

Background and overview of the AOSIS Proposal

The Alliance of Small Island States (AOSIS)^[1] has drawn up a proposal designed to safeguard the Earth's climate system and to secure the future survival of its 43 members, and the other low-lying and vulnerable developing countries at the front line of the devastating impacts of climate change.

Since its inception in 1989, AOSIS has persistently called for the adoption of legally binding instruments to codify the emission reduction targets, financial commitments and institutional mechanisms necessary to underpin a robust global response to the most serious challenge of a generation.

The AOSIS proposal secures the twin objectives of survival of the Kyoto Protocol and also strengthens the UNFCCC in accordance with the Bali Action Plan. The proposal does this by putting forward amendments to secure new and deeper post-2012 emission reduction targets for industrialised countries currently bound by the Kyoto Protocol. The new targets would also be reflected in a new Protocol to be adopted under the Convention, sitting side-by-side with legally binding targets for the USA.

AOSIS is making its proposal available to all Parties as an effort to facilitate negotiations underway in Copenhagen under the UNFCCC and the Kyoto Protocol. AOSIS believes its proposal provides a fresh look at how existing proposals and negotiating texts can be assembled into a coherent and legally binding form that both preserves Kyoto Protocol, as well as the primacy of the UNFCCC as the overarching international framework for addressing climate change and its adverse effects

The proposed new protocol, called the Copenhagen Protocol in anticipation of its adoption at COP-15, cover other issues in the Bali Action Plan which need to be captured in a legally binding form if a comprehensive, balanced and effective package deal is to emerge from Copenhagen. These issues include mandatory financial and technological support from developed countries to help developing countries take actions to reduce greenhouse emissions and to adapt to the adverse consequences, delivered through a new Multilateral Fund for Climate Change.

The AOSIS proposal envisages the adoption by the UNFCCC Conference of the Parties and the Parties to the Kyoto Protocol (CMP-5) of supplementary decisions to accompany the new instruments to enable a 'fast start', so that actions to combat climate change and adapt to its impacts can begin to be scaled up immediately. Work on these issues, including on capacity building, technology, adaptation and REDD+, are nearing completion at Copenhagen.

AOSIS' proposed amendments to the Kyoto Protocol include provisions for the establishment of a second commitment period for the years 2013 to 2017, and as a result, a proposal for the amendment of Annex B to allow for the inscription of new targets for the second commitment period. The proposed amendments also include provisions requiring the COM/MOP to ensure that a share of proceeds from the issuance of assigned amount units and project activities under Article 6 of the Kyoto Protocol shall be used to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

AOSIS' proposed Copenhagen Protocol comprises a preamble and 23 Articles. It is set out in the form of a binding international agreement that can be adopted in the presence of more than 100 Heads of State by COP-15 in Copenhagen, Denmark on 18 December 2009. It is also possible for the Protocol to be operationalized immediately through a combination of "prompt start" decisions taken by the COP and through provisional legal application which, under our proposal, would apply from 1st January 2012 in case formal entry into force has not yet been achieved.

The Copenhagen Protocol sets out a shared vision to enhance implementation of the Convention in a balanced and comprehensive manner by addressing mitigation, adaptation, technology, financing and capacity-building support. It calls for warming to be limited to below 1.5 degrees Celcius, peak global emissions by 2015 and reduction of emissions by 85% below 1990 levels by 2050. It outlines a five year science based review process to take 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 Protocol address key elements of the Bali Action Plan including mitigation commitments by developed country parties, mitigation actions by developing country parties, adaptation, capacity building and technology, REDD+ as well as provision of financial and technological resources to support mitigation and adaptation actions.

The proposed Protocol sets forth a legal architecture that creates functional linkages between the UNFCCC and the Kyoto Protocol, but at the same time respects the obligations and distinctive legal character of each instrument. The additional commitments and actions resulting from the conclusion of the work of the AWG-LCA relating to mitigation, adaptation, finance and technology are elaborated in the proposed Agreement in ways that enhance the provisions of the Convention.

AOSIS would welcome feedback on its proposal from all Parties and from observers under the relevant agenda items of COP-15 and CMP and negotiating bodies and processes underway at Copenhagen.

[1] AOSIS is 43 members, 39 of whom are Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and is Kyoto Protocol: American Samoa, Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba, Dominica, Dominican Republic, Fiji, Grenada, Guam, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Marshall Islands, Mauritius, Federated States of Micronesia, Nauru, Netherlands Antilles, 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, Vanuatu, Virgin Islands (U.S.)