

# Climate Shame: get back to the table

## Initial analysis of the Copenhagen climate talks

**Copenhagen was a unique opportunity to turn the world's course away from climate disaster, towards a safe future for all of us on this small planet. Massive global public mobilization demanded it. But leaders of the major powers negotiated for their national interests, instead of safeguarding our shared destiny.**

**In the closing hours of negotiations, world leaders drew up the Copenhagen Accord. It grabbed headlines, but offered no lifelines – and so may end up on the sidelines. The talks ended with little more than agreement to keep talking, offering just a dim beacon for the way forward.**

**At a time when the urgency of the climate challenge is blatantly clear, stand-offs between the most powerful countries have left the world heading towards 4°C global warming – a catastrophic prospect, especially for the world's poorest people.**

**Negotiations must get straight back on track. All countries need to get back round the table and deliver what science – and people worldwide – are demanding: a fair, ambitious and binding deal in 2010.**

# 1

## Why Copenhagen mattered

*'I came all the way to Copenhagen from a displaced persons' camp on the flooded coast of Bangladesh to see justice done for the 45,000 people made homeless by cyclone Aila. How do I tell them their misery has fallen on deaf ears?'*

Shorbanu Khatun, a climate migrant at the summit with Oxfam

Climate change is already devastating poor people's lives on an appalling scale. Decisive action can halt this and unlock a green new deal for low-carbon transformation and for building resilience to climate-change impacts (see Box 1). We have just five years to peak global emissions, but they are currently on course to increase at least half as much again by 2030. The failure of political leadership on display in Copenhagen only makes this task harder.

The urgency and opportunity for progress in Copenhagen was unique.

- *Scientifically:* Global greenhouse-gas emissions have been rising ever faster for more than 150 years. They must peak in the next five years if we are to stand any chance of preventing runaway climate change. Decisive action in Copenhagen was crucial to ensure that this demanding trajectory is still feasible.
- *Legally:* The Kyoto Protocol currently binds rich countries (except the USA) to cut their emissions by the end of 2012, but there is no agreement on targets for the second phase of cuts beyond that. A renewed commitment to cut rich countries' emissions from 2013 must urgently be agreed so that it can be ratified and come into force within the next three years. A parallel, legally binding agreement, giving comparable obligations to the USA, is also urgently needed.
- *Politically:* 2009 saw an unprecedented groundswell in global demand for leaders to tackle climate change. Climate hearings gathered testimony from millions of affected people in more than 30 countries. Demonstrations, mobilization, and voluntary action on a massive scale built new alliances across civil society, trade unions, and progressive businesses. Never before had there been such public momentum for conclusive political action.

## Box 1: Key elements of a fair, ambitious and binding deal

Copenhagen was the place to agree a fair, ambitious and binding global deal to tackle climate change – the ‘landing zone’ of which has been clear for more than a year. It calls for action to:

### 1. Prevent dangerous climate change

- Keep global warming far below 2°C by ensuring that global emissions peak by 2015 and greenhouse-gas concentrations ultimately fall to 350 ppm (parts per million);
- Developed countries take on emission-reduction targets of at least 40 per cent below 1990 levels by 2020, with individual country targets based on their respective responsibility (for historic emissions) and economic capability;
- Developed countries deliver most of these cuts through domestic action – not offsets overseas – and loopholes in emissions accounting are closed;
- Developing countries limit their emissions growth with finance and technology support from developed countries, starting in 2010 and rising to at least \$100bn each year from 2013.

### 2. Protect poor people from unavoidable climate impacts

- Deliver substantial fast-start adaptation financing from 2010 to 2012. Oxfam has estimated that urgent adaptation needs are at least \$50bn every year;
- Provide for a progressive scaling-up of adaptation financing from at least \$50bn per year in 2013, rising to \$100bn or more by 2020, in line with scientific and economic assessments;
- Ensure that all financing for adaptation and mitigation is additional to existing commitments by rich countries to deliver 0.7 per cent of their national income as development aid;
- Ensure that adaptation finance is channelled to the most vulnerable communities, and through gender-sensitive programmes;
- Finance an international climate insurance pool, and take steps to help people recover from damage and losses due to unavoidable climate impacts.

### 3. Require governments to commit to a historic climate shift

- Produce a legally binding agreement between all countries that builds on existing principles and rules, including the UN Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol;
- Establish a new global climate finance mechanism – one that is governed on the basis of equitable representation of all countries, and effective in delivering finance for adaptation and mitigation in developing countries;
- Establish stronger compliance and enforcement mechanisms for counting and cutting emissions, and for delivering finance.

## The climate of negotiations

The talks in Copenhagen, and the two years leading up to them, were undermined by a style of deal-making unfit for driving collective action in a multi-polar world. The failed tactics of world trade talks – high-stakes brinkmanship – have, once again, led to a result that is in no one's interests.

The 2007 Bali Action Plan set out a roadmap for two years of negotiations, working on two tracks, with two parallel texts:

- to agree new, legally binding obligations for all rich countries (except the USA) to cut their emissions, beyond their existing commitments to cuts by 2012 – under the Kyoto Protocol track; and
- to bring all other countries into a new, legally binding agreement which includes: comparable and binding emissions cuts for the USA; limiting emissions in developing countries, with financial and technology support to do so; and funding for developing countries to adapt to climate-change impacts – all under the Long-term Cooperative Action (LCA) track.

In those two years of talks, little was resolved along the road, and rich countries – critically – failed to earn trust because they showed no resolve to meet their historic responsibility in cutting emissions.

The Intergovernmental Panel on Climate Change (IPCC)'s 2007 assessment – now considered to be a conservative one – states that rich countries must cut their emissions by at least 25–40 per cent below 1990 levels by 2020 in order to limit warming to the 2 to 2.4°C range. To have a good chance of keeping warming below 2°C would require cuts of 40 per cent or more.<sup>1</sup> Yet pledges by rich countries going into the negotiations amounted to cuts of just 11–19 per cent by 2020 – an appalling shortfall.

Worse, the current rules for counting and trading rich-country emissions are riddled with loopholes. Countries such as Russia and Ukraine hope to sell emissions permits left over from their previous allocations (known as 'hot air'). Others propose creative accounting in calculating their emissions from forestry. Others still plan to fulfil most of their cuts by offsetting overseas, through Clean Development Mechanism projects that do not always deliver the cuts they claim to. And rich countries' share of emissions from international air travel and shipping are not even counted in their national totals.

Taking account of these loopholes, cuts pledged by rich countries could actually result in their total emissions being higher in 2020 than in 1990, leading the world towards a catastrophic temperature rise of almost 4°C by 2100.<sup>2</sup> The prospect? Water availability halved in South America, Southern Africa and the Mediterranean, and severe water shortages for hundreds of millions of people in India and China. Crop yields would fall in all regions – by up to 35 per cent in Africa and Western Asia. An additional 220 to 440 million people would be

exposed to malaria. And up to 330 million people would be permanently displaced due to sea-level rise, with many small island nations doomed, and major world cities such as New York, London and Tokyo under serious threat.<sup>3</sup> These would be unthinkable disasters.

## The road to Copenhagen

Moves by the USA in 2009 to legislate a cap on national emissions were welcomed as a first step towards joining an international agreement. But the country's low level of ambition (equivalent to 4 per cent cuts below 1990 levels by 2020) was seen as deeply inadequate by developing countries and other rich countries alike. Further, the USA's unwillingness to join the Kyoto Protocol created the need for a second binding treaty, so talk of merging the two tracks began. This alarmed developing countries, many of whom feared that rich countries would collectively try to use the move to water down their obligations.

In the run-up to the talks, some countries and regions did step forward with clear offers of progress. The European Union (EU) was first, in 2008, to pledge new emissions cuts (unilaterally 20 per cent below 1990 levels by 2020, rising to 30 per cent in the case of a strong global deal). China, India, Mexico, South Korea and others also made significant unilateral offers to tackle their emissions, and South Africa pledged cuts provided they received financial support to achieve these.

One month before negotiations in Copenhagen began, however, all the big decisions – on adequate emissions cuts by rich countries, and on finance for adaptation and mitigation – were still on the table. The Danish Prime Minister, echoed by ministers from other rich countries, claimed that it would not be possible to agree a legally binding deal in time, and proposed a single outcome, rather than the two tracks agreed in Bali – again, raising alarm.

## Too much text, too little trust

Rumours of an alternative negotiation text by the Danish presidency provoked anger when an early draft was leaked in the opening days of the Copenhagen talks. This draft had been presented to an exclusive group of countries a week earlier; it leaned towards rich-country interests, and aimed to replace the two-track approach with a single, new agreement.

This triggered an atmosphere of mistrust that never waned. To ensure that a two-track approach remained on the table, China, India, Brazil and South Africa (BASIC) presented their own alternative to the Danish text, followed by additional proposals from the African Group, and from the Alliance of Small Island States (AOSIS). The formal process finally focused back on official texts, but critical time and trust had already been lost.

The wrangles and rumours around these competing proposals reflected a far bigger struggle for power in the talks, as the rise of emerging economies continues to shift the balance of world power to a multi-polar basis. Powerful countries sent in big teams of people to do politics

*'I have the feeling of dread that we are on the Titanic and sinking fast, but we can't launch any lifeboats because a member of the crew has decided that we are not sinking and that we have to have informal consultations to decide whether we are sinking or not.'*

Ian Fry, Chief Negotiator for Tuvalu

and business: Canada sent a team of 183 people, Japan 134, the USA 194, Brazil 750, India 52, and China 233. Many poor countries, which are most under threat from the effects of climate change, had small delegations – Chad sent a team of 10, Haiti 7, and Dominica 4. These small teams could not possibly engage with all the parallel talks and ever-changing texts. Rich countries applied pressure down the phone lines too: Australia, for example, leaned on Tuvalu and other Pacific islands to stop calling for a goal of keeping global temperature rise to below 1.5°C.<sup>4</sup>

## Pushing for progress

Suspensions may have filled the conference centre, but on the streets outside – and around the world – there was massive public demand for strong action in a global day of action. In Copenhagen, 100,000 people marched, and more than 3,000 events were held in almost 140 countries. Worldwide, 14 million people signed the tck tck tck petition calling for a deal. Civil society organisations have been deeply involved in the climate talks for years, but their ability to take part was dramatically curtailed in the second week. The UN severely restricted access: from 15,000 observers at any one time, down to just 300 for the final days of the talks.

Some prominent and progressive companies – recognizing the threat of climate change to their core business – have also mobilized to call for decisive action. Coalitions such as Business for Innovative Climate & Energy Policy (BICEP) in the USA – founded by Nike, Starbucks, Levi Strauss, Sun Microsystems, and Timberland – call for national legislation based on the science. But their voices and influence are still heavily outweighed by decades of high-level lobbying by entrenched corporate interests delaying the shift away from fossil fuels. On the opening day of negotiations, for example, Business Europe – representing the EU’s main business confederations – openly called on the EU not to raise its emissions cuts unilaterally from 20 to 30 per cent.

## Descending into Copen-chaos

When Heads of State joined the talks, they ended up negotiating from the podium, rehearsing their national positions instead of proposing breakthroughs. Many people had expected rich countries to bring strong new offers (as they had suggested they would), but they put forward only tentative offers of finance. The USA joined earlier calls by the UK and Ethiopia to mobilize \$100bn of long-term finance – but late in the day, and with no sources clearly identified.

In the final, chaotic hours of negotiations, the USA, China, India, Brazil and South Africa – without the EU – drew up a text that was then discussed by 25 Heads of State, and became the Copenhagen Accord. It was tabled before all countries late on in the last night, giving them just one hour to read it and sign it. The EU reluctantly agreed, but many developing countries refused, and so the conference ‘noted’ rather than ‘adopted’ the Accord – turning it into a petition open for national sign-ups. All countries agreed to keep negotiating for another year based on

the two official texts produced through the formal UN process. Ironically – and fortunately – these texts hold far more promise than the Accord for producing the deal needed.

### Who killed the COP?

Rich countries have the responsibility to lead in cutting global emissions – that is clear. But almost none of them – including Australia, Canada, the EU, Japan, New Zealand and the USA – came to Copenhagen with enough on the table or in their back pockets to seal a meaningful deal. The EU had more in reserve than most, but held it back as a final offer, which it was never called on to make. The USA came into the talks with the low offer expected; the surprise was that it did not raise its offer with tangible commitments during the talks. This allowed Australia, Canada, Japan and New Zealand to hide behind the USA. Worse, these countries actively blocked a range of progressive proposals for moving forward. There was no collective vision and will to lead; and the cost falls hardest on small and poor developing countries that hold none of the blame but face the worst consequences.

Developing countries have been pushing rich countries to greater ambitions. However, there were some differences in the tactics employed. China and India take the position that a new, legally binding treaty should only be negotiated once the second commitment period of cuts by rich countries under the Kyoto Protocol has been agreed. But dogged pursuit of this strategy seems unlikely to deliver either. A more forceful pursuit by China and India of a legally binding result under the Convention track could help lock in the second phase of the Kyoto Protocol. Brazil, China, India, Mexico and South Africa all played important roles in the lead-up to the talks, as well as in their waning hours, but will need to work more concertedly with other developing countries to spur rich countries' ambitions in 2010.

## 3

### What's in the Copenhagen Accord?

The Copenhagen Accord – a three-page political declaration patched together by a select group of world leaders and ministers, and objected to by a number of developing countries – is useful in helping us to understand the state of play. It reveals where there is currently some space for international agreement, and where the devastating gaps in global vision remain.

#### Climate threat: high

**Hollow commitment to halt global warming** (paras 1 and 2). The Accord makes a weak commitment to keep the rise in average temperature below 2°C – recognizing the scientific consensus around

the threshold for catastrophic and irreversible climate change – but sets no targets for emissions cuts by 2020 or 2050. It simply calls for global emissions to peak ‘as soon as possible’ – an empty strategy in the face of emergency. The Accord (para 12) calls for a review in 2015, when it should consider strengthening the global temperature ceiling to 1.5°C – but by then it would be too late to achieve.

**Rich-country emission cuts dangerously off course** (para 4). In the face of this gaping hole, the Accord’s approach to securing stronger cuts from developed countries by 2020 is pathetic. With no global targets as a guide, and no criteria for calculating national fair shares, it calls for each country to submit its pledged cuts to an international list by the end of January 2010, but for information purposes only – nothing binding. And it sets no limits on countries buying offsets overseas instead of taking action at home. Such bottom-up approaches, driven by national interest – and lobbied by vested interests – will not drive the pace or scale of action needed.

**Measure, report and verify** (paras 4 and 5). Independent checks to ensure that countries are meeting their responsibilities to cut emissions are essential – and agreeing on this was a big step made in Bali. The Copenhagen Accord strengthened the will to do so. It calls for processes to measure, report and verify rich-country emissions cuts and finance. Further, it calls for international measurement, reporting and verification of mitigation actions in developing countries that are financed by rich countries. To aid this, the Accord proposes a registry for matching developing-country mitigation actions to finance and technology support from developed countries. As an additional step, it calls for developing countries to agree that their voluntary actions on reducing emissions – receiving no international finance – would be subject to international consultation and analysis. This concession, made by China and India in the final hours of drafting, was a step towards agreement on their part, and would satisfy significant concerns expressed by rich countries if it were made legally binding.

## Where is the finance?

**Fast-start finance: yes – but don’t fast-finish** (para 8). The Accord commits developed countries to providing new and additional resources approaching \$30bn for the period 2010–2012. This is welcome and will help meet the backlog of urgent adaptation demands and mitigation opportunities. But based on pledges made so far, the total falls short by \$2bn per year; most of Japan’s funding is in the form of loans, much of the EU money has simply been re-pledged, and little has been committed over and above the 0.7 per cent aid target promised since 1972. Further, there is no commitment to fund needs from 2014 to 2019.

**Long-term adaptation funds proposed – but no clear sources** (para 8). The call to mobilize \$100bn for adaptation and mitigation by 2020 is an important step; it is only half of the minimum needed, and creates no specific obligations for countries, but it finally puts an initial number on the table. Yet there is no mention of how to raise fair shares, how funds



will be divided between adaptation and mitigation, or how much will be predictable and public finance, rather than private finance through carbon markets. The Accord also calls for a High-Level Panel (para 9) to assess the potential of raising funds from alternative sources – much needed – but does not list those sources, or a timeline for concluding the assessment.

**The risk of aid-raiding and empty promises** (para 8). The Accord's commitment that rich-country financing be subject to measurement, reporting and verification is important because it would help end the financial 'hide-and-seek' of current pledges. At the same time, the Accord leaves certain funding loopholes open. It makes no clear statement that climate finance will be raised separately and additionally to rich-countries' existing aid commitments of 0.7 per cent of national income. Without that, funds risk being raised by diverting future spending away from essential services in poor countries – taking money to build flood defences out of budgets to build schools and hospitals. And there is no clarity on how much individual rich countries will contribute, leaving the promised \$100bn hanging as an aspiration.

**New financial mechanism – but how will it be governed?** (paras 8 and 10). The Accord establishes the Copenhagen Green Climate Fund – intended as one of the financial mechanisms under the UN Convention, for financing mitigation, reducing emissions from deforestation, adaptation, capacity-building, and technology development and transfer. It is unclear how this mechanism is intended to relate to the mechanisms under negotiation in the formal tracks, but its governance must help deliver climate finance in a more transparent and democratic way – a commitment not established in the text.

### **Little protection for the poorest**

**No vision for adaptation** (paras 1 and 3). The Accord does little beyond stating that adaptation is a challenge, that it will need finance, and that the most vulnerable developing countries should be prioritized in accessing this finance. All true. But it makes no proposals about the level of funding needed for adaptation finance, and promises no certain source of funds. It makes no mention of the need to cover unavoidable loss and damage – such as helping communities rebuild their homes and livelihoods after hurricanes and floods, or cope with slow-onset damage such as losing freshwater supplies as glaciers melt. Likewise, the Accord is silent on proposals for an international insurance mechanism. Instead – and absurdly – it bundles the adaptation needs of the world's poorest people together with calls for compensation (known as 'response measures') for oil-producing countries that claim they will lose revenue when the world shifts away from fossil fuels.

### **Accord or discord?**

The significance of USA engagement in the Copenhagen UN climate talks cannot be underestimated: after more than a decade of inaction, its renewed engagement with international rules and norms is essential.

And yet, as UK Prime Minister Gordon Brown said in his address to the conference, Copenhagen wasn't just about leaders doing their best – it was about them all doing what was necessary.

The Copenhagen Accord may end up as a postcard to the future – from a generation of leaders who stumbled separately in the dark, instead of uniting behind an ambitious and decisive vision.

### Getting back on two tracks

The flurry of texts in Copenhagen that became the last-minute Accord was, in many ways, a distracting sideshow. But it may, ironically, have raised the alarm and re-energized negotiations on the official texts, which got significantly tightened up. Both official tracks of talks were given extended mandates to keep meeting for another year. The talks in 2010 must now seize this critical chance to reach real agreement.

The good news is that the draft text on Long-term Cooperative Action (LCA) still contains most of the options needed to secure a fair, ambitious and binding deal – though some key additions will be needed in 2010. And the bad news? The most promising options could all be lost, instead of strengthened, with the sweep of a pen. That is why visionary leadership and full public attention must accompany the process throughout the next year.

*'We have lost a valuable moment for action, with a high price for people living in poverty. We must work fast to solve this crisis in 2010.'*

Negotiator for Malawi

## 4

## Change the politics, not the climate

*'The failure of the political process in Copenhagen to achieve a fair, adequate and binding deal on climate change is profoundly distressing. Our leaders must regroup, learn, and make good their failure, for the sake of humanity's future.'*

Desmond Tutu, Archbishop Emeritus of Cape Town

Politics-as-usual negotiations are failing to solve the climate crisis. For the crucial year ahead, the UNFCCC has proposed just one intersessional, in May or June, and then final talks (known as COP16/CMP6) in Mexico, in November or December. Such thin engagement will not turn the talks around. Options on the table are too many and too vague for effective decision-making, and do not reflect evolving climate science. Technical negotiators are left debating issues that demand ministerial mandate, but too little time is given for ministers' talks to make progress. Governments are still focused on securing their national interests instead of securing our shared destiny.

2010 may be the last year for these climate negotiations to prove they are an effective process for stopping climate change – and perhaps the chaos and near-collapse in Copenhagen will give governments the nerve to make it work. There must be sustained and focused engagement throughout the year, and a commitment to solving the crisis with the urgency and ambition it demands.

**Heads of State: demonstrate climate leadership.** The last two years of competitive negotiations must now be turned into collaborative engagement for a deal in 2010. That new mindset must be driven by

Heads of State, especially those from rich countries, and must become the overriding mandate for negotiations.

**Ministers: prepare for 'sleeping-bag' ministerials.** A set of intense ministerial meetings for both tracks of negotiations – held in March, June and September – must propel political decisions. The meetings must be hosted by the UNFCCC, with all country groupings represented, and ensuring full reporting back. Each ministerial should end only when its mandated milestone has been reached: to halve the number of brackets in the text, and halve the size of the numeric ranges set out in those brackets. By COP16/CMP6, this will produce tight ranges on emissions cuts and financing that can realistically lead to agreement.

**Climate scientists: put facts back at the heart of negotiations.** Climate science is evolving rapidly, but negotiations continue on the basis of old projections – and fudge the science in their promises. The IPCC and leading climate scientists urgently need to provide updated estimates on emissions trajectories and temperature increases, starting with 1.5°C, so that negotiators – and the world – know what they are agreeing to. Research into the impacts of climate change on people must be deepened and communicated, so that governments understand the true human and financial costs of their inaction.

**Negotiators: draw up text that can drive decisions.** Climate talks (unlike trade talks in Geneva) do not have a hometown, and sporadic intersessionals don't allow for steady progress. Instead, semi-permanent negotiations – 'delegate dormitories' – should be set up in one city (Bonn, New York, or Geneva?) to finish these talks in time. Developing countries must put their best negotiators into these talks – they have shown they make a difference – and the Least Developed Countries will need financial support to be part of this standing community, as well as access to a pool of UNFCCC experts offering additional technical support.

The scope of negotiations is left unhelpfully wide by vague definitions and unclear options in the text. Technical experts must use the year ahead to set out specific modalities for negotiating – clear parameters for decision-making – by clarifying rules (such as on accounting for forestry emissions), and clarifying options (such as criteria for burden sharing).

**Public support: build the case and widen the base.** The last two years have seen an unprecedented and broad movement emerge across the globe for climate justice. But there is still enormous potential to harness.

- **Business:** progressive companies in all countries must draw the next swathe of corporates into alliances to build an international green new deal, and must be more proactive in calling on governments to act.
- **Civil society:** keep highlighting the devastating poverty and environmental effects of climate change, and make climate justice the most electorally dangerous issue for politicians to ignore.

- **Public voices:** keep demonstrating the growing international public demand for urgent action.

This generation cannot leave a legacy of climate shame. Governments cannot negotiate with the atmosphere – only with each other. They must get back round the table and work throughout 2010 to deliver the fair, ambitious and binding agreement that the world so urgently needs.

## Notes

<sup>1</sup> IPCC (2007) 'Climate Change 2007', Fourth Assessment Report (AR4).

<sup>2</sup> The Climate Scoreboard, [www.climateinteractive.org](http://www.climateinteractive.org) According to the analysis (which is based on the C-ROADS-CP climate simulator) if the proposals for cutting emissions which were on offer at the end of the conference were enacted, they would lead to an estimated global temperature increase of 3.9°C by 2100.

<sup>3</sup> [IPCC (2007), and Stern (2006) *Stern Review: The Economics of Climate Change*, Cambridge: Cambridge University Press.

<sup>4</sup> WA Today (2009) 'Tuvalu cites Aussie pressure on climate', 17 December, [www.watoday.com.au/breaking-news-world/tuvalu-cites-aussie-pressure-on-climate-20091217-kxwv.html?page=-1](http://www.watoday.com.au/breaking-news-world/tuvalu-cites-aussie-pressure-on-climate-20091217-kxwv.html?page=-1)

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