

## **ALERTS**

## Environmental Law Alert - UN Climate Conference Negotiators Release "Call For Climate Action," Under Which Countries Agree To Establish Targets For Carbon Reductions

December 17, 2014 Atlanta | Chicago | Columbus | Delaware | Elkhart | Fort Wayne | Grand Rapids | Indianapolis | Los Angeles | Minneapolis | South Bend

On Dec. 14, the United Nations Framework Convention on Climate Change (UNFCCC) announced that the parties had reached an agreement on the next steps to develop a multilateral climate change treaty. The UNFCCC's annual meeting of nearly 200 nations took place this year in Lima, Peru, during the first two weeks of December. The Lima Accord is non-binding, but it is supposed to pave the way for a binding agreement on climate change at the UNFCCC's December 2015 annual conference in Paris.

Despite the Lima Accord's non-binding nature, several aspects of the agreement are particularly noteworthy. In particular, the Lima Accord represents the first time that many developing nations have agreed to put forward plans to reduce greenhouse gas emissions. In fact, under the Accord, each of the nearly 200 parties to the UNFCCC agreed to develop plans to reduce carbon emissions. These plans, called Intended Nationally Determined Contributions (INDCs), are supposed to be rolled out over the course of 2015 in anticipation of the Paris conference.

Under the Lima Accord, countries are not required to cut emissions by the same amount, so there will likely be wide variation in the goals and content of the INDCs. Another key element of the INDCs will be whether emission reductions are "measurable, reportable and verifiable." U.S. negotiators had pushed for requirements for countries to submit INDCs that use comparable metrics, making emissions reductions easier to measure, but that language was ultimately rejected by the parties

The Lima Accord also represents the continuation of an important bilateral agreement made last month between President Obama and President Xi Jinping of China. During the President's recent November trip to China the two countries announced a joint agreement to reduce carbon emissions. President Obama committed to cut net greenhouse gas emissions by 26-28 percent below 2005 levels by 2025. Those reductions would be primarily achieved through EPA's proposed Clean Power Plan, which, using a 2005 baseline, calls for a 30 percent reduction in carbon emission levels to be achieved by 2030 and an interim emission reduction goal in 2020. According to the White House press release, President Xi Jinping committed to peak China's growing "carbon emissions [by] 2030, with the intention to try to peak early, and to increase the non-fossil fuel share of all energy to around 20 percent by 2030."

The Lima Accord parties are supposed to propose their countries' INDCs by March 31, 2015 (although they are not penalized for missing the deadline), and a draft multilateral climate change treaty is supposed to be

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circulated in May 2015. All of that will lead up to the December 2015 meeting in Paris where the negotiations will begin in earnest.

A copy of the Lima Accord is available here.

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