national emission reduction goals. Inaccurate accounting rules, however, are by far the largest loophole in the entire process.

The EU did not manage to form new alliances that could secure a deal. It did not take the hand of some of the vulnerable developing countries and some of the proactive emerging economies to increase pressure on other industrialized countries. Rather, it seemed that the EU's main aim was not to offend the United States and to stand firm with the other industrialized countries vis-à-vis China, India, Brazil, and South Africa. In the end, this defensive bargaining tactic simply did not work out. While there was still some scope for action, the EU failed to adapt this strategy and thus failed in brokering a deal.

Another point refers to the behavior and role of Denmark as host to the conference. Notwithstanding complaints about the general organization of the conference and the way civil society was shut out from the high-level segment, the sudden change of presidency gave rise to great speculation and implied unanimity. Even worse, the leakage of the Danish proposal for a potential Copenhagen Accord during the first days of COP15 proved to be a bad start for the conference and aggravated the distrust of developing countries. Several formal mistakes by President Rassmussen further aggravated the situation. For example, he evoked extensive debate whether the texts of the two Ad hoc Working Groups should form

the basis for the high-level segment with the heads of state, or a draft that Denmark produced on its own. Also, during the final plenary of the COP, Rassmussen missed the moment to generate consensus on adopting the Copenhagen Accord.

Proactive business and civil society is ahead of politics

Perceptions among EU leaders as regards the Copenhagen outcome are divided. The EU president reacted with outspoken disappointment. Meanwhile, Great Britain's Gordon Brown talked about a great start, and Angela Merkel of Germany cautioned against bad-mouthing the "agreement" reached. French president Nicolas Sarkozy acknowledged the deal as being better than no accord, which would have implied the superiority of China and India. Business leaders reacted with strong disappointment. The German BDI spoke of foregone chances that would impede large-scale investments into green technologies and the transition toward a low-carbon economy. At the same time, of course, civil society organizations and environmental NGOs are trying to think of strategies on how to restore the EU's capacity as a driving force in the negotiations.

What are the particular implications of COP15 for the EU? The climate change conference in Copenhagen has shown yet again that the EU is by far no single actor. Due to the different interests, it is deeply divided on several issues. Consequently, it is more strongly exposed to industrial lobby influence and far from resuming the role as a pioneer in climate change politics. One concrete implication was the dramatic fall of carbon prices as a reaction to the conference's outcome, also within the EU Emissions Trading Scheme. At least for now, this will ease efforts to cut industrial emissions.

However, some positive developments are noticeable within Europe. One of them is the (delayed) announcement of President Sarkozy to introduce CO_2 taxes. Another one concerns the planned investment in an interconnected grid fed into by wind power installations all across northern Europe. Similarly to Desertec, this promises to be a showcase of significant private and concerted public action toward low-carbon development paths. All in all, positive interpretations would speculate on the commencement of private, national, and local public engagement in climate protection activities as hopes for international initiatives are lowered.

2.6 On the road to COP16: Mexico inherits the job to do

In light of its impending COP presidency, Mexico's expectations with regard to the Copenhagen conference were quite mixed. Mexico hoped for a satisfactory result in Copenhagen in the interest of climate protection; yet there was also the tempting prospect that the great breakthrough would not be achieved until COP16 in Mexico, and that it would then – like the Kyoto Protocol before it – bear the name of the place in which it was reached.

Mexican representatives were thus quite guarded and vague with regard to their expectations prior to the conference. They hoped for clear and ambitious emission reduction goals from the industrialized countries, including the United States. They also expected constructive positions on the part of the most important developing countries (China, India, Brazil, South Africa, Korea, Indonesia, and Mexico) to mitigate emissions within their abilities and specific circumstances. In the run-up to Copenhagen, Mexico itself announced emission reductions of 30% by the year 2020 – but without clarifying the base line nor going into detail on how much of this would be achieved through its own efforts, as opposed to the share that would be reached with international assistance. Furthermore, Mexico called for international monitoring and verification of both financial and emissions goals. In return, the industrialized countries were expected to provide firm pledges of short- and medium-term financial support for mitigation and adaptation measures, and as relief from the negative effects of climate change, in developing countries. It called for a process to be developed immediately – even without a legally binding financing model – to mobilize at least US$10 billion by 2010 and $100 to 150 billion by 2020.

On the important question of the legal form for a new climate treaty, Mexico maintained a thoroughly pragmatic stance. As it did not consider the outlook for a new, legally binding treaty to replace the Kyoto Protocol to be very bright – the difficulties here being above all on the part of the developing countries – it cautiously advocated a second phase of the Kyoto Protocol.

Mexico's only truly explicit past and current interests have only been related to the subject of financing. Some time ago, the country proposed establishing a global "Green Fund" to finance mitigation measures and technology transfer. In the weekly telephone conferences with selected countries initiated by UN General Secretary Ban Ki-moon to prepare a treaty in the run-up to COP15, Mexican President Felipe Calderón repeatedly spoke out in favor of his financing model. Since then, Mexico has won over prominent supporters such as Norway, which incorporated its own suggestions in the Mexican proposal. The "Green Fund" is to be "transparent, democratic, and accessible." In principle, all countries should be required to support the fund, with quotas based on the responsibility and resources of the individual countries. Poor countries would therefore be exempt from contributing.

A clear leader on the financial architecture

In Copenhagen, Mexico concentrated on the subject of financing, as expected, while remaining reserved on other topics. Its silence does not necessarily mean that the country is not taking a position, however, as could be seen in the question of the international legal status of a possible treaty. Mexico stands for a second phase of the Kyoto Protocol, and a new framework which does not necessarily has to be legally binding.

Together with the United Kingdom, Norway, and Australia, Mexico advocated setting up an international emissions trading system as one of three financing pillars for international climate protection; further elements would be the provision of additional public resources through the Green Fund and the existing financing mechanisms of the UNFCCC and the Kyoto Protocol.

Mexico was the first developing country to present its fourth national communication – a reporting mechanism on national greenhouse gas inventories laid out in the Kyoto Protocol – at the climate conference. At the same time, President Calderón announced the abovementioned emission reductions of 30% by 2020, garnering considerable media attention. This message was addressed to both the Mexican people and his negotiation partners. Next to security, climate protection is one of Calderón's two major international policy themes. In light of the internal security challenges it faces, the government sent a signal to its own citizens by demonstrating the skill with which Mexico operates internationally and the recognition it receives. Addressed to the international community, Mexico intended to demonstrate leadership by example, bringing life into the bogged-down negotiations with its own reduction commitments as a newly industrialized country. A small shadow will nevertheless remain on this impressive image until we know how much of that reduction Mexico will achieve on its own, and how much will require financial assistance from the North.

Will Cancun make Mexico a real forerunner?

The Copenhagen Accord was met with great disillusionment among Mexico's business community and civil society. As a country strongly affected by the consequences of climate change, all of the interested parties had been hoping for greater progress toward a future-oriented climate regime. Mexican companies active in the field are disappointed by having to wait further for their opportunity to profit from domestic and international climate legislation. Mexican civil society condemned the results as a further expression of the unjust global power structures that permit the rich to continue to pollute without restraint and without a sense of responsibility for the consequences, especially in poorer countries.

Most groups in civil society therefore look forward to COP16 in Cancun with mixed feelings. On one hand, they fear that the government will use COP16 to shine internationally once again without internally putting an effective, convincing climate protection policy into place that reflects its external status. On the other hand, COP16 offers Mexican civil society actors the opportunity to take advantage of the international limelight to increase pressure on the Calderón government, whose domestic climate protection agenda has so far been very weak.

Against this background, the Mexican government views the results of Copenhagen with some ambivalence as well. While it sees the opportunity to conclude a successful treaty at

COP16 in its own country, the failure of Copenhagen does not necessarily provide the best preconditions in this regard and increases the pressure to succeed considerably. The government has already announced its intention of hosting transparent, sensitive, and balanced negotiations to provide a platform for all sides and frame the weak Copenhagen Accord in a politically robust treaty. As a newly industrialized country that is also marked by considerable poverty, it considers itself well-suited as a mediator between rich and poor countries. Whether President Calderón will muster the leadership to make this balancing act work remains to be seen.

3 The real challenge has just begun

Lack of leadership and the underestimation of the changed global multi-polar world order were the most important factors that led to the failed conduct of the negotiation process and the vague and unmotivated final outcome. Apart from the fact that the Danish COP presidency definitely did not put on a good show, several parties have highly disappointed the world due to the lack of deeply needed proactive action. The EU – for most of the history of climate diplomacy the unchallenged and undoubted leader – did not manage to keep up with its legend. For those who hoped for Obama to take over leadership, the US's performance must have come like a cold shower. Obama's repeated speeches impressing that climate protection and renewable energies are now at the top of the US political agenda could not change the fact that its national climate politics is still far behind much of the rest of the world. Other developed countries did not fill the gap either, although Japan or Australia have truly progressed in generating political will for ambitious climate policy at the national level.

The emerging economies – several of which have shown the world with ambitious national climate legislation in the past two years – were still detained by the old North-South divide. The position of the countries of the BASIC group is as simple as its name: As long as they abide the conviction that prosperity and growing wealth can best be achieved by increasing the use of fossil fuels, they demand that the North move far and first before they are ready for substantial commitments themselves. So who after all can drive the process? There remain several other groups and countries from the developing world. Some of them, indeed, were very proactive, as for example the Alliance of Small Island States, which drove the negotiations throughout the first week of COP15. Yet all of them are in a weak negotiating position per se, as none of the big players would wait for an offer by these parties despite their consensus in the end.

All in all, the split among the developing world in various groupings and ad-hoc alliances as well as the newly arising tête-à-tête by the US and China – with the EU becoming merely a watchdog – much complicated the overall dynamics of negotiations. The old power

constellations and blocs are dissolving. Climate politics will never be the same as it was, for instance, when negotiating the Kyoto Protocol. Copenhagen has made this more than clear. And, unfortunately, it has left the world still wanting for a multilateral boost in climate politics.

Whether that was for the better or for the worse will be determined by the various national and regional perspectives presented above. Maybe the time – time that is pressing due to the Kyoto Protocol's commitment period, which will end soon – was not yet ripe for fair, ambitious, and legally binding climate legislation? Parties now have the opportunity to return to the drawing board. Instead of finalizing merely a "green wash" deal in Copenhagen, there is now a new window of opportunity to construct new dynamics for a "real deal" to come in Cancun. If this does in fact happen, future historians will consider the showdown in Copenhagen not as a defeat, but as a blessing in disguise.

However, it will not be an easy take to deliver at the multilateral level in the months to come. And if Cancun does not deliver, the process might be on life support soon, as we saw in the WTO after two collapses – in Cancun in 2003 and in Hong Kong in 2005. Many voices already wonder if there might indeed be another way to arrive at a more comprehensive and ambitious climate agreement. If the US is not able to move and China and the BASIC group are thus not willing to move, could bilateralism or plurilateralism be the way to go? No doubt, new coalitions among like-minded countries are desperately needed in the process. But why reject the UN system so fast and why not use it to create new momentum in the multilateral process first?

Yet, while such a coalition of the willing can serve as the driving force to put forward proposals and challenge laggard countries' positions, negotiations in small groupings within the UN process will not do. Copenhagen has shown once more that the clandestine nature of contact groups and informal meetings does not deliver the level of trust necessary to get all countries on board. A bilateral setting in which China and the US decide is questionable. The challenge now is: Which kinds of smaller groupings could lead the way forward and still be as representative and legitimate as possible? Could a G20-plus that includes groupings of countries outside the UN process be a vital way to follow? Or maybe a setting such as a G50-plus that includes even more country groupings and takes place within the UN process? Either way, a key lesson from Copenhagen is that meaningful participation is crucial. If a multilateral agreement is the desired outcome, consensus has to be prepared in as much a multilateral setting as possible.

In any case, both at the international level and nationally, climate politics faces a tough time. The real endeavor to transform our societies and put them on a low-carbon track still lies ahead. And the ambivalent outcome of Copenhagen has not made that task easier. In the few

weeks since COP15, the world has witnessed several attempts to commence a rollback in climate protection. Mainstream companies and trade unions throughout the EU are now calling into question even the 20% emission reduction goal of the EU if a global deal is not possible. In the US, the fossil fuel lobby is now mobilizing a grassroots movement against climate legislation in California to avoid having progressive laws serving as a blueprint for other US states and communities. Moreover, a major campaign has been launched to defame proper climate science, including a hacker attack on research institutions in the United Kingdom and the personal discrimination of certain IPCC researchers. In emerging economies, including China, some voices now pose the question whether the IPCC as such is a conspiracy of the global North to cut their economic opportunities. There is little danger that these initiatives will eventually manage to delegitimize the overwhelming scientific evidence that anthropogenic climate change is real, and that the only vital future is to be reached on a low-carbon track. But those seeking to obstruct the process now, too, are obviously using the new window of opportunity to bring their interests to the fore.

At the same time, however, international climate policy returns back to the process. As of January 31 – the deadline for registering actions and commitments under the Copenhagen Accord – a great number of countries have turned in their offers to the UNFCCC Secretariat. Still far from what is needed scientifically, these offers at least set the process back in motion. As of mid February 2010, 102 countries have associated themselves with the Copenhagen Accord, including China and India, who have highlighted that this document is but a living text to be further negotiated. Of course, the tension between scientific needs on the one hand and the complex set of differing interests in politics on the other remain. Copenhagen has not made climate policy easy. Let’s face it: The real challenge has just begun.