

9 March 1995

ENGLISH/FRENCH/RUSSIAN/  
SPANISH ONLY

CONFERENCE OF THE PARTIES TO THE UNITED NATIONS  
FRAMEWORK CONVENTION ON CLIMATE CHANGE

MATTERS RELATING TO COMMITMENTS

REVIEW OF THE ADEQUACY OF ARTICLE 4, PARAGRAPH 2 (A) AND (B)

Comments from Parties and other member States

Note by the interim secretariat

The Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, at its eleventh session, requested the interim secretariat to provide the Conference of the Parties, at its first session (COP 1), with a compilation of interventions and other comments on the review of the adequacy of Article 4.2(a) and (b), which Parties and other member States may have transmitted to the interim secretariat by 17 February 1995, for distribution to all delegations (see A/AC.237/91/Add.1, decision 11/1, para. 2).

The interim secretariat has received submissions from Australia, Belgium, Brazil, Canada, Denmark, Equatorial Guinea, France (on behalf of the European Community and its member States), Germany, Hungary, Japan, Kuwait, Micronesia, the Netherlands, New Zealand, Norway, the Russian Federation, Samoa, Switzerland, Trinidad and Tobago (on behalf of the Alliance of Small Island States), the United Kingdom and the United States.

These submissions are attached, and in accordance with the procedure for miscellaneous documents, are reproduced in the language(s) in which they were received and without formal editing.

The Committee also decided to transmit to COP 1, for consideration and appropriate action, conclusions reached at the ninth and tenth sessions. These conclusions are attached as Part II of this document in English only. The other language versions are contained in document A/AC.237/55, paras. 50-59 and A/AC.237/76, paras. 38-54.

**FCCC/CP/1995/Misc.1**

GE.95-60810

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**PART I**  
**SUBMISSIONS**

PAPER NO. 1: AUSTRALIA

Australia's views on the adequacy of commitments have been stated at previous meetings of this committee. Nevertheless, we consider that it is both useful and timely to restate our position here today and to offer some brief comment on what is guiding Australian thinking on this crucial question.

Australia considers that the existing commitments in article 4.2 (a) and (b) will not meet the Objective of the Convention and represent only a first step towards achievement of that objective. We consider the commitments to be inadequate for three key reasons:

1. they will not stabilise atmospheric concentrations of greenhouse gases at any level;
2. the post 2000 period is not addressed; and
3. only annex1 parties are involved.

On the first point:

We have available to us the advice of the IPCC and the views presented to this INC by the Chairman of the IPCC, Professor Bolin. Clearly, much useful guidance is to be found in the IPCC's Special Report for the Berlin Conference of the Parties.

On the second point:

It is clear that the current commitment only applies to the year 2000, and does not give specific guidance to activity in the post 2000 period. The development of, and agreement to, some clear signposts as to where we are heading next century are important. Australia considers that a key task for us is to give substance to what commitments will apply next century.

On the third point:

It is a fact that these commitments apply only to a small group of countries. This is, of course, consistent with the principle in the Convention that developed countries are to take the lead. My government's views on this principle were stated by the Australian Minister for the Environment, Senator John Faulkner in an address to a regional conference on greenhouse issues held in New Zealand in October 1994.

At that time, the Minister emphasised that Australia accepts fully its obligation, as a developed country, to take the lead in emissions reductions. But he also noted that the use of the word 'lead' means to Australia differentiated global action. That is, while developed countries will lead, Australia expects that developing countries will also - over time - take increased action to mitigate climate change. In other words, for developed countries to lead, we will need to be followed.

The challenge for the process after CoP1, where Australia would like to see a negotiating mandate agreed to guide the development of future action on emissions, will be to carry forward negotiations on a protocol that incorporates the principles in the Convention in a balanced and integrated manner.

In Australia's case, we will be looking for the development of an enhanced regime, through a protocol that fully incorporates the range of principles embodied in the Convention including the comprehensive approach to addressing all greenhouse gases, sources and sinks, recognition of countries' different starting points, economic structures, resource bases, and the need for equitable and appropriate contributions by all Parties. In this connection I welcome the assurance in the important statement made in Plenary this morning by the Chairman of AOSIS that any future work to elaborate or strengthen the Convention should not disturb the integrity of the Framework Convention and the principles so carefully incorporated in it.

Mr/Madam Chairman, it is Australia's view that a productive outcome for this INC will be to agree that the current commitments are inadequate to achieve the Convention's objective, and consequently to agree that the Berlin COP should reach agreement on a mandate for the negotiation of a protocol.

My government has given considerable thought both to the process and to the elements which should shape the next phase of international negotiations on climate change and is ready to play a constructive role both here at INC11 and in the future in working with others to enable us all to move towards taking - and reaching agreement on - the next steps to achieve the Objective of the Convention.

To assist this process, Australia suggests that the negotiations should:

1. focus on action and commitments relevant to the post-2000 period and consider options for meeting these commitments, either individually or jointly between Parties;
2. incorporate the principles already contained in the Convention and identify and develop a range of possible options/mechanisms that encompass these principles;
3. take into account global action;
4. have regard to the best available information, including the IPCC Assessment and Supplementary Reports, Special Report, the review of Annex I Parties' national communications and the work of the Subsidiary Bodies, as well as other relevant technical, social and economic information;
5. develop strategies to promote the accelerated diffusion world-wide of technologies that can help to control greenhouse gas emissions and contribute to efficient and sustainable economic growth; and
6. develop a global consultative mechanism to encourage dialogue with transnational businesses. In this connection Australia would like to join others in expressing support for the proposal outlined by New Zealand and looks forward to seeing that proposal in the report of this meeting.

Mr/Madam Co-Chairman, this is not an exclusive list, but some thoughts we have on elements for inclusion in a protocol. I would consider also that as we move into the next phase of negotiations, as our colleagues from Norway have already noted this morning, we will need also to intensify our efforts to develop effective and practical mechanisms for inclusion in the protocol to give effect to equitable burden sharing.

Finally, Mr/Madam Co-Chairman, some views on administrative matters.

The negotiations need to be concluded by 1998 in order to allow sufficient time to gather the required number of ratifications for any protocol to enter into force by the year 2000.

My government considers that an appropriate forum to conduct future negotiations would be a body established under the authority of the SBI. Given the large amount of work that body will have before it, it would be preferable for negotiations to be handled by a separate body, rather than the SBI itself.

PAPER NO. 2: BELGIUM

**Statement by the Belgian Delegation  
on ITEM 3(B): Review of the adequacy of commitments  
in article 4.2 (a) and (b).**

**New York, 8 February 1995  
- Working Group I -  
English Version**

The Belgian Delegation joins other Delegations in expressing full gratitude to the secretariat for its helpful work in the preparation of this important discussion on the adequacy of commitments contained in article 4.2(a) and (b) of the Convention.

We fully and firmly support the European Union statement and we would simply like to put emphasis on what is, in our view, the most important point regarding the prospect of a protocol on further commitments.

While Belgium has, so far, not been in a position to ratify the Convention for strictly internal institutional reasons (caused by the fact that our country was transformed into a federal State in the course of last year), this, in no way, affects our firm political commitment to achieve a 5% reduction of CO<sub>2</sub> emissions in the year 2000, with the program of policies and measures already adopted at the federal and regional levels and published by Belgium.

Regarding the prospect of a protocol on further commitments, the importance and the urgency to adopt a combined approach, which combines both targets and timetables on one hand, and policies and measures on the other, should be re-emphasised again and again.

The views of Belgium, as illustrated by the content of our national program, is that targets-based and measures-based approaches should never be considered as two solutions ruling each other out: they are the two main political sides of a commitment.

On this subject, the position of the European Union, as defined at European Ministerial level and already stressed by France on behalf of the Union, is that, "in the negotiation of a protocol, a combined approach to strengthen and enlarge the Convention Commitment should be considered."

As an open cross road economy, with a very long standing tradition of open borders, Belgium wishes to underline that the European Ministerial Council has "called for agreements on coordinated policies and measures, as a part of a protocole in those areas where international coordination is called for in view of competitiveness concerns."

We would also like to stress that the "agreement on coordinated policies measures covering CO<sub>2</sub> and other grennhouse gases" called for by the Union "should apply, inter alia, to the use of economic instruments including fiscal measures."



These fiscal measures, in our opinion, are adequate instruments to cost-effectively reduce global emissions, by internalising, in the price of goods and services, social and environmental costs arising from market failure.

However, the competitive concerns raised by the Union are the reasons why, in our views, ambitious targets and timetables can, and shall be reached only if we can use, for that purpose, relevant economic and administrative instruments, carefully shaped and coordinated among trade partners of the World Community.

This closes this short statement of Belgium supporting the EU statement on the inadequacy of present commitments.

**Déclaration de la Delegation Belge  
sur le point 3(B) de l'ordre du jour:  
Examen du caractère adéquat des engagements  
contenu l'article 4.2 (a) and (b).**

**New York, 8 Février 1995  
- Groupe de Travail I -  
Version Française**

La Délégation Belge souhaite tout d'abord se joindre aux autres Délégations pour exprimer son entière gratitude l'égard du secrétariat, au sujet de l'aide considérable fournie par les documents préparatoires. Dans le cadre de ces discussions sur l'examen des engagements prévus l'article 4, aux paragraphes 2 (a) et 2 (b), de la Convention.

Nous soutenons pleinement la déclaration de l'Union Européenne et nous voudrions mettre l'accent sur ce qui constitue, nos yeux, le point le plus important concernant la perspective d'un protocole relatif l'adoption d'engagements supplémentaires dans le cadre de la Convention.

Bien que la Belgique n'ait pas été, jusqu'ici, en mesure de procéder la ratification de la Convention, pour des raisons d'ordres strictement institutionnel et intérieur (liées au fait que notre pays s'est transformé en Etat Fédéral tout au long de cette dernière année), ceci ne modifie en rien notre ferme engagement politique de réaliser une réduction de 5% de nos émissions de CO<sub>2</sub> l'an 2000, au moyen du programme de politiques et mesures adopté aux niveaux fédéral et régionaux et publié par la Belgique.

En ce qui concerne la perspective d'un protocole relatif l'adoption d'engagements supplémentaires dans le cadre de la Convention, nous tenons souligner sans relâche l'importance et l'urgence d'adopter une approche combinée de ce protocole, c'est-à-dire une approche combinant l'adoption de cibles quantifiées et de calendriers, d'une part, avec les politiques et mesures susceptibles de les atteindre, d'autre part.

Nous considérons, en effet, que les approches définies en termes d'objectifs atteindre et celles définies en termes de politiques suivre ne devraient jamais être traitées comme si elles s'excluaient mutuellement. Il s'agit simplement des deux principaux aspects politiques d'une même question, d'un seul et même type d'engagement.

Sur ce point, la position de l'Union Européenne, telle que définie au niveau ministériel européen et telle que vient de la rappeler la France au nom de l'Union, est "qu'elle est d'avis d'envisager, pour les négociations sur un protocole, une approche combinée visant renforcer et élargir les engagements pris au titre de la convention."

Etant une économie de carrefour, ayant une relativement longue tradition d'ouverture aux frontières, la Belgique tient également souligner que le Conseil Ministériel Européen a "préconisé la conclusion d'accords sur des politiques et des mesures coordonnées visant réduire les émissions de CO2 et d'autres gaz effet de serre dans les domaines où une coordination au niveau international est requise pour des motifs de compétitivité".

Ces "accords sur des politiques et des mesures coordonnées visant réduire les émissions de CO2 et d'autres gaz effet de serre" préconisés par l'Union "pourraient en particulier porter sur l'adoption d'instruments économiques en ce compris des mesures fiscales.

Ces mesures fiscales sont, nos yeux, des instruments adéquats pour réduire au moindre coût les émissions globales en internalisant, dans le prix des biens et des services, les coûts sociaux et environnementaux provoqués par les défaillances du marché.

Néanmoins, les problèmes de compétitivité mis en évidence par l'Union sont tels que, selon nous, des cibles ambitieuses ne peuvent être atteintes, et ne seront atteintes, qu' à condition que nous puissions coordonner soigneusement, cet effet, la mise en oeuvre d'instruments économiques et administratifs appropriés, entre partenaires commerciaux de la Communauté internationale.

Ceci termine cette brève intervention de la Belgique soutenant la déclaration européenne relative au caractère inadéquat des engagements actuels.

PAPER NO. 3: BRAZIL

BRAZILIAN STATEMENT ON AGENDA ITEM 7 (b)

REVIEW OF THE ADEQUACY OF COMMITMENTS IN ARTICLE 4.2 (a)(b)

The Brazilian Delegation fully endorses the statement made by the Chairman of the G 77 and China on the issue of the review of the adequacy of commitments.

2. In addition to that, Brazil joins the growing consensus that the commitments of the Annex-I Parties on article 4.2 "a" and "b" are in practice, not adequate, essentially for the following reasons:

a) the present world social and economic reality has proven that it does not seem possible or even easy for Annex-I Parties to actually take the necessary measures to bring their emissions in the year 2000 down to the level of 1990;

b) the limitation of the emissions at the present level or at the 1990 level, even if such limitation continues beyond 2000, does not lead to the achievement of the objective of the Convention, which is the stabilization of concentrations of the greenhouses gases in the atmosphere;

3. It will thus be necessary to negotiate further strengthening of the commitments of the Annex I Parties and to extend these commitments beyond the year 2000, so as to

deal with the cumulative process of concentrations. In this process, it is important to remember that the commitments for limitation or reduction of emissions of Annex I Parties, especially those going beyond the year 2000, will have to be such that they will be moving closer to the objectives of the Convention.

4. The Convention recognizes quite clearly that the emissions of the non-Annex I Parties must grow so as to accommodate their needs for development. It is therefore easy to conclude that, as far as we advance our plans of action to the next century, it will be deemed necessary to refine the concept of the "common but differentiated responsibilities". This detailed knowledge of the relative responsibility of countries to combat global warming will have to be considered as a necessary background against which future negotiations will take place.

5. Due to this fact, one of the most urgent tasks to the INC and the COP - and they may wish to request the assistance of the IPCC in this endeavor - will be to determine, according to what is requested by the Convention, the relative effect of the emissions of each individual greenhouse gases upon climate change. In line with this, we will be able to identify each country's responsibility for the emissions and to evaluate its share of contribution to climate change.

6. We often hear statements about the evolution of the emissions of gases, but it is important to have in mind

that the emissions themselves are not the problem; the emissions generate changes in concentration, and the changes in the concentrations of the greenhouse gases accumulated over time are what generate the changing in climate. Because of this time dependency, or this cumulative effect (or double cumulative effect, in going from emissions to concentrations and from concentrations to a change in temperature), the COP, as said earlier, possibly through the IPCC - if we decide to require assistance to this matter - should take urgent decisions on how to proceed to translate the reports of the Parties in terms of consequences for the climate change. This information is a necessary background against which it will be possible to discuss, in the future, how to strengthen the commitments and how to extend them.

PAPER NO. 4: CANADA

## **INTERVENTION ON REVIEW OF ADEQUACY OF COMMITMENTS (RAC)**

### **Opening Points:**

At this 11th negotiating session, we in this room have an opportunity to face the challenges inherent in the issue of reviewing the adequacy of commitments, and to move the issue forward toward COP 1 consideration and decision.

We have listened today and yesterday to delegations interventions and have noted previous interventions at INC 9 and 10 on this issue. We have heard that a number of Annex 1 countries - Canada included - are facing challenges in meeting current commitments. We have also heard that some delegations feel that climate change science is not yet certain enough to warrant a decision on adequacy. We believe, however, that we all must proceed in the face of these challenges, on the basis of best available scientific, technical, social and economic information. Therefore, Canada reiterates today its INC 9 and 10 statements that articles 4.2a&b are not adequate to meet the ultimate objective of the Convention.

Canada remains committed to a dynamic Convention - one that evolves in a measured, incremental, consensual and, most importantly, successful way towards achieving the ultimate objective.

Before presenting our thinking on a COP 1 decision on review of adequacy of commitments, we wish to thank the Alliance of Small Island States for preparing their draft protocol on greenhouse gas reduction as well as Germany for its document of elements of a comprehensive protocol. Both documents will serve us well as we enter the next phase of our deliberations. Indeed, there are a number of elements in both proposals that we look forward to discussing following COP 1. Our appreciation goes also to other countries who prepared submissions on review of adequacy of commitments contained in document Misc. 43.

### **Canadian Thinking on a COP 1 Decision on Review of Adequacy of Commitments**

With the above in mind, what follows are Canada's thoughts on elements of a COP 1 decision on review of adequacy. We offer these thoughts in the hope that they will clarify the type of mandate that should emerge from COP 1. We look to COP 1 to begin a process of careful consideration, analysis, and consensus building that will take us to the second review of adequacy of commitments and beyond.

- First, Article 4.2a&b is not adequate to reach the ultimate objective of the Convention. Future options for strengthening the Convention must clearly deal with the post-2000 era and must involve active participation of all Parties.
- Second, Regarding where future negotiations take place, the Subsidiary Body for Implementation is the appropriate body to undertake negotiations on future commitments. We believe that the SBI will have sufficient time to effectively deal with negotiations, and would be pleased to discuss this further later this week when we address subsidiary bodies.
- Third The SBI should be asked to respond by COP 3. This will allow for sufficient time for decisions to be taken prior to December 31, 1998 when the Convention requires the second review of adequacy to take place.



Fourth The mandate of the negotiations would examine two aspects of the issue.

**First, what do we want to accomplish?** In other words, what should be the next step or the new aim for the period beyond 2000?

**Second, how will we accomplish this new aim?** In other words, which policies and measures could countries implement - either individually or jointly - in order to achieve the new aim? We suggest exploring ideas put forward at INC 10, including the concept of a menu of measures from which countries can pick and choose the ones they will implement.

We believe that there is considerable merit in an appropriate combination of a new aim as well as policies and measures to address the post-2000 era. Not only is it practical, it also offers flexibility, particularly in the context of the challenges faced by Canada and other countries in meeting the current aim.

Much scientific assessment and economic analysis will be required to arrive at a new aim, to develop an appropriate menu of policies and measures, and to agree on how common policies and measures could be implemented. This analysis would permit an incremental evolution of the Convention towards its ultimate objective.

Fifth A number of parameters would guide the SBI during the post-COP 1 negotiations:

- incrementality towards the ultimate objective, the next step should deal with the post-2000 era;
- best available scientific, technical and socio-economic information;
- comprehensiveness in dealing with all GHG sources and sinks;
- comprehensiveness in dealing with economic sectors;

- promotion of technology innovation and development of best practices;
- promotion of maximum national flexibility, particularly in conjunction with any common action;
- inclusion of a fully developed joint implementation scheme as soon as possible;
- promotion of international competitiveness;
- promotion of partnerships and agreements with stakeholders. On this issue, my delegation appreciates the New Zealand proposal for a consultative mechanism between the Convention and international business. We would welcome a COP 1 decision that would facilitate moving this issue forward;
- promotion of universal inclusion in addressing the global problem of climate change.

I believe that it is important for Canada to clarify what we mean by the last parameter. Promotion of universal inclusion involves two things for Canada.

In the first instance, it means that all parties are involved in the deliberations on next steps beyond 2000, and that all parties reach consensus on what these next steps will be.

And secondly, it means that all parties are involved in taking action beyond 2000. Given the Convention principle of common but differentiated responsibilities and developed countries taking the lead in combating climate change, it is clear that not all Parties will be required to undertake the same commitments.

### **Closing Comments**

In closing, Canada wishes to thank the INC Secretariat for preparing an annotated compilation of global scientific and economic information. This will be useful not only to move forward international analysis and debate, but also to assist countries as they undertake domestic analysis of policies and measures.

PAPER NO. 5: DENMARK

**Statement on review of the adequacy of commitments contained in article 4, paragraph 2(A) and (B)**

Denmark endorses fully the statement France has given on behalf of the European Union.

In addition to this statement I would like to point out some issues which from our point of view are important regarding the adequacy of commitments.

Denmark welcomes the proposals submitted by the Alliance of Small Island States (AOSIS) and Germany for a protocol and introduced this morning in plenary. I thank the two delegations for their excellent introduction. The core of the AOSIS proposal is a target of reduction of CO<sub>2</sub>-emissions with 20% by the year 2005.

A crucial element of the German proposal is a list of possible policies and measures Annex 1 Parties could agree upon. I would like to draw your attention to the most important ones: economic instruments, increasing energy efficiency, increased use of renewable energy sources and traffic and transport. From your point of view we have to increase our efforts with respect to the transport area, a main contributor to greenhouse gas emissions.

We assume that these submissions will form a part of the negotiations in preparation for COP-1, along with other proposals put forward.

Having said this, I have in a way expressed that we are in favour of a combined protocol containing targets and timetables, as well as policies and measures. In our opinion COP-1 must as a minimum initiate negotiations on a protocol and on the further development of the commitments, the existing ones being inadequate.

Our national target is to reduce the CO<sub>2</sub>-emission with 20% in year 2005 at 1988 level. In addition Denmark is prepared to further reductions of emissions of CO<sub>2</sub> and other greenhouse gases after 2005. The necessary steps with regard to policies and measures to achieve the targets I have mentioned have been taken and will be further developed in the years to come.

In this connection I would like to stress that politically there is a broad consensus on this matter in my country. From the Danish point of view the climate problems have to be dealt with seriously and urgently.

On this background Denmark calls upon other Annex I Parties to stabilize their CO<sub>2</sub>-emissions by year 2000 at 1990 level, i.e at least not to exceed this level after 2000, and to take further steps to reduce emissions of CO<sub>2</sub> and other greenhouse gases such as methane, N<sub>2</sub>O, PFCs and HFCs. In asking for such furtherreaching commitments we are aware of the need for equitable and appropriate contributions by each of the Parties in line with the common but differentiated responsibilities of Parties as well as their capabilities and possibilities.

Finally, I would like to draw your attention to the fact that many of the policies and measures needed are well known and applied to some extent in different countries already to day. However they are often not developed sufficiently with the view of creating the necessary emission reductions. In this connection I would stress that our experience is that it is possible and often beneficial to

develop economic and administrative measures in order to achieve the necessary reductions in the short and long term.

It is therefore of great importance nationally and internationally to take economic and administrative initiatives in order to secure an optimal synergy effect.

## **PAPER NO. 6: Equatorial Guinea**

Sr. Presidente, entiendo que el objetivo de este comité consiste en dar las recomendaciones pertinentes a la COP quien como última estancia decide sobre las estrategias política que se han de implementar para el cumplimiento de lo acordado en la Convención.

Sr. Presidente, si siendo pues el Comité un órgano asesor y no decisorio, ha trabajado con tanta dificultad para llegar a un consenso, me temo que transmitamos tal espíritu a nuestros ministros porque aquello pondría a la Convención al borde de un barranco de profundidad indeterminada.

Sr. Presidente quisiera alentar a las delegaciones que han tenido la oportunidad de permanecer en esta sala hasta este momento en el sentido de que es obvio que para cumplir con la responsabilidad común que se alude en la Convención, todos los ciudadanos del planeta quien más quien deben aportar su esfuerzo.

Los países desarrollados deben doblar sus esfuerzos tanto moral como económico a favor de los países en desarrollo. Cuando los países en desarrollo piden apoyo financiero para que a las sesiones acudan por lo menos dos delegados, cuando los países desarrollo enfatizan la dificultad la necesidad de la fluidez de la transferencia de tecnología, de la capacitación del apoyo institucional, son Sr. Presidente peticiones que deben considerarse sin objeción, no las presentan caprichosamente; los países en desarrollo atraviesan hoy por hoy la situación económica más difícil que han conocido; todos aquí no ignoramos lo que conlleva la devaluación aplicada a la moneda de los países en desarrollo; nadie ignora el efecto del ajuste estructural que se aplica hoy en estos países, el efecto que produce la carga de la deuda exterior, pues, Sr. Presidente, la atención de los conceptos que antes mencioné por parte de los países desarrollados y al favor de los países en desarrollo refeljaría el verdadero deseo de los países desarrollados de querer cumplir con las recomendaciones de la Conferencia Cumbre de Rio de Janeiro. Sería el reflejo de que los países desarrollados tienen la voluntad de proteger el medio ambiente mundial, conservar y utilizar de manera sostenible los recursos naturales del planeta para lograr un desarrollo durable capaz de proveer salud y mejores condiciones de vida a la generación planetaria presente y futura.

PAPER NO. 7: FRANCE

(On behalf of the European Community and its member States)

Mr. Chairman, I wish, on behalf of the European Union, to have the following declaration included in the Report of the Committee.

The European Union, having taken note of the draft decision concerning the review of the adequacy of paragraphs 4.2 (a) et (b), wish to bring to the attention of the Committee its deep disappointment and the fact that it is not at all satisfied with the result of consultations on this issue within Working Group I.

The Union considers this decision as entirely insufficient. Our intention is not to be rhetorical on the issue of adequacy, but to regret both attacks as well as silences on this crucial issue. Let me repeat again the EU position : all EU ministers without any ambiguity consider that the commitments contained in these two paragraphs of the Convention are clearly inadequate. There are numerous arguments to support this. Every successive IPCC report have demonstrated it, for example the 1994 Special Report, according to which " the stabilisation of emissions does not lead to stabilisation of CO<sub>2</sub> concentrations ; in fact, the calculations show that concentrations continue to increase slowly for at least several centuries". Moreover, many countries had already underlined it at INC IX and INC X. It is regrettable that this analysis has not received the support during this discussion, which we would have expected.

We believe it to be vital to initiate negotiations on a protocol, in Berlin. The European Union has given its support to the concerns voiced by a number of countries on the implementation of present commitments by Annex I Parties. That is a first indispensable step, but here, as representatives of our governments, we have the duty to start the process of transition towards sustainable development, in the XXI<sup>st</sup> century. Therefore, we cannot stop at the commitments we have made for the year 2000. The EU fears that too many countries have forgotten this simple maxime : "Gouverner, c'est prévoir", as we say in French. We can not afford to wait until the end of the century. We continue to hope that other Parties, in all groups, are prepared to explore the way forward.

Monsieur le Président, je souhaite, au nom de l'Union Européenne, que la déclaration que je vais faire soit inscrite au rapport du Comité.

L'Union Européenne, ayant pris connaissance du projet de décision concernant l'examen de l'adéquation des paragraphes 4.2 (a) et (b), souhaite attirer l'attention du Comité sur sa profonde déception et sur son entière insatisfaction sur le résultat des consultations menées au sein du groupe I sur ce thème.

Elle considère que cette décision est extrêmement insuffisante. Notre intention n'est pas de faire de la rhétorique sur la question de l'adéquation mais de regretter, autant les attaques que les silences, à propos de cet enjeu crucial. L'Union Européenne répète sa position : tous ses ministres ont, sans ambiguïté aucune, considéré que les engagements contenus dans ces deux paragraphes de la Convention sont inadéquats, sans aucun doute. De nombreux arguments prêchent dans ce sens. Tous les rapports successifs de l'IPCC l'ont démontré, par exemple le Rapport Spécial de 1994, selon lequel, "la stabilisation des émissions n'entraîne pas la stabilisation des concentrations de CO<sub>2</sub> ; en fait, les calculs montrent que les concentrations continueront croître lentement pour au moins plusieurs siècles". De surcroît, de nombreux pays l'avaient déjà souligné aux neuvième et dixième session du Comité. Il est dommage que cette vue n'ait pas reçu tout le soutien qu'on aurait pu attendre durant cette décision.

Nous considérons qu'il sera vital, Berlin, de lancer des négociations sur un protocole. L'Union Européenne a apporté son soutien aux préoccupations formulées par de nombreux pays concernant le respect des engagements actuels par les Parties de l'Annexe I. C'est un premier pas indispensable. Mais, nous représentons ici nos gouvernements, et nous avons le devoir d'initier le processus de transition vers un développement soutenable au XXIème siècle. Nous ne pouvons donc en aucun cas nous arrêter aux engagements que nous avons pris pour l'an 2000. L'Union Européenne craint que beaucoup de pays aient oublié cette maxime, pourtant si simple : "Gouverner, c'est prévoir". Nous ne pouvons pas nous permettre d'attendre la fin du siècle. Nous gardons espoir que d'autres Parties, dans tous les groupes, seront disposées explorer avec nous les moyens d'aller de l'avant.



PAPER NO. 8: GERMANY

Germany fully endorses the important EU-Statement on adequacy of commitments, which just now was presented by France.

Please allow me, in the capacity as a representative of the host country to COP-1, to add some remarks. We feel a specific responsibility for a positive outcome of the Berlin-Conference, which would be beneficial for all of us.

The first meeting of the Parties to the Convention has a crucial importance for the further implementation and the development of the Convention. The Berlin-Conference might be considered as the trendsetter for success or as a symbol of stagnation. A fundament for further political and legal commitments is urgently required. To achieve that, a strong political impetus is necessary in Berlin in order to start the process.

It is no secret that we would have preferred to negotiate a text of a protocol on the basis of the AOSIS proposal and our additional elements paper. We regret that a majority of states is not yet prepared to do so. We, therefore, urge governments present to provide at least the basis for a negotiating process which is a negotiating mandate. In our view, this would be a credible signal for directing the process towards achievement of the ultimate objective of the Convention.

17 February 1995

Statement of Germany on 08 February 1995

Germany welcomes the initiative of the Alliance of Small Island States in proposing a Draft Protocol. In our view, it constitutes an important input to the negotiations on the further elaboration and strengthening of the Convention which we think is urgently required as the commitments in the Art. 4.2 (a) and (b) are inadequate. In order to further stimulate substantial consideration of this central political issue, Germany transmitted proposals containing possible elements for a comprehensive protocol - along the lines of our position paper introduced and distributed at INC-10. We would like to thank the interim secretariat for circulating this elements paper as Doc.A/AC 237/L.23/Add1 before 28 September 1994.

In order to reach the ultimate objective of the FCCC, a comprehensive protocol for greenhouse gases and their sources and sinks, as well as for all sectors, should be negotiated without delay, flexible enough to allow the gradual incorporation of relevant substances in line with the progress of scientific knowledge, and combining targets and timetables for limitation and reduction of emissions with coordinated policies and measures to be implemented. In setting new, further reaching commitments, attention must be paid to ensuring the principles of Article 3 FCCC guiding the Parties in their endeavour to protect the climate system, including the principle of a balanced burden sharing in line with the common but differentiated responsibilities of Parties as well as their capabilities and possibilities. We should continue to work towards balanced commitments on the part of industrialized and developing countries.

The proposals listed in our elements paper address targets and timetables as well as policies and measures - components which in a future protocol should be combined. By setting ambitious reduction targets for CO<sub>2</sub> and other greenhouse gases such as methane and N<sub>2</sub>O it will be possible to formulate clear political objectives for climate protection and provide a reliable framework for planning and investment decisions. The adoption of policies and measures contributes to harmonizing national climate protection policies of individual countries. Our paper lists a whole range of possible measures Annex I Parties could agree upon. We suggest, inter alia, broader application

of economic instruments, increasing energy efficiency, and increased use of renewable energy sources, the preservation, sustainable management and improvement of existing forests as well as afforestation. Also, one should think of reducing unnecessary traffic and transport, a shift to more environmentally sound means of transport, and specific strategies in the agricultural sector, such as a modified use of fertilizers. You can find further details of our proposals in the already mentioned Doc. L 23 Add. I.

In Germany's view, these elements for a future protocol could as well serve as a basis for a negotiating mandate to be adopted in Berlin. Together with our partners in the European Union, Germany is of the opinion that the first Conference of Parties must at least initiate negotiations on the further development of the commitments under the Convention in a protocol.

The mandate should set directions for the substance of a protocol and fix a timeframe for the completion of the negotiations. We think the third Conference of the Parties in 1997 should adopt the protocol - an ambitious but necessary schedule.

Professor Bolin has just stressed once more that in the light of the ultimate objective further significant action to limit and reduce emissions is indispensable. Therefore we think a consensus is urgently required already at the First Conference of the Parties on a commitment of Annex I Parties to stabilize their CO<sub>2</sub> emissions, individually or jointly, at 1990 level by the year 2000, i.e. at least not to exceed this level after 2000.

Mr. Chairman, time is running short. Today we start the final round of negotiations before the first Conference of Parties in Berlin. We should all therefore engage in a major effort to make progress towards finalizing decisions and recommendations for COP 1.

Let us all cooperate fruitfully during these two weeks to enable the Conference of Parties to fulfill its tasks under the Convention.

PAPER NO. 9: HUNGARY

1. *The scientific evidence.* The compilation of international literature on the topic (A/AC.237/83) by the Secretariat is considered valuable and it is also noted with appreciation that the IPCC timely prepared the Policymakers Summary of the Special Report which was also presented during the session. It is clear that the scientific community achieved considerable progress in understanding of the complicated processes of the Earth system, the contribution of various gases to the greenhouse effect of the atmosphere and the potential long-term consequences of the accumulation of these gases. At the same time, two things have remained basically unchanged: firstly, the uncertainties on implications of these accumulations on the climate system and the subsequent consequences, i.e., the impacts of the anticipated global climate change, and secondly, the unconditional observational and scientific evidence of these continuing accumulations themselves.

2. *The mitigation efforts by the Annex I Parties.* This evidence was one key argument (if not the most essential argument) in reaching a consensus in 1992 when we adopted the text of the convention and became the witnesses to an extraordinary rapid ratification process. Of course, this was also facilitated with the rather soft obligations in terms of the provisions of the Convention for the mitigation policies and measures. It was clear already then and it is obvious now that only minor changes will occur in the overall amount of global anthropogenic ghg-emissions even if all emission stabilisation commitments are implemented in ac-

cordance with the Convention. Therefore, the good will expressed by the Convention and its Parties will not make almost any change to the enhancing global environmental risk.

3. *The precautionary principle and the inadequacy of commitments.*

The profound element or basis of this Convention is the precautionary principle. If we really accept this fundamental principle and we also accept the evidence that we continue at an increasing rate our interference with a very complicated system (the climate system), then we should come to the conclusion that urgent further steps are necessary to mitigate or to stop this interference. We ought not to act only in the case if we knew for sure that there would not be any serious effects of this process for the ecosystems and the societies. But it is not the case. Thus, in our view, the emission related commitments under the Convention are inadequate at least in order to stabilise the ghg-concentrations in the atmosphere, or in an even broader context, to stop or at least to limit our already global-scale interference with the Earth atmosphere.

4. *Our position on the convention and our commitment.* It should be reminded that Hungary accepted the precautionary principle from the beginning of the negotiations; such an approach had been endorsed by our National Academy of Sciences and it served as the basic principle for formulation of the government position since 1991. We are fully aware that implementation of the stabilisation target accepted by us will be achieved, to large extent, because of the severe problems which characterise this phase of the substantial economic transition. What-

ever processes and policies are behind our efforts, it is a matter of fact that we are one of the few countries which foresee a considerable drop in the carbon-dioxide emissions by the turn of the century. However, the transition itself which we are undergoing is not a passive process, but it means a comprehensive transformation policy framework which should lead to an economy that is also much more effective in ecological terms. This objective makes us also open for further co-operation and negotiations in relation with various environmental issues, in particular, with the large-scale, transboundary and the global environmental problems such as the anthropogenically enhanced greenhouse effect of the atmosphere.

5. *The negotiations on further commitments.* Therefore, we strongly believe that the intergovernmental negotiations on the ways and means of the further commitments for mitigation policies and measures should be started as soon as possible. We think that this topic should be on the agenda of the first COP. The delegations again might have diverse views on the common but differentiated responsibility of various countries for the continuing accumulation of the ghg-s in the atmosphere and endangering the (present dynamic) stability of the climatic system. But not having an opportunity for the discussion, these views could not be expressed and there would not be a possibility to find even reasonable compromises. Obviously, the Annex I industrialised countries could have a special responsibility in initiating new and additional commitments for themselves beyond 2000 and beyond the emission stabilisation measures by taking into account the different starting points, existing commitments and the changes in the emissions. We

think that first of all this group, and especially those countries which expect with or despite the accepted measures a further considerable growth of carbon-dioxide emissions after 2000 should think carefully on the possible further steps. Other countries including the Annex I "transition countries" might also share such responsible approach. The Hungarian delegation is interested to learn the views on the possible responses and to take part in these negotiations and find ways to solve this common environmental challenge.

PAPER NO. 10: JAPAN

First of all, my delegation highly appreciates the excellent document prepared by the interim secretariat on the review of adequacy of commitments in Article 4.2 (a) and (b).

We listened with interest to the intervention yesterday by the Representative of the Philippines on behalf of the G77 and China on the adequacy of commitments in Article 4.2 (a) and (b). We fully understand his statement that we have to make utmost efforts to attain the present commitments in the Convention.

However, as it was made quite clear by the Special Report of the IPCC which was published last year, in order to attain the ultimate objective of the Convention in Article 2, present commitments contained in the Convention are not adequate and that it is imperative to start consideration of the provisions after the year 2000. As Prof. Bolin, Chairman of the IPCC, stressed the existence of uncertainties do not reduce risks.



With these considerations in mind, I would like to introduce to you our positions on the adequacy of commitments.

Last December, the Government of Japan formulated the Basic Environment Plan, a new comprehensive environment policy that was decided on by the Cabinet. In that Plan, we ultimately aim to attain the objective of the Framework Convention on Climate Change, that is, "stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system," in cooperation with the international community, taking into account the fact that we need global participation because of its nature as a global issue.

In the medium term, we will make further efforts to promote various measures in cooperation with other countries as well as to the formulation of the new international framework to arrest global warming, considering the fact that there is an emerging consensus that such new international framework should be considered, based on global cooperation, and the fact that the present Convention does not have any provision beyond the year 2000.

For the time being, the Government of Japan will aim at attaining the goal of our Action Program to Arrest Global Warming that we committed to promote at the UNCED, in cooperation with the international community. We will continue to promote various measures in the Program, monitoring the status of its implementation annually, and fully taking into account new scientific knowledge. Based on these basic position of our

government, we would hopefully contribute to the deliberation on the adequacy of commitments.

More specifically, considering the fact that the present Convention does not have any explicit provision beyond the year 2000, our delegation believes that we should agree on the recommendation to COP1 that we should decide to start negotiation on the Protocol at COP1, and aim to complete the negotiation by COP3. At INC11, we should also agree on the mandate, forum, and the timeframe of the negotiation of the Protocol and make such recommendations to COP1. We also think that SBI would be an appropriate forum for such negotiation.

We believe it is important to agree on starting negotiation on Protocol at COP1. With that in mind, we would prefer to be flexible and open as to the contents of the Protocol at this stage, such as how to arrive at certain aims or targets, scope etc. We would also prefer to explore various possibilities extensively after COP1, including aims or targets and time-table as well as policies and measures. In addition, we would like to emphasize the importance of technological development and diffusion to accelerate our efforts beyond the year 2000 in the course of the discussion on Protocol. We would also like to welcome the proposal made by the New Zealand Delegation at INC10 and elaborated this morning on a new consultative mechanism for dialogue with Business, which has a vast potential to contribute to the climate change problem. At the same time, we believe that it is important to have broad participation including developing

countries in that negotiation, in order to cope with this serious, global issue. The Government of Japan is willing to contribute to the joint efforts of this negotiation process positively.

PAPER NO. 11: KUWAIT

Key elements of Kuwait intervention on the "Review of the adequacy of commitments in Article 4, Para 2 (A) and (B)" A/AC. 237/WG.I/L.28.

- \* Kuwait reiterates its position in the tenth session of INC-FCCC regarding the "Review of the adequacy of commitments in Article 4, Para 2 (A) and (B)". which was stated in A/AC. 237/76 paragraphs 43, 44, 45.
- \* The COP and its subsidiary Bodies should assure that sufficient information should be available to the parties before decisions are taken on adequacy of commitments, such information should include the IPCC second assessment report (SAR), completion and dissemination of the in-depth reviews of communications by Annex 1 parties and analysis of the socio-economic impacts on developed and developing country parties of climate changes policies and measures of Annex 1 parties and comparison with adaptation costs.
- \* The IPCC special Report, which is not as comprehensive as IPCC (SAR), indicated explicitly in page 56 that the IS92 Scenarios are not appropriate for purpose 4 (as input to negotiating possible emission reductions).
- \* Any step to implement the existing commitments should be based on a solid ground and should follow the gradual approach, and that it is to say first things come first.

## PAPER NO. 12: MICRONESIA

THE FEDERATED STATES OF MICRONESIA WISHES TO SUPPORT THE POSITION OF THE GROUP OF 77 AND CHINA AS STATED SO ELOQUENTLY BY THE G-77 CHAIRMAN YESTERDAY. WE ALSO WISH TO EXPRESS OUR SUPPORT FOR THE "AOSIS" INITIATIVE TO TAKE A PROACTIVE STANCE BY INTRODUCING ITS DRAFT PROTOCOL, PRESENTED YESTERDAY BY THE AMBASSADOR FROM TRINIDAD AND TOBAGO.

WE HAVE LISTENED CAREFULLY TO THE ARGUMENTS AND POSITIONS PREVIOUSLY PRESENTED BY OUR FELLOW NEGOTIATORS AND COLLEAGUES AS TO THE ADEQUACY OF COMMITMENTS UNDER THE CURRENT "FRAMEWORK" CONVENTION.

WE HAVE HEARD OUR BROTHER FROM FIJI EMPHASIZE THE FACT THAT WE SMALL ISLAND NATIONS FACE THE CONSEQUENCES OF CLIMATE CHANGE AS A THREAT TO OUR VERY SURVIVAL.

WE DO VERY MUCH IDENTIFY WITH OTHER COUNTRIES WHICH HAVE VULNERABLE COASTAL ZONES AND LOW-LYING AREAS, HOWEVER WE- A REMOTE, WIDELY DISPERSED NATION OF MOSTLY LOW-LYING SMALL ISLANDS WOULD LIKE TO ADD OUR OWN UNIQUE PERSPECTIVE TO THIS ISSUE.

THE RESPONSE INDICATED THUS FAR BY THE ACTION PLANS THE ANNEX ONE COUNTRIES SUBMITTED WERE, IN OUR OPINION NOT SUFFICIENT TO WARD OFF THE DEVASTATING CONSEQUENCES WE FACE FROM CLIMATE CHANGE DUE TO ANTHROPOGENIC EMISSIONS OF GREENHOUSE GASSES. THUS, WE MUST CONCLUDE THAT THE FRAMEWORK CONVENTION ALONE DOES NOT PRESCRIBE COMMITMENTS ADEQUATE TO ACHIEVE IT'S OWN STATED OBJECTIVE.

WE DO AGREE THAT THIS CONVENTION IS A SINCERE ENDEAVOR TO ACHIEVE INTERNATIONAL AND GLOBAL COOPERATION. THE FEDERATED STATES OF MICRONESIA, AS A NEWLY DEVELOPING COUNTRY, IS INDEED VERY FORTUNATE TO BE IN A POSITION FROM THE BEGINNING TO CONSIDER SUSTAINABLE ALTERNATIVE TECHNOLOGIES FOR THE DEVELOPMENT OF OUR ISLANDS. WE WELCOME OPPORTUNITIES TO ENGAGE IN DIALOGUES REGARDING TECHNOLOGY TRANSFERS AND ENHANCEMENT OF INDIGENOUS CAPACITY. BUT, WE ALSO MUST STATE--- IN CHOOSING THIS PATH, WE WOULD FIRMLY REJECT ANY PRESSURE FROM ANNEX ONE COUNTRIES TO IMPOSE ANY COMMITMENT ON DEVELOPING COUNTRIES TO REDUCE THEIR GREENHOUSE GAS EMISSIONS.

THE FSM HAS ALREADY COMPLETED A NATIONAL SURVEY OF SOURCES AND SINKS OF GREENHOUSE GASSES. WE FOUND THIS TO BE A VERY USEFUL EXERCISE. ALL COUNTRIES CAN GAIN MUCH KNOWLEDGE BY ASSESSING THEIR VULNERABILITIES, DESPITE HISTORICAL, COLONIAL ROOTS OF THE CLIMATE CHANGE PROBLEM. IN THE CONTEXT OF RELATED DEVELOPMENT ISSUES, WE MUST EMPHASIZE THAT WE ARE NOT HERE NOW TO DISCUSS OUR SERIOUS DEVELOPMENT CONCERNS IN A MODIFIED CONTEXT.

WE ARE HERE NOW TO TALK ABOUT CLIMATE CHANGE AND ITS ULTIMATE CONSEQUENCES IF NO SUBSTANTIAL ACTION IS TAKEN.

WE CAN NOT SPEAK FOR ALL THE PEOPLES OF THE PACIFIC, BUT WE WOULD LIKE TO EXPRESS THAT IT IS NOT JUST A CONCERN ABOUT A LITTLE LOST LAND OR POTENTIAL INUNDATION AND INCONVENIENT RELOCATION.

WHAT OUR NEIGHBORS WHO LIVE ON CONTINENTAL MASSES MAY FAIL TO REALIZE OR RECOGNIZE IS THAT THE PACIFIC ISLAND CULTURES ARE BASED ON THEIR VERY LIMITED TIES TO SPECIFIC LAND AND PLACES. OWNERSHIP OF ALL LAND, EVEN UNINHABITED ATOLLS, IS HELD ACCORDING TO CUSTOMARY PRECEPTS OF WHAT WESTERN PEOPLE CALL: "TITLE." THOSE UNFAMILIAR WITH ISLAND CULTURES MIGHT THINK, "YOU ISLANDERS CAN JUST PICK UP AND MOVE TO SOME OTHER ISLAND WITH HIGHER GROUND WHEN THE SEA RISES OR YOUR FRESH WATER LENS DISAPPEARS OR YOUR TARO PATCHES ARE SALINATED." THIS IS A MISCONCEPTION!!! WE DON'T HAVE THE LUXURY OF TAKING OUR CANOES AND MOVING ON TO DISCOVER NEW UNINHABITED ISLANDS, AS DID OUR ANCESTORS.

IF MICRONESIAN ISLANDERS LOSE OUR HOME LANDS DUE TO CLIMATE CHANGE, WE MAY, OR MAY NOT FIND MEANS OF DISPERSAL AS "ENVIRONMENTAL REFUGEES." WE WILL CERTAINLY LOSE THE SOCIO-ENVIRONMENTAL CULTURE THAT CONSTITUTES OUR EXISTENCE ON THE PLANET. SAY WHAT YOU WILL ABOUT PRAGMATISM IN TODAY'S WORLD, BUT THIS WOULD BE A VERY SIGNIFICANT LOSS TO ALL THE PEOPLES IN THE INTERNATIONAL COMMUNITY.

OUR ISLAND LANDS AND WATERS ARE IMMENSELY VALUABLE TO THE GLOBAL ENVIRONMENT. FURTHER "IPCC" RESEARCH WILL CLARIFY THE CONTRIBUTIONS MADE BY OUR IMMENSE EEZ'S AS CARBON SINKS, AND, IF ECONOMIC INCENTIVES AND PENALTIES BECOME A FEATURE OF THE CONVENTION'S IMPLEMENTATION, THIS ISSUE OUGHT TO BE INVESTIGATED THOROUGHLY SO SMALL ISLAND DEVELOPING STATES RECEIVE CREDIT FOR THE HUGE CONTRIBUTION THEY MAKE:

WE IN THE FSM FOUND THAT HAVING CONDUCTED OUR GREENHOUSE GAS INVENTORY, WE CAN ESTABLISH BASELINES AND AGENDAS FOR FUTURE DEVELOPMENT PROJECTS. WE CAN NOW IDENTIFY AREAS WHERE WE NEED TO FOCUS ON COLLECTION OF MORE DATA. WE CAN NOW PARTICIPATE IN CONSTRUCTIVE DIALOGUE ABOUT FURTHER WORK REQUIRED FROM THE "IPCC" TO REFINE METHODOLOGIES. WE HAVE CLARITY REGARDING FURTHER SPECIFIC TECHNOLOGICAL ASSISTANCE THAT WE WILL REQUIRE.

THUS, AS LONG AS DEVELOPING COUNTRIES' CONTRIBUTION TO THE GLOBAL BODY OF INFORMATION REMAINS VOLUNTARY, WE SUPPORT THE REQUEST THAT ACTION BEGINS AT "C-O-P ONE" TO SET TIMETABLES FOR TARGETS THAT GO BEYOND THE YEAR 2000.

THE "AOSIS" PROTOCOL IS A REALISTIC AND LEGITIMATE BEGINNING FOR THAT PROCESS AND WE URGE ALL PARTIES TO GIVE IT THEIR FULL CONSIDERATION AND SUPPORT.

## PAPER NO. 13: NETHERLANDS

INC-X,

Statement of The Netherlands on "Adequacy of Commitments"

1. In addition to the statement made on behalf of the European Union by Germany we want to offer some thoughts about this important issue. Since the question about the adequacy of the commitments in art. 4.2.a and b has been answered already at INC-IX by the European Union and other delegations with a clear and straightforward "no", we will focus on the necessary follow-up to that conclusion in a protocol to the Convention.
2. The key question about the content of a protocol is what combination of strengthened targets and agreements on common policies and measures will be able to make sufficient progress towards the ultimate objective of the Convention, take adequate account of the differences between Parties, and be realistic in terms of the capacity for change of the respective economies.

Link of protocol targets with ultimate objective of Convention

3. In our opinion it is important to link targets in a protocol with the ultimate objective of the Convention. As prof. Bolin explained in his presentation to the Plenary on Monday some significant conclusions can be drawn from our scientific understanding of the global carbon cycle. I quote: " It is interesting to note that within a decade from now the IPCC central scenarios 1992a and b are in excess of anyone of these stabilization profiles assuming a ceiling for atmospheric carbon dioxide concentration equal to or less than doubling." In other words, without further action on global emissions, within 10 years a stabilisation of concentrations at double the pre-industrial level would already be out of reach. Conclusion from this should be that we need to ensure through a protocol that global emissions are kept under control, so that we can still keep concentrations below doubling if that would be required to avoid dangerous interference with the climate system. In plain language this means that we should reduce the growth of global emissions quickly and set targets to ensure that global emissions do not rise far above the current level.

Such a target is of course not suitable to provide individual Parties with clear obligations. A translation within the framework of the protocol to individual Parties would be required. IPCC has made it abundantly clear that halting the growth of global emissions would not be sufficient to reach the ultimate objective as expressed in art. 2 of the Convention. Nevertheless, stabilising global emissions would be an inspiring, be it interim, step towards the ultimate objective of reducing global emissions, a step people across the world could easily identify with. This also eases the problem of the uncertainty about the level at which concentrations of GHG's have to be stabilised eventually: we do not have to know the final answer yet, but we make sure that we keep our options open.

Obligations under a protocol

4. Industrialised countries need to continue to take the lead in reducing their emissions and need to change their consumption and production patterns. On top of that, through technology transfer and through the financial mechanism of the Convention, they will have to assist developing countries to modify the trends in their emissions. If this is done in good cooperation between industrialised and developing countries the growth of global emissions can be stopped, maintaining the principle of common but differentiated responsibility and fully respecting that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties.

The next step would be to translate the required emission reductions

into regional and/or national "tasks", taking into account a fair sharing of the costs, a cost-effective approach and transboundary effects of national measures. In searching for a fair distribution mechanism a system of "dual commitments" (countries accept separate domestic and "international" commitments) might be able to increase flexibility. Countries with relatively high domestic costs of measures might do more internationally (supposed this is cheaper) and countries with relatively low domestic costs would do more at home. We can fully support what Switzerland said on this subject, which they called the "international pool model".

The exact outcome in terms of targets for individual Parties cannot be calculated now, but no doubt it will constitute a tough task for all Parties involved.

#### Policies and measures

5. With regard to agreements on common policies and measures as part of a protocol the following criteria can help us to identify promising approaches and priority areas:
  - need for coordinated introduction of instruments (energy tax)
  - significance in terms of GHG emissions (transportation)
  - global orientation of sector: how necessary is it to agree on common measures and how easy is it to agree across nations? (primary metals industries); in this context we fully support the extensive remarks of New Zealand on the need for a consultative mechanism with the business community
  - significant benefits in terms of addressing other problems (combatting acid rain)
  - investments with long lifetimes, that limit possibilities for later change (infrastructure)
  - early action prevents big problems in the future (HFC's, PFC's).

In addition to this a compilation by the interim secretariat of promising policies and measures from the first national communications of Annex-1 Parties could indeed be very helpful.

6. Out of the promising areas identified above high priority should be given in a protocol to agreements on energy taxes and other economic instruments. If we want to create incentives for investments in improving energy efficiency and renewable energy systems in order to realise the kind of GHG emission reductions that are needed, and if we want to reduce the need for an extensive regulatory regime, then the price of energy is most relevant. Given the sensitivity of competitive positions for changes in energy price international coordination on energy taxes is extremely important.
6. As stated already during INC-IX The Netherlands is in favour of agreeing already at CoP-1 on policies and corresponding measures to limit the growth of emissions of HFC's and PFC's to the atmosphere, because early action can prevent these substitutes of CFC's (that are phased out under the Montreal protocol) to turn into a significant greenhouse problem. The initial general agreement could focus on limiting applications as much as possible to those cases where no good alternative is available and where emissions to the atmosphere are minimal. To later on develop more specific guidance for the various substances and applications a technical ad-hoc committee needs to be established, involving the relevant experts from industry and government. We still hope it will be possible to put the initial agreement in the form of a (first-generation) protocol, but as a minimum a decision or resolution by CoP-1 to this effect would be required.



A report from our National Institute for Public Health and Environment on the HFC/PFC issue is available at the back of the room.

INC-XI            Statement of The Netherlands on "Adequacy of Commitments"

1.     In addition to the statement made by France on behalf of the European Union, which of course also represents our opinion, my delegation would like to make some additional remarks.
2.     First of all we would like to stress, as we did at previous sessions of this Committee, that the message from the scientific community on the risks of potential future climate change and on the strong relationship between the greenhouse gas emissions in the coming decades and the levels at which greenhouse gases in the atmosphere can be stabilised indeed points to the urgency of bringing ever rising global emissions under control. The most recent IPCC report that was introduced earlier this week by prof. Bolin clearly demonstrates that the growth of global emissions should be reduced quickly and that global emissions should not be allowed to rise much above the current levels if we want to keep greenhouse gas concentrations below doubling. Doubling of concentrations compared to pre-industrial levels might turn out to be the limit in order to avoid dangerous interference with the climate system.
3.     This means that the Convention does require us to take a long term view, without of course neglecting the short term action. If there is no determined first step, then there can be no credible subsequent ones. In other words, implementation of the commitments of Annex-1 Parties to reverse the trend of their emissions of greenhouse gasses from upward to downward in order to bring them back to 1990 levels by the year 2000 is of course extremely important. National efforts do have to be intensified as was clear from our discussions on the review of the first National Communications. This is also consistent with the principle that industrialised countries are to take the lead in taking action to reduce greenhouse gas emissions and in changing their consumption and production patterns as well as in assisting developing countries to modify the trends in their emissions. But we should not make the mistake of only looking a few years ahead. The year 2000 is already very close and many investment decisions are being taken today that will influence greenhouse gas emissions well into the next century. We need to make those investment decisions as consistent as possible with the objectives of the climate convention and therefore it is necessary to develop further agreements covering the period after the year 2000.
4.     What we are talking about therefore is the need for a cooperative effort to strengthen the Convention, involving all countries, maintaining the proper balance between industrialised and developing countries with their wide array of common but differentiated responsibilities. In this context we commend the Alliance of Small Island States for submitting to this Committee a text for a Protocol to the Convention that would begin to address the necessary action for the period after the year 2000. This proposal reflects in our opinion the cooperative spirit we absolutely need. Although The Netherlands has argued during previous sessions that decisions to strengthen the Convention already at CoP-1 are called for, we must conclude that we need more time to reach agreement on how to move forward. That means that we should focus on a decision by the Parties at CoP-1 to start negotiations together with clear guidance both on the process as well as on the objectives for the results of the negotiations. The definition of that guidance can benefit considerably from the AOSIS protocol text as well as from the comments provided to that text by Germany.

Pending the outcome of negotiations on a protocol it would of course be important that Annex-1 Parties make clear that they will not allow emissions to grow again after the year 2000, even if there is not yet agreement on what the arrangements for after the year 2000 are.

5. As far as the guidance for negotiating a protocol is concerned, we would like to point to a few key elements. As said earlier, the leading role of the industrialised countries and the proper balance of industrialised and developing country responsibilities are key elements. The protocol should go a long way towards stabilising global emissions, since this is a necessary, yet insufficient first step if we ever want to stabilise greenhouse gas concentrations in the atmosphere. That would necessarily mean that significant reductions in greenhouse gas emissions from industrialised countries together are required.
6. We strongly believe that the protocol, apart from new targets for reducing emissions, should contain internationally agreed policies and measures. This would be different from the system we use under the current Convention, where selection of policies and measures is completely left to individual Parties. Since it is obvious that more costly measures affecting internationally operating sectors of the economy (e.g. chemical industry, steel making, car manufacture) cannot be taken at the national level because of competitiveness concerns, the only way to make progress is to agree upon common action by all or a group of Parties. This will also increase the effectiveness of national action in view of the fact that international trading regimes for material products are becoming more liberal.

The Netherlands with its extremely internationally oriented and open economy is particularly sensitive to this idea. One of the many areas where this is particularly relevant is the introduction or increase of energy/CO<sub>2</sub> taxes. The decision by our Government to substantially increase our energy/CO<sub>2</sub> tax on all fuels in the 1996 fiscal year if the European Union fails to agree on introduction of an EU wide tax is therefore restricted to the household and small business sector. Extension to other sectors would only be possible in a broader international context. Economic instruments, including energy/CO<sub>2</sub> taxes, are in our opinion effective instruments for achieving more efficient use of (fossil) energy and are therefore one of the priority areas for internationally agreed measures.

7. Internationally agreed measures would of course require intensive negotiations to agree on the specifics. For this reason only a limited set of those internationally agreed measures can be handled in a first protocol and consequently priorities should be set. Anything beyond that priority area should then be left to national policy making and no attempt should be made in our opinion to agree on a broader list of options (sometimes called an "a la Carte" menu-approach since Parties would be free to choose or not to choose certain measures). The purpose of identifying promising measures for national action (which is of course very useful) can be achieved very well through other mechanisms, such as a consultative process in the framework of the Subsidiary Bodies or elsewhere.
8. A category of internationally agreed actions The Netherlands has called for at earlier occasions is the area of HFC's and PFC's. The rationale to focus on these greenhouse gasses, while they still only represent a minor fraction of overall greenhouse gas emissions is, that we now are still at a stage where we can prevent a potentially significant new contribution to the greenhouse gas emissions in the future if we act early. In that context it is important to give clear and timely signals to the business community.

The idea is to limit as much as possible the (growing) emissions of those gases to the atmosphere, thereby allowing enough flexibility for not frustrating the phasing out of CFC's under the Montreal protocol. Objective is also to promote compounds with no or low Global Warming Potential and closed or minimum loss systems. We envisage a negotiating process that makes use of technical panels with representation from the business community in which the precise

arrangements are worked out. Specific proposals of the objectives for such a negotiation and for the organisation of the work are contained in paper that we have available for interested delegations.

9. Another sector that deserves attention in the context of internationally agreed actions is the international air and sea transportation sector. This is an area where individual nations can do little and we think that, with the help of ICAO and IMO, building on their current work and experience, we should tackle this issue during protocol negotiations.
10. Finally we would like to express our support for a proposal that was introduced during the last INC meeting by New Zealand regarding the establishment of a consultative process with the business community and which was presented here in more detail again by the delegation of New Zealand. We agree very much that such a mechanism can help us to benefit from the possibilities internationally organised business has to influence investments that will determine future greenhouse gas emissions in large parts of the world. Working with the business community can without any doubt help us to identify possibilities for sector specific action by the business community on a voluntary basis.

**PROPOSAL from the Netherlands****GUIDELINES FOR INTERNATIONAL NEGOTIATIONS ON AGREEMENTS ON FLUOROCARBONS  
Proposal for a resolution text****I** Aim of this paper

This paper presents proposals to the INC and the Conference of the Parties to be included in a protocol or in a resolution by the Conference as a start to negotiations on a protocol.

At INC-IX and INC-X the Netherlands proposed to include limitations on HFC and PFC emissions in an international agreement under the FCCC.

The proposed text (in italics) focuses on fluorocarbons, including partially fluorinated hydrocarbons (HFCs) and fully fluorinated hydrocarbons (PFCs). This scope may be expanded to fully fluorinated compounds (FFCs) including SF6.

The proposal includes blends containing HFCs and emissions as a by-product of production processes.

**II** Introduction to proposal; international context

As replacements for chlorofluorocarbons (CFCs) and halons fluorocarbons play an essential role in implementing the Montreal Protocol on Substances that Deplete the Ozone Layer.

The Netherlands fully complies to the commitments in the Montreal Protocol. These commitments are not be affected through this proposal.

Fluorocarbons are being produced as a by-product to industrial production and intentionally for traditional specific markets (esp. PFCs).

If fluorocarbons are to replace CFCs and halons without restrictions, global HFC emissions may increase considerably over the next 40 years ('Potential effects of HFC policy on global greenhouse gas emissions in 2035', C. Kroeze, RIVM, Bilthoven, Netherlands, 1994). This increase in emissions would result in a substantial contribution to the greenhouse effect. Early action can prevent these substances from becoming a significant greenhouse problem.

The Council of Ministers of the Environment of the European Union (EU) concluded in December 1994, " that for the period after 2000 it is necessary to work in a protocol on further steps to limit and to reduce CO2 and other greenhouse gases such as methane, N2O, PFC's and HFC's ...." and "...calls for agreement on coordinated policies and measures covering CO2 and other greenhouse gases as part of a protocol in those areas where international coordination is called for in view of competitiveness concerns. This should apply inter alia to .....limitation of emissions of PFC's and HFC's." (Council Conclusions, par. 7). The Council adds to this that 'the progress of negotiating will benefit from the establishment of technical panels, under the auspices of the Subsidiary Body on Scientific and Technological Advice, in technical consultations, i.a. with the business community, can take place' (Council Conclusions, par. 7).

Article 3. para 1(b) of the AOSIS draft-proposal on a protocol under the FCCC proposes that each of the Annex 1 Parties shall 'adopt specific targets and timetables to limit or reduce other greenhouse gases not controlled by the Montreal Protocol, including (..) fluorocarbons (..)'.

The German 'Elements for a comprehensive protocol under the FCCC' proposes that Annex 1 Parties 'shall commit themselves to reporting on production and consumption of FC's and HFC's' and that these countries shall adopt national policies and take corresponding measures on recovery and disposal of these substances from refrigeration and air conditioning equipment and to limit by precautionary measures the leakage of the substances.

Some countries, like the US and UK, already started policy development at the national level oriented towards reduction of emissions of fluorocarbons from specific sources and applications.

The proposals in this paper are to be considered as guidelines for further negotiations, to be decided upon by the Conference of the Parties. These guidelines need to be elaborated by a negotiating group through a mandatory decision by the Conference of the Parties. The negotiating group may be supported at the technical level by a technical panel. The proposals in this paper also include the establishment of such a panel under SUBSTA. Involvement of the Technical and Economic Assessment Panel (TEAP) under the Montreal Protocol, including representatives of non governmental organizations, is of utmost importance.

The proposals in this paper focus on preparing international agreements on limiting emissions. This does not exclude other actions of Parties, in particular Annex 1 Parties to adopt national policies and take corresponding measures on limitation of emission of greenhouse gases (ref. art 4, par. 2(a) FCCC).

It presents a bottom up approach which may avoid undesired impacts on industrial competition. The proposals do not advocate a ban on production of fluorocarbons. Thus, the proposed approach to addressing fluorocarbon emissions differs from the approach chosen in the Montreal Protocol.

### III Proposed resolution text

In a comprehensive protocol to the Framework Convention on Climate Change agreements on the limitation of fluorocarbon emissions should be included. The negotiating mandate should contain the following text:

*"The protocol should contain internationally agreed policies and measures aimed at limiting the emissions of fluorocarbons (HFC's and PFC's)"*

The following proposals are to be considered as guidelines for negotiations on such an agreement. The proposals focus on limitation of fluorocarbon emissions from the point of view of closing cycles in order to reduce environmental and other risks.

#### **closed systems and good housekeeping**

Releases of these fluorocarbons to the atmosphere may be limited through avoid the use of fluorocarbons in open systems and through good housekeeping. In general, improving systems by diminishing leakage may be beneficial to environment and health, also with respect to other substances.

The guideline may read as follows.

*The agreements should ensure that the use of fluorocarbons in open systems is avoided, to the degree possible and that leakages of these substances should be limited: during manufacture, installation, operation and servicing; when such substances are used as feedstocks in the manufacture of other chemicals; and when such substances are inadvertently produced by the manufacture of other chemicals.*

#### **recycling and prudent disposal**

Closing substance cycles include prevention of waste and prudent disposal of unavoidable waste. The following guidelines address this issue.

*The agreements should ensure that the use of fluorocarbons and blends that can not be recovered or recycled is avoided, to the degree possible and that emission control systems, recovery and recycling, to the degree possible, are employed in order to minimize emissions to the atmosphere.*

*The agreements should ensure that fluorocarbons that cannot be recovered and recycled, to the degree possible, are collected and prudently disposed of at the end of their final use.*

#### **alternatives**

In addition to guidelines 1 to 3 limitation of the use of fluorocarbons to those applications where other safe, practical and more environmental suitable alternatives are not available or applicable, and to traditional areas, may further contribute to the limitation of fluorocarbon emissions. Therefore, the following proposals are made, to be elaborated by the negotiating group, supported at the technical level by the technical panel:

*The agreements should contain provisions to limit the use of fluorocarbons to those applications where other more environmentally suitable alternative substances or technologies are not available or applicable.*

*The agreements should contain provisions to limit the use of fluorocarbons to areas of application currently met by the controlled and transitional substances under the Montreal Protocol or traditionally met by fluorocarbons, except in rare cases for the protection of human life or human health.*

This last item also implies substances traditionally used in specific applications (PFCs in semiconductor industry (etching and cleaning), SF6 as insulator in electrical industry; PFCs in heat transfer equipment).

#### **limiting impacts on global warming**

The direct global warming potential values of fluorocarbons vary considerably. Alternative substances may not be available in any application. In the case of availability of two or more fluorocarbons the use of the substance with the lowest GWP should in principle be preferred taking into account the indirect effect of higher emissions of other greenhouse gases, for example higher CO2 emissions resulting from a possible decrease in energy efficiency in cooling systems.

*The agreements should ensure that fluorocarbons are selected in a manner that minimizes global warming, in addition to meeting other environmental (i.a. ozone depletion; impacts on direct and indirect energy efficiency), safety and economic considerations.*

#### **procedural matters**

*The Conference of the Parties establishes a technical panel of experts, reporting to SUBSTA, qualified in the fields mentioned, in order to advise the Parties on the implementation of the criteria mentioned above and to assess its implications in environmental and economical terms.*

Experts from governments, industry and NGO's may participate in the technical panel.

Specific tasks of the technical panel are:

The panel may define standards on 'closed systems'; on removal and refilling of fluorocarbons in e.g. cooling systems; and on transportation and storage of these substances.

The panel also may define adjustments of production processes which are technical and economical feasible in order to limit emissions of fluorocarbons as a by-product.

The technical panel may evaluate fluorocarbons and blends with respect to recovery and recycling and identify processes and systems that may be needed.

The technical panel may identify and evaluate sound processes to dispose of fluorocarbons or blends containing fluorocarbons.

The technical panel may define 'safe, practical and environmentally suitable' and may identify and evaluate for what applications environmentally suitable alternative substances are available and applicable.

The technical panel may identify and evaluate the areas where new applications of substances are necessary for reasons of protection of human health.

The technical panel may identify which low-GWP fluorocarbons are suitable in specific applications with respect to a.o. performances, energy efficiency, flammability, health, other environmental damage in order to narrow the scope of uses allowed for HFCs with high GWP where better alternatives exist.

The technical panel may evaluate the possible impact of agreed measures or standards on the position of developing countries.

The SUBSTA will determine the terms of reference of the technical panel. The Secretariat is requested to invite the secretariat of the Montreal Protocol to jointly endeavour the possibility of joint panel under the FCCC with the Technology and Economic Assessment Panel under the Montreal Protocol.

On the basis of the work of the technical panel the negotiating group will prepare proposals for any protocol text which would be needed.



PAPER NO. 14: NEW ZEALAND

The New Zealand delegation shares the disappointment of many other representatives at the conclusions reached at INC XI on the review of the adequacy of current Framework Convention on Climate Change (FCCC) commitments.

We had hoped it would have been possible at this meeting to conclude that current FCCC commitments are inadequate to achieve the Convention objective, in line with the best available scientific information, and to make progress towards agreement on a negotiating mandate beyond first meeting of the Conference of Parties. My delegation has been clear about how we would wish the process to move forward. We were ready to do so at this meeting.

We hope it will be possible to move forward and to agree on a mandate in Berlin for the next phase of FCC negotiations.

### Rationale for Action

We welcomed the opportunity earlier this week to receive an update on the work of the Intergovernmental Panel on Climate Change (IPCC) from its chairman. We continue to believe that the IPCC is the appropriate forum for consideration of climate science and hope that this debate will produce information which policymakers can use to make informed decisions.

Although uncertainties do remain and there is not yet evidence that the increase in greenhouse gas concentrations in the atmosphere are causing climate change, we have consistently supported a precautionary approach to the climate change issue. We believe the risk of significant climate change is sufficient to justify international action under the FCCC.

New Zealand has also noted the results of the synthesis of national communications. We support the forthcoming review by experts, as well as the ongoing process of preparing inventories and assessments to enable evaluation of progress towards the objective of the FCCC.

New Zealand shares the view that the commitments contained at present in the Framework Convention on Climate Change (FCCC) are not sufficient to achieve the convention objective. We support agreement at the first meeting of the Conference of the Parties (COP I) to a process for strengthening the FCCC for the period beyond 2000. We believe that setting the next milestone or milestones will create greater certainty for governments and business about the future environment.

### Process

We believe that a 2-3 year timeframe for negotiations on a further instrument makes sense given the likely difficulty of the negotiations. This would produce a new instrument text for consideration at either COP III in 1997 or COP IV in 1998.

We have a strong preference for negotiations to be carried out under the aegis of the Subsidiary Body for Implementation (SBI). We are concerned about the likely resource implications of future FCCC work and therefore do not favour the creation of an additional body to carry forward negotiations on commitments. The SBI should report directly to the COP on progress in the negotiations.

We favour two negotiating sessions per year of two weeks duration. The meetings should be coordinated with the United Nations schedule to avoid clashes with other important environment meetings or processes.

The negotiations should be open to all Parties to the FCCC. Signatories and non-Parties should be permitted to attend as observers. Other observers should also be permitted to attend. The rules of procedure for the COP should be used for the negotiations.

We appreciate the efforts of AOSIS and Germany to provide suggestions on the nature of future commitments. Their contributions contain elements which may be helpful in the negotiations.

#### Parameters of Negotiations

New Zealand believes that comprehensive coverage of all gases, both sources and sinks, is essential.

We believe commitments must be developed which are flexible, tailored to national circumstances and recognise the starting points of individual countries. My own country, for example, has made extensive use of renewable sources of energy (particularly hydro and geothermal). We do not have much scope to expand use of these renewables. Other renewables may make a significant contribution in the future, but it will take time and further technology development for that to occur. Concurrently, the national economy is reviving after a lengthy recession and our small industrial sector is expanding. Although we are working to reduce emissions from current activities, our gross emissions are forecast to continue to grow for some years, albeit at a lesser rate than if we had no domestic climate change policies.

We believe all countries should be included in commitments because every country makes its own contribution to greenhouse gas concentrations in the atmosphere. But we also believe that differences in national circumstances and capacities should be recognised. It would be inequitable to ask a least-developed country to shoulder the same burden as a more developed nation.

At the same time, we think it is important that large emitters - whether they are a developed or developing country - should be making an effort to limit their emissions. While New Zealand is willing to adopt domestic policies and measures, along with other developed countries, to demonstrate that we are taking a lead in addressing the problem of climate change, we count for little in terms of global emissions. Against this background, the costs of action by New Zealand and patterns of international trade and investment, we seek some

assurance that large emitters are taking their FCCC commitments seriously.

I should like to stress that in making these remarks my delegation is not questioning the right of others, and developing countries in particular, to pursue their development goals. We recognise that global emissions will grow in the short term. But if we are to make serious progress towards the FCCC objective, all countries must do their part.

#### Consultative Mechanism with Business

But countries are not the only ones which have an important interest in addressing climate change. Business interests, both at the national and the international level, have a vital stake in this issue. Delegations will recall the proposal advanced by New Zealand at INC X to develop a consultative mechanism between the FCCC and international business interests. We were pleased that this proposal drew particular interest at INC X.

We continue to believe that a consultative mechanism makes good sense. Business interests contribute to greenhouse gas emissions and have a critical role to play in the development of new technologies and processes which might limit emissions. They need to know what the Parties to the FCCC think. We need to know what business thinks in relation to the FCCC and what it can or cannot do. Given the global reach of many business organisations and companies, consultation through the FCCC offers an effective way to disseminate information and analysis widely and quickly.

We do not advocate a prescriptive approach. We would like to see a dialogue established to foster an improved understanding, on the part of Governments on the one hand and business on the other, of the climate change issues and how best to address them. We acknowledge that many business interests - individually or collectively - have voluntarily identified their own commitments in the climate change area. We applaud such efforts. A consultative mechanism, through encouraging dialogue, could lead to similarly useful outcomes, although we do not seek to prescribe or prejudice these.

If there is continued interest in the establishment of a consultative mechanism, we think it would be appropriate for the COP to adopt a decision to develop one. Our suggestion would be that any such decision should set a deadline for comment on the format for the mechanism in order that governments, business and environment interests could provide their comments. The Subsidiary Body for Implementation could be charged with formulating a specific proposal on the basis of these inputs and discussion for

We look forward to learning more of the views of other countries on our proposal. We have welcomed contact intersessionally with a number of countries and business interests. We are pleased that interest in our idea continues to grow.

PAPER NO. 15: NORWAY

**Agenda Item 7 b) Adequacy of commitments**

The Norwegian delegation would also like to take this opportunity to present its main view on the adequacy of commitments contained in the Framework Convention, and the need to strengthen these commitments.

As expressed at previous meetings of INC, it is the view of the Norwegian Government that the present commitments are clearly insufficient to meet the long term objective of the Convention, and that further action is needed to secure effective progress towards meeting the objective. The main findings and conclusions of the IPCC confirm this view.

Consequently, the parties to the Convention should at their first meeting in Berlin, as their number one priority task launch a negotiation process with the aim of strengthening the Convention through the adoption of new and more binding commitments.

In using the phrase "launch a negotiation process", we mean to say that the issues to be dealt with in reviewing the Convention are comprehensive and complicated, and that there are no quick solutions. Even if we have no time to lose in our efforts to strengthen the Convention, we must realize that thorough analysis and discussions will be needed if we are to arrive at solutions which can gain world wide support.

Regarding the key issues to be addressed in the negotiations, we would support strongly the views expressed by many delegations that the only feasible option for strengthening the Convention will be by way of adopting a protocol, or protocols, to the Convention. This approach will avoid re-opening of the carefully balanced wording of the Convention, and at the same time provide the needed flexibility for future efforts towards developing the Convention.

Furthermore, such a protocol must build upon the principles and directions already laid down in the Convention.

Based on this, it is our opinion that the COP 1 should decide to launch negotiations for a protocol based on the following elements:

- it must be global in scope, and cover all greenhouse gases
- it must operationalize the principle of common, but differentiated responsibilities
- it must contain both targets and timetables, as well as policies and measures
- it must have a fair burdensharing between the countries concerned, in terms of economic sacrifices
- it must integrate fully the concept of joint implementation

In line with the present Convention, the main responsibility for limiting greenhouse gas emissions must lay with the industrialized countries, in particular the OECD countries. In line with this responsibility, the Government of Norway has already implemented considerable measures to limit emissions of greenhouse gases. However, given the likely future emission scenarios from developed as well as developing countries, the protocol must be global in scope. Having in mind the principle of differentiated responsibilities, one possible option could be to adopt a protocol with different provisions for different groups of countries, as in the case of the Montreal Protocol.

Developing binding targets and timetables for the industrialized countries, based on the principle of fair burdensharing, will require other solutions than just setting equal targets for all countries concerned. In concrete terms, we would advocate an approach whereby a joint target is set for the OECD countries, and that mechanisms for its implementation be developed based on the principle of equitable burdensharing between the countries. This approach could result in differentiated targets for individual countries, and agreement on ways and means for coordinating the use of policy measures between these countries. In total, this option would combine two main principles of the Convention, namely equitable burdensharing between the countries and cost-effective solutions at an international level.

In welcoming the initiatives from the AOSIS and Germany on elements to be included in a protocol, we recognize at the same time that the proposals are based on the concept of setting equal targets for all parties. As you will understand, Mr Chairman, we have doubts about this approach.

Recognizing that establishing principles for fair burdensharing may be complicated, considerable efforts may need to be undertaken in studying and developing adequate methodologies which can enable us to agree on such principles.

On the question of timing for the development of a protocol to the Convention, we would hope that the protocol could be finalized at COP 3 in 1997.

Regarding the proposal from New Zealand for a consultative mechanism with the international business, we fully support this concept.

## PAPER NO. 16: RUSSIAN FEDERATION

Выступление делегации Российской Федерации по вопросу обзора  
адекватности обязательств по  
Статье 4 пункты 2 (а) и (в).

Имеющийся в нашем распоряжении документ A/АС.237/83, подготовленный временным секретариатом в соответствии с решением девятой сессии МПК, на наш взгляд, является существенным шагом на пути к решению вопроса об адекватности обязательств по статье 4 пункты 2 (а) и (в). Приведенная в приложении к документу 83 компиляция соответствующей научно-технической литературы предоставляет возможность судить о научных оценках и взглядах прежде всего экспертов МГЭИК, ОЭСР и некоторых других международных организаций. Представляется целесообразным, чтобы в последующей работе по подготовке подобных компиляций список таких организаций был бы расширен, и в первую очередь, за счет тех организаций, эксперты которых высказывают альтернативное МГЭИК мнение. В последнее время появилось большое количество таких работ. Без их учета невозможно будет составить полное представление об адекватности обязательств по статье 4 пункты 2 (а) и (в). Однако, несмотря на это замечание, я хотел бы повторить, что подготовленный секретариатом документ заслуживает самой высокой оценки.

Теперь позвольте мне остановиться на некоторых вопросах, которые составляют основу подхода Российской Федерации к проблеме адекватности обязательств. Мы считаем, что решая вопрос о соответствии обязательств целям Конвенции, надо проявлять большую осторожность, чтобы не нарушить того баланса интересов, который удалось достичь при разработке Конвенции. При этом надо использовать наилучшую, достоверную научно-техническую и



экономическую информацию. Полагаем, что такую информацию может предоставить Второй доклад МГЭИК, а также анализ национальных сообщений Сторон Приложения I. До принятия решения об адекватности обязательств Конференцией Сторон говорить о принятии Сторонами новых, дополнительных обязательств, по-видимому, преждевременно. По нашему мнению, в первую очередь, Стороны Конвенции должны обеспечить выполнение уже принятых обязательств. Вполне оправдано, чтобы параллельно с процессом выполнения основных обязательств по Конвенции осуществлялся полномасштабный переговорный процесс о возможных дополнительных обязательствах, которые могут потребоваться в том случае, если существующие будут признаны недостаточными. Причем, в рамках таких переговоров могли бы быть найдены согласованные подходы к дополнительным обязательствам разных групп стран Приложения I.

Касаясь проекта Протокола, представленного Тринидадом и Тобаго от имени Ассоциации малых островных государств, следует сказать, что мы понимаем тревогу этой группы государств, действительно подверженной уязвимости от изменений климата. Однако, основное обязательство Сторон Приложения I по протоколу - сократить выбросы двуоксида углерода к 2005 году на 20 процентов по сравнению с 1990 годом представляется недостаточно проработанным с научной точки зрения. Выбор временного периода и объема сокращения выбросов кажется достаточно произвольным.

Далее - в настоящее время в ряде стран, не входящих в Приложение I, идет процесс наращивания выбросов парниковых газов. Как показывают прогностические оценки, такая тенденция будет сохраняться. Одновременно в странах Восточной Европы и СНГ наблюдается снижение потребления ископаемого топлива и, как следствие, снижаются эмиссии CO<sub>2</sub>. При этом надо иметь в виду, что это происходит на фоне понижения уровня жизни населения в странах с переходной экономикой. Отсюда ясно, что принятие дополнительных обязательств этими странами, без учета их реальных условий и интересов, будет неприемлемым.

К сожалению, и в тексте предложений Германии по элементам протокола к Конвенции не нашлось места для учета специфических условий стран с переходной экономикой.

Только сбалансированный и тщательный учет интересов всех групп стран позволит нам в будущем прийти к согласованным подходам в отношении возможных протоколов к Конвенции.

The statement of delegation of the Russian Federation on review of adequacy of commitments on Article 4 paragraphs 2 (a) and (b).

Document A/AC.237/83 being at our in our disposal, having been prepared by the interim secretariat pursuant to decision of INC IX, in our opinion, it is a considerable step on the way to decision on the question of adequacy of commitments in Article 4 paragraphs 2 (a) and (b).

The compilations of appropriate scientific literature gives us opportunity to judge the scientific valuations and insights of experts of IPCC, OECD and some other international bodies.

In further work on preparation of similar compilations, the list of such organizations should be extended, and in the first place, by organizations, experts of which state opinions alternative to the IPCC. Since the last IPCC report, plenty of such alternative scientific articles have occurred. Without taking them into account it will be impossible to make the total representation of information about adequacy of commitments in Article 4 paragraphs 2 (a) and (b).

However, despite this remark, I would like to repeat, that the document prepared by the Secretariat deserves the most high valuation. Now allow to me to stay on some questions, which state the basic of approach of the Russian Federation to the issue of adequacy of commitments. We think, that when solving the problem of conformity of obligations to the purposes of Convention, it is necessary to be very careful, not to infringe on it balance of interests, which was reached in developing the Convention.

It is thus necessary to use the best, authentic scientific and economic information. We believe, that such information could be received from the IPCC Second Assessment Report, as well as from the review of national communications of Annex I Parties. Making the decision about adequacy of commitments by the first session of the Conference of Parties or about new, additional commitments of Parties appears premature. In our opinion, in the first place, the Parties of the Convention should ensure the completion of already accepted commitments. It is quite justified, that in parallel with the process of completion of current commitments under the Convention, there should be full-

scale preparation before negotiations on additional commitments are undertaken. They can be required in the case that existing commitments will be recognised by the COP to be insufficient. In the framework of any such negotiations, the agreed approaches to additional commitments of different groups of Annex I Parties could be developed.

Concerning the proposed Protocol, submitted by Trinidad and Tobago on behalf of AOSIS, we understand the awareness of this group of states to vulnerability from climate change. However, the proposed commitment of the Annex I Parties in this protocol - to reduce emission of carbon dioxide in 2005 by 20 percent in comparison with 1990 - is presented insufficiently worked out from a scientific point of view. The choosing of the period and volume for reducing emissions seems an arbitrary one.

Further, at present in a series of countries, who are not Annex I Parties, the process of escalating greenhouse gases emissions is occurring. As shown by forecasting assessments, such tendency will continue. Simultaneously in countries of East Europe and the CIS, the reduction of consumption of fossil fuels has occurred and, as the consequence, CO<sub>2</sub> emissions are reduced. It thus necessarily means, that there has been a downturn of the level of life of the population in countries with economies in transition. From this it is clear, that the acceptance of additional commitments by these countries, without account of their real conditions and interests, will be unacceptable.

Unfortunately, in the text of proposals by Germany on elements of a protocol to the Convention there was not found account of the specific conditions of countries with economies in transition. Only balanced and careful account of the interests of all groups of countries will allow us hereafter to reach agreed approaches concerning possible protocols to the Convention.

**PAPER NO. 17: SAMOA**

My delegation appreciates profoundly the concerns expressed this morning about the failure at this INC to agree on the next steps to be taken. Like France who spoke for the European Union, we too, are deeply disappointed that we are apparently passing up the chance to set directions and to define a process to deal with a very serious situation confronting the global climate system.

17 February 1995

## PAPER NO. 18: SWITZERLAND

In article 4.2(d), the Convention requires that the Conference of the Parties, at its first session, reviews the adequacy of the commitments under articles 4.2(a) and (b). On the basis of this review, the COP is to take appropriate action, which may include the adoption of amendments to the commitments set forth in these articles. Such a review is supposed to take place at regular intervals until the objective of the Convention is met.

The Intergovernmental Panel on Climate Change, in its November 1994 Special Report, notes that stabilisation of global carbon dioxide emissions at today's levels does not lead to stabilisation of atmospheric CO<sub>2</sub> concentrations. The latter would indeed continue to increase for at least two centuries. It notes, in addition, that achieving a stable level of greenhouse gas concentrations would require

- that global CO<sub>2</sub> emissions be reduced well below 1990 levels
- that methane emissions be maintained at today's levels, and
- that nitrous oxide emissions be maintained at today's levels (although it is important to bear in mind that, in this latter case, effective stabilisation would only occur after several centuries).

Clearly, therefore, the best available scientific information points to commitments under articles 4.2(a) and (b) of the Convention being widely insufficient to meet the ultimate objective of the Convention. The INC should recommend that the COP, at its first session, conclude that commitments under articles 4.2(a) and (b) are inadequate and that appropriate action is needed to strengthen the Convention.

In our view, such "appropriate action" would be for COP-1 to adopt a resolution to initiate negotiations on a protocol, which should be ready for adoption well in advance of the second review of adequacy, scheduled for 1998, i.e. by the end of 1997. We would be in favour of the COP establishing an ad-hoc working group to conduct the negotiations. The COP should also adopt its mandate, elect its bureau, and decide on its schedule of meetings.

Recalling the Preamble to the Convention, which acknowledges that the global nature of climate change calls for the widest possible cooperation by all countries, we think that the negotiation of a protocol could provide an opportunity for Parties to focus on what they can achieve in common. It would provide an opportunity to develop mechanisms which could facilitate, and support, a cooperative and coordinated approach to the implementation of instruments and measures.

Indeed, the development of coordinated instruments, such as, for example, energy efficiency standards, labelling schemes, or economic instruments, could provide great benefits in that they would facilitate international exchange of goods and services, and promote cooperation in intellectual, scientific, technological and economic activity.

In a non paper that was submitted to the interim secretariat last November (doc Misc 43), Switzerland makes a few suggestions concerning a *negotiating framework aimed at the coordination of instruments*. The proposal draws upon the provisions set forth in article 4.2(e, i) of the Convention, which calls for the coordination of relevant economic and administrative instruments developed to achieve the objective of the Convention. It envisages that a series of negotiation rounds be built into the protocol, in order to allow for continuous improvement and regular updates. The necessary technical data and inputs would be provided by technical panels of experts drawn *inter alia* from industry and technical standards organisations. In this context, we, like others, welcome the New Zealand proposal for a consultative mechanism with international business.

In support of the protocol, regional centres for technical assistance could be established to assist relevant partners in different sectors with the implementation of the mutually agreed instruments. All of these elements are developed in our non-paper, which appears in document Misc.43.

We trust that our discussions will lead us to concrete proposals on how to achieve measurable progress in our common goal to reduce global emissions of greenhouse gases, and hope that these ideas provide a helpful input to the elaboration of a draft decision for COP1.

**PAPER NO. 19: TRINIDAD AND TOBAGO**  
**(On behalf of the Alliance of Small Island States)**

I wish to thank you and members of the Committee for this opportunity to introduce the Draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction, which was submitted by Trinidad and Tobago on behalf of the Alliance of Small Island States in September 1994 in accordance with Article 17 of the Framework Convention on Climate Change.

Mr. Chairman, this initiative on the part of AOSIS for a Protocol to the Framework Convention on climate Change will have come as no surprise to members of this Committee. From the inception AOSIS has been at the forefront of the negotiations on climate change for the simple reason that for many small island developing states these negotiations relate to their very survival. In other instances, for small island states, the effects of climate change can lead to disasters of national proportions. And all small island states face the constant threat of the loss of low-lying coastal areas and wetlands, the reduction of available ground water due to salt water intrusion and potential social disruption due to the possible need for relocation of coastal populations.

AOSIS has always been of the view that the response of the international community to the climate change problem should be practical, effective and realistic. Accordingly we have advocated the need for a firm commitment to reduce the emission of greenhouse gases based on pre-determined targets and timetables. Our vision has also always been that in this approach we should not hinder the process of development, and indeed that action should be taken to support the development of developing countries.

Mr. Chairman, five years after the IPCC adopted its First Assessment Report, and a year after the Convention has entered into force, the international scientific consensus on the likely dangers of global warming remains fundamentally unchanged. The consultations at the level of Working Group 1 of this Committee have demonstrated that the majority of States Parties, and of the international community as a whole are now convinced that the general commitments in the Framework Convention on Climate Change are inadequate to address effectively the consequences of the greenhouse effect.

In this context, members of AOSIS wish to take this opportunity to welcome the lead taken by a number of developed country Parties by publicly pledging to reduce their emissions of carbon dioxide in support of the Convention's objective. AOSIS is also of the view that it is timely to consider the enhancement of the general commitments through a Protocol adopted in accordance with Article 17 of the Convention. Such a protocol would help to strengthen and broaden the early pledges by providing a legal framework covering all Annex 1 Parties.

The primary aim of the Draft Protocol, which has been tabled by AOSIS, is to build upon the 1992 United Nations Framework Convention on Climate Change by strengthening the specific commitments of developed country Parties to reduce their emissions of carbon dioxide; by requiring developed country Parties to adopt specific targets and timetables for other greenhouse gases; and by providing a mechanism for the coordination of specific measures designed to reduce greenhouse gas emissions.

The Draft Protocol does not impose any obligations on developing country Parties



additional to those already contained in the Convention. It is designed to encourage the participation of developing countries in the progressive development of climate change policy through the Draft Protocol's mechanism for coordination of measures, and through the provisions relating to the transfer of technology.

Let me also stress a cardinal point in relation to the Draft Protocol which is that it is intended to complement and not supplant the Convention. The Convention is a very carefully negotiated document, especially as it relates to the common but differentiated responsibilities of Parties to the Convention, and it is not our intention to disturb the integrity of the agreements that were so painstakingly reached in the negotiation of the Convention.

Mr. Chairman, I also wish to state at the outset that it is not the intention of AOSIS to allow the submission of the Draft Protocol to divert attention from the need to implement existing commitments under the Convention. While we believe that there is a need to look ahead and indeed to move forward, we also believe that there is an even more pressing need to promote and ensure current implementation of the Convention.

Mr. Chairman, I wish to turn now to the specific provisions of the Draft Protocol.

**THE PREAMBLE** restates a number of elements contained in the Convention, including its Objective, and clearly emphasises that the burden of achieving this Objective rests with the developed states, who have undertaken in Article 3 of the Convention to take the lead in combatting climate change.

Preambular Paragraph 4 highlights the intended focus of the Protocol by recognising the "need for developed country Parties to adopt specific targets and time frames for reducing emissions of greenhouse gases to achieve the Objective of the Convention."

The final paragraph of the Preamble acknowledges the need for a long term perspective and a regime that is responsive to changing circumstances in accordance with the principle of common but differentiated responsibility.

**ARTICLE 1: DEFINITIONS** clarifies that certain terms used in the Protocol have the same meaning as in the Convention, or as explicitly defined in Article 1 of the Convention.

Sections (1), (7) and (8) of Article 1 differentiate between "Parties" to the Protocol and "Parties to the Convention". This distinction is important given the fact that while all Parties to the Protocol must first be parties to the Convention, not all the Parties to the Convention will necessarily become Parties to the Protocol.

**ARTICLE 2 ON BASIC COMMITMENT** applies to all Parties to the Protocol and restates, verbatim, the core of the general commitment contained in Article 4 (1)(b) of the Convention, that all of its Parties undertake to implement programmes containing measures to mitigate climate change. As such, Article 2 of the Protocol cannot be said to create any additional commitments for any category of Party. It is included to signal the close relationship of the Protocol to the convention and the far more specific focus of the Protocol on greenhouse gas emissions.

**ARTICLE 3 ON TARGETS FOR GREENHOUSE GAS REDUCTIONS** is the heart of the Protocol. It requires developed country Parties to the Protocol who are included in Annex 1 of the Convention to reduce their emissions of carbon dioxide (CO<sub>2</sub>) by the year 2005 to a level at least 20 percent below that attained in 1990; and to establish timetables for controlling emissions of other greenhouse gases.

The CO<sub>2</sub> target and timetable proposed in the Protocol is the "Toronto Target" - part of the recommendations of the World Conference on the Changing Atmosphere held in Toronto in June 1988. It will be recalled that the Toronto Statement declared that stabilising atmospheric concentrations of carbon dioxide is an imperative goal and estimated that this would require reductions of more than 50% from present emission levels. It recommended a 20% reduction from 1988 levels by the year 2005 as an "initial global goal".

The commitment would represent a significant but modest response to the implications of the findings of the Intergovernmental Panel on Climate Change. The Toronto Target has been used in the Draft Protocol because it has received considerable political support.

Rather than adopting the collective approach to emissions limitation, where all sources of greenhouse gases and sinks are considered collectively, the Protocol deals with greenhouse gases other than carbon dioxide separately. Because of the scientific and political uncertainty currently surrounding appropriate targets for other greenhouse gases, Article 3(1)(b) does not introduce immediate emissions reductions targets, but requires that Annex 1 parties, at the first Meeting of the Parties, adopt specific targets and timetables to limit or reduce other greenhouse

gases.

The list of gases provided under Article 3(1)(b) is not intended to exclude or set priorities among any particular greenhouse gases, except those controlled by the Montreal Protocol.

**ARTICLE 3 (2) ON THE REVIEW AND REVISION OF TARGETS** authorizes the Meeting of the Parties (as established by Article 8) to "review and revise" both the CO<sub>2</sub> targets and timetables, established in Article 3(1)(a), and the controls for other greenhouse gases that are to be adopted under Article 3(1)(b). This empowers the Meeting of the Parties to analyze the adequacy of the existing measures and to adopt further emissions reductions if required and agreed to.

Any revision will be undertaken "in accordance with the precautionary principle and the best available scientific information and assessment of climate change". This is intended to ensure that while the future development of the protocol should be science driven, lack of full scientific certainty should not be used as a reason for postponing measures designed to prevent climate change.

**ARTICLE 3(3) DEALS WITH ACCESSION OF NON-ANNEX 1 PARTIES TO THE SPECIFIC COMMITMENTS.** As mentioned previously, the commitments in Article 3 are binding only on the developed country parties who are listed in Annex 1 of the Convention, and do not apply to developing states. However, in the same manner as Article 4(2)(g) of the Convention allows developing states or other non-Annex 1 countries to consent to be bound by the commitments that apply only to Annex 1 parties, so Article 3(3) of the Protocol creates the identical mechanism in relation to the specific obligations in Articles 3,4 and 5 of the

Protocol.

**ARTICLE 4 PROVIDES FOR A COORDINATION MECHANISM.** This Mechanism is intended to create a subsidiary body that will provide advice to the Meeting of the Parties and a forum for the negotiation of specific economic, administrative and other instruments that may assist Parties in meeting the Protocol's Objective.

Article 4(2)(e)(i) of the Convention requires that Annex 1 Parties "coordinate as appropriate with other such Parties, relevant economic and administrative instruments developed to achieve the objective of the Convention." This article recognises that regulation of the economically integral activities that emit greenhouse gases will require a coordinated approach.

The measures undertaken by Annex 1 Parties to the Protocol, especially those that may have an impact on trade, will affect the interests of developing countries. Accordingly, the coordination Mechanism is open to the participation of all parties. It is expected that the Mechanism activities will be closely coordinated with the work of the Convention's subsidiary Bodies on Scientific and Technical Advice and on Implementation.

**ARTICLE 5 STIPULATES THE REPORTING REQUIREMENTS.** Annex 1 Parties are required to submit a detailed description of their policies, programmes and measures taken to implement their commitments under Articles 2 to 4, and provide an estimate of the resulting effects on emissions and removals by their sources and sinks.

Although this language is virtually identical to that contained in Articles 4 and 12 of the Convention, the reporting under the Protocol will have to reflect the strengthened emissions reductions commitments it requires. The more concrete nature of the obligations under the Protocol will require more detailed and precise reports from Annex 1 Parties.

Part of this detail is a new reporting requirement introduced by Article 5(2) - the requirement that Annex 1 parties provide a cost/benefit analysis of the measures that they have undertaken. This is intended to assist the Parties in assessing the Convention.

The Protocol imposes no additional reporting requirements upon developing country Parties.

**ARTICLE 6 ON INSTITUTIONAL ARRANGEMENTS** reflects the desire to ensure that the Protocol makes use of the institutions established under the Convention without unfairly imposing costs on those countries that may be Parties to the Convention, but not Parties to the Protocol.

**ARTICLE 7 ON TECHNOLOGY TRANSFER** enhances the provisions of the Convention by requiring that the "best available technologies...are expeditiously transferred to developing countries" under "fair and most favourable conditions". It is intended to provide an incentive for developing countries to participate in reaching the Objective shared by the Convention and the Protocol and to ensure that advanced, environment friendly technologies will be transferred expeditiously to the South.

**AT ARTICLE 8** the Protocol establishes a Meeting of the Parties with powers to review the implementation of the Protocol, adopt new targets and timetables, and assess the effectiveness of the steps taken by developed countries.

**ARTICLE 9 ON DISPUTE SETTLEMENT** states that any disputes are to be settled in accordance with the terms of the Convention. It leaves open the possibility that the Parties to the Protocol may decide, in cooperation with the Parties to the Convention, to make use of whatever Multilateral Consultative Process may be established under Article 13 of the Convention.

**ARTICLE 10** establishes the same procedure for the proposal, adoption and entry into force of amendments to the Protocol as apply in relation to amendments to the Convention. However one notable difference is that the Convention provides for the adoption of amendments by a 3/4 majority when consensus cannot be reached, whereas the Protocol specifies a smaller majority at only 2/3.

**OTHER PROVISIONS** dealing with annexes, right to vote, the depositary, signature, ratification, entry into force, reservations, withdrawals and authentic texts are the same as in the Convention.

Mr. Chairman, in Berlin the Parties to the Convention will be both bound and empowered to review the adequacy of the commitments of Annex 1 Parties. This will be done in the light of the best available scientific information and assessment on climate change and its impacts. The information available to the Conference of the Parties is not likely to be essentially different from the information currently available to Working Group 1 of this Committee and therefore it is expected that the Conference will endorse the majority finding of

Working Group 1 on the adequacy of commitments. The Conference of the Parties must then take appropriate action. In this context it is proposed that INC/FCCC-11 transmit the Draft Protocol to the Conference of the Parties for consideration.

Mr. Chairman in conclusion permit me to revert to some of the principal points made at the beginning of this introduction. The AOSIS Draft Protocol is not intended to disturb the integrity of the agreements reached in the existing Framework Convention. The strengthening of commitments to reduce greenhouse gas emissions is addressed to Annex 1 Parties. And finally, Mr. Chairman, while we believe that it is imperative to look ahead and to move forward, we believe that it is equally important to fulfill existing obligations under the Framework Convention.



## PAPER NO. 20: UNITED KINGDOM

The United Kingdom would like to endorse the statement made by the European Union.

I would also like to join with those other delegations who have congratulated the Secretariat on their excellent paper.

We have had an opportunity to hear from Prof. Bolin, and to study the interim assessment of the IPCC. This assessment reconfirms our earlier view, expressed at INC 10, that present commitments are clearly inadequate - not least because they do not set any emissions objectives beyond the present decade. Commitments to 2000 can be seen as a first step towards meeting objectives of the Convention, but only a first step.

Some delegates have referred to the need to meet existing commitments first before looking ahead to the future. The UK is fully committed to meeting our current aim, but I have to say that waiting until 2000 to set new aims is just not a practical approach. As the IPCC has shown, the atmospheric lifetimes of greenhouse gases are measured in decades, sometimes centuries. They cannot be turned on or off like a tap. Nor can industrial and consumer investment be turned on or off without causing disruption and heavy unnecessary costs. Industry and consumers are already facing decisions that will influence choices well into the next century.

We, like many other countries, have found the aim embodied in Article 4 of the Convention an extremely important goal against which to structure our national plan. We look to future negotiations to establish a new guideline for Annex I country emissions, measured against the current 1990 baseline.

As I mentioned yesterday, in preparation for this process the UK is currently considering possible future new measures and objectives for the years 2005 and 2010 as part of a collective

consideration within the European Union.

The Convention makes clear the special circumstances and different starting points that need to be taken into account in determining the relevance of any aim in the development of effective national programmes. This already flexible approach appears to work well and seems the most practical way of progressing after 2000. It leaves countries the maximum flexibility in choosing their policies and measures to work towards the aim.

In setting in place these policies and measures there will, of course, be benefits from collaborative action in areas where it will have proven added value, for example where there are concerns about competitiveness.

Madam Chairman, recent extreme weather conditions in Europe have taken a heavy toll. There have also been many climate anomalies elsewhere in the world. All these events when taken together may not constitute the final evidence we seek of man-made climate change. But they do remind us of our common vulnerability to climate change, and why we must approach this difficult issue in a precautionary spirit.

## PAPER NO. 21: UNITED STATES

Statement of the U.S. Delegation  
at the 9th Session of the  
Intergovernmental Negotiating Committee  
Framework Convention on Climate Change

Adequacy of Commitments, Article 4.2(a) and (b)

My government welcomes this first discussion of the adequacy of Article 4.2(a) and (b) of the United Nations Framework Convention on Climate Change. You will understand if I do not quote these paragraphs -- apparently, many have found them difficult to follow.

The Framework Convention, which will enter into force next month, establishes a critical objective for our efforts now and for many years to come. That ultimate objective is the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. It notes that this level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.

How close are we today to this objective? At present, we have a great deal to learn. But let us start from what we know. If we assume that today's atmospheric concentrations of greenhouse gases are not dangerous, what would it take to stabilize them? In its First Assessment Report nearly four years ago, the Intergovernmental Panel on Climate Change (IPCC) calculated with confidence that the long-lived gases would require immediate reductions in emissions from human activities of over 60 percent to stabilize their concentrations at today's levels; methane would require a 15 to 20 percent reduction.

Are we yet on a path to reducing emissions from human activities? No, we are not. Each year emissions are increasing. Are we yet on a path that will stabilize atmospheric concentrations of greenhouse gases? No, we are not. As the IPCC also noted in 1990, the atmospheric concentration of carbon dioxide, at 353 ppmv in 1990, is now about 25 percent greater than the pre-industrial (1750-1800) value of about 280 ppmv, and higher than at any time in at least the last 160,000 years. And it's growing. Are we even approaching the threat of climate change with the long term perspective it demands? No, we are not. Our convention takes us to the end of the decade -- we have not yet begun to look beyond that date, less than six years hence.

Mr. Chairman, last fall President Clinton released our Climate Change Action Plan, which is designed to reduce our emissions of greenhouse gases to their 1990 levels by the year 2000. As I noted in my opening remarks, we are justifiably proud of this plan. Developing it involved an enormous effort, both public and private. And that effort continues as we implement each of its specific actions.

In addition, through programs such as "Climate Wise" and "Climate Challenge", we are forging new partnerships between government and industry. We are enlisting the enormous resources, ingenuity and creativity of the private sector in pursuit of environmental goals voluntarily adopted. We are changing the way people think and the way they respond.

Having undertaken such an effort, we are as aware as some -- and more aware than others, who have yet to act -- of how complex and difficult coming to grips with this problem can be. Still, the threat we face in global warming does not make our actions optional.

Mr. Chairman, this threat will not disappear in the year 2000. Despite our efforts, atmospheric concentrations continue to rise. We must begin now to look beyond the millennium -- to consider approaches and initiatives that will sustain the momentum begun.

For this reason, and for others, we do not consider that Article 4.2(a) and (b) adequately addresses policies and measures to be taken beyond the year 2000, and we urge this Committee to begin a serious effort to explore how we may all further the objective of the convention. The actions of Annex I Parties are clearly important. They have agreed to take the lead in modifying longer-term trends in human emissions. Later this year, we will have an opportunity to review the progress they have made. Notwithstanding these near term efforts, climate change will remain a serious long term problem that will necessitate further action. Moreover, climate change is a global problem that requires broad international participation. Many are concerned that our collective efforts to date to address it are not sufficient.

We do not come to this session with specific proposals. We come today with experience, resolve and belief that all nations and all peoples share a common concern for the world they will leave to their children. Recognizing our common but differentiated responsibilities, we must begin to chart a path to the future. We must be willing to discuss, explore, develop and act on proposals that will move us forward.

Mr. Chairman, we anticipate that some may say it is too soon. Some may suggest that we wait awhile, gain some experience under the convention and defer consideration of the future. Some may urge that we need new science and propose that we await the IPCC's Second Assessment Report. Some may urge that we await the development and evaluation of the national action plans Annex I countries will submit next fall.

In our view, time is a precious commodity. As the IPCC noted four years ago:

"Continuation of present day emissions are committing us to increased future concentrations, and the longer emissions continue to increase, the greater would reductions have to be to stabilize at a given level. If there are critical concentration levels that should not be exceeded, then the earlier emission reductions are made the more effective they are."

Most of the countries represented here are involved in preparing the IPCC's Second Assessment Report; while we anticipate further elaboration of many issues, we believe that the existing science is sufficiently compelling for us to act.

As I said, Mr. Chairman, we will table no specific proposals today. We hope instead to begin a process here that will lead to the consideration of future actions. We have no pre-conceptions; a very broad range of possibilities awaits us. We must begin to identify and evaluate the options. The U.S. is beginning a domestic process that will engage the private sector, the environmental community and the Congress in developing ideas and approaches for the period beyond the year 2000. We will work also closely with others to determine what more can be done.

But as President Clinton directed his administration in reversing the policy of the past, "we must produce a cost-effective plan...that can continue the trend of reduced emissions." And time is not our friend.

10th Session  
Intergovernmental Negotiating Committee  
Palais des Nations, Geneva  
August 23, 1994

Last February, my delegation joined with many others in agreeing that Article 4.2(a) and (b) do not adequately address policies and measures to be taken beyond the year 2000. We urged that this Committee begin to chart a path to the future -- discussing, exploring, developing and acting on proposals that will move us forward.

I will not repeat the views we expressed at that time. Instead, I will share with you the thinking we have done since February.

Characterizing the Post-2000 Regime

In our view, any regime we contemplate for the post-2000 period should have several characteristics. It should be:

- **Comprehensive:** Covering all greenhouse gases in all sectors, as well as sources and sinks
- **Flexible:** Allowing countries to tailor national efforts to fit national circumstances and to adopt the most cost-effective alternatives
- **Cooperative:** Encouraging joint action to empower all countries to respond to the threat of climate change, particularly through capacity building and technology diffusion
- **Sustainable:** Facilitating the use of renewable, and the efficient use of non-renewable resources
- **Innovative:** Facilitating the development and dissemination of efficient new technologies to deal with the long-term threat of climate change
- **Beneficial:** Promoting an aim and actions whose costs are justified in light of the range of potential consequences of climate change

- Equitable: Engaging all countries in the global effort while recognizing differences in national circumstances and capabilities, and
- Pragmatic: Recognizing emissions trends, and likely economic growth, in developed and developing countries

That said, we believe our next steps to deal with the post-2000 period should embrace specific, concurrent efforts in at least five areas. The Conference of the Parties should initiate a formal process for considering these next steps at its first session.

#### Establishing a New "Aim"

In our view, the first and overriding objective should be to establish a new aim to guide our efforts at adopting policies and corresponding measures to mitigate climate change in the immediate post-2000 period. Setting a new aim should be our top priority for it will anchor the post-2000 regime.

The new post-2000 aim must make progress toward the convention's ultimate objective of stabilizing atmospheric concentrations of greenhouse gases at a level that would prevent dangerous anthropogenic interference with the climate system. We know that the road to the convention's ultimate objective will be long. Practically speaking, we know that we will get there by a number of steps, not in one leap. Thus, we must establish milestones along the road to gauge our progress and focus our efforts. The convention's current aim for the year 2000 serves as our first milestone. The United States does not yet have a specific suggestion for the precise period that the next aim should cover, or for whether the new aim should be similar to or different from the current one. Resolving these questions should be the top priority of our future work.

#### Linking the Aim with Actions

At present, Article 4.2(a) and (b) establish an "aim" for the pre-2000 period, but they leave it to each Annex I Party individually to determine the path it will take to meet the aim. While there is much to commend in this approach -- the recognition of national circumstances it implies and the national flexibility it affords -- there are also some drawbacks.

Annex I Parties have struggled, almost since adopting the convention, to develop specific policies and measures to meet the current aim. For most, this has not been easy, and recognition of the difficulties involved has grown. Lest experience with these difficulties lower our sights, we believe that it is time to begin considering common actions that could go some distance toward meeting a new "aim." There may well be actions that can more easily be taken collectively than individually.

While preserving recognition of national circumstances and maintaining national flexibility, we think that we could begin to link certain common actions with our "aim." In considering common actions, we should seek to draw on the experience of all countries in taking actions to meet the current aim or to fulfill other environmental objectives to determine whether these offer possibilities that others might use to advantage. In this way, it may be possible for countries to agree within or outside the convention to a set of measures that will help each of them reduce emissions. We could begin to work on a menu of agreed options from which countries could choose in seeking to meet their commitments. Such a menu could help define the scope of our efforts, while preserving national flexibility. This should ensure real reductions and enable countries to go part way toward meeting a new aim.

We might also consider broad-based and specific technology initiatives, including incentives or disincentives to pull lower emitting technologies into the market place, to push out higher-emitting technologies and to reduce existing interventions that work against these goals. We should broaden our efforts at building capacity to evaluate and implement new technologies. Looking at future emissions scenarios, it is clear that all nations are going to need to employ new technologies that enable realization of economic and emissions goals. Technology is a promising candidate for international cooperation.

Such common actions could also take the form of agreed processes for examining opportunities for emissions reductions under national circumstances, with a requirement only that these opportunities be considered and the results of national consideration be reported to the Conference of the Parties. In our view, countries might consider certain attractive practices or strategies for greenhouse gas emissions reductions and communicate the results of their national efforts to integrate these practices or strategies in their national circumstances. We believe that all nations have ideas and experiences to share that others should consider. We think that such practices, while not binding on any country, could have much to offer.



We could also promote the development of international norms to guide and encourage manufacturers in adopting lower emitting technologies. Such norms could encourage healthy competition to increase the efficiency of various products without imposing standards through regulation and potentially locking in yesterday's technology.

In our view, we should pursue all of these initiatives -- agreements on measures and processes to reduce emissions, while seeking on a priority basis to establish a new aim to guide our efforts in the initial years beyond 2000. This approach would give us the goal and help establish the confidence we need to ensure that it is met. Moreover, there are many areas in which we may be able to reach agreement quickly, and we can begin to exchange information and share ideas even before the first meeting of the Conference of the Parties.

### Enlisting Public and Private Sector Expertise

To date, large numbers of public and private sector experts have participated in our meetings, but their role has largely been confined to observing the discussions, to making occasional, collective interventions, and to lobbying individual delegates in the corridors.

The more we learn about sustainable development, the clearer it becomes that such experts have substantial wisdom to lend to our discussions. In our view, we need a process through which to bring public and private sector experts more centrally into our work and to enlist their active participation. Such a process would be particularly appropriate and desirable as we begin considering common actions. There are few among us well-versed enough in specific practices and technologies to know their technical, market and commercial potentials. But nearly all of us could agree that such knowledge exists and that we should seek to benefit from it in our deliberations.

Under the Montreal Protocol, technical advisory panels proved highly effective at identifying specific options and alternatives and at gauging the opportunities for implementing them. This is but one example of the kind of process we must consider.

While the problem we face with climate change is considerably more complex, we should consider how to tailor past successes to fit new circumstances. Tapping public and private sector expertise in pursuit of solutions could help forge new partnerships between and among experts from developed and developing countries. These new partnerships could hasten our efforts to promote technology development and diffusion.

### Strengthening the Convention Process

As we seek to establish a new aim and to identify common actions to help meet it, we must continue the efforts already begun to strengthen the convention process. Continued progress in this area will be vital in building confidence that Parties are fulfilling their commitments, in ensuring the integrity of national plans, in demonstrating the cost-effectiveness of emissions reductions through joint implementation and in assisting parties in better understanding the plans of others and the results and effectiveness of national actions -- leading to better plan design. Without a stronger process enabling us to monitor our progress and to verify the results of actions taken, our efforts under the convention will not be taken seriously within our own governments or by the public to which we must answer.

### Continuing Link to Science

We are aware that Article 4.2(d) requires that our review of the adequacy of commitments in subparagraphs (a) and (b) be carried out in light of the best available scientific information and assessment on climate change and its impacts, as well as relevant technical, social and economic information. We are also aware that some at our last session in February urged that we defer consideration of this issue until after we have been able to review thoroughly the national action plans that will be submitted next month, until after we have received and analyzed the Interim Report of the Intergovernmental Panel on Climate Change (IPCC) that will be submitted later this year, and until after we have received and analyzed the IPCC's Second Assessment Report that will be available in the fall of 1995.

In our view, all such scientific information and assessments, including information and assessment of economic issues, are relevant to our work and should guide our consideration of next steps under the convention. But as we said in February, we do not believe that more is needed at this time in order for us to begin this process. The review of national action plans will be completed in due course; the IPCC's Interim and Second Assessment Reports will also be available in the near future. While they should inform our efforts, they should not delay them. We know that a new aim will be needed in the initial period after the year 2000, and we can already identify a broad array of common actions that could be considered in an effort to bring end and means more closely together.

### Promoting Broader Leadership

Article 3 of the convention acknowledges the common but differentiated responsibilities and capabilities of all parties under the convention. It also provides that developed country parties should take the lead in combatting climate change and the adverse effects thereof. At the same time, Article 7.2(a) provides for the Conference of the Parties periodically to examine the obligations of the Parties and the institutional arrangements under the Convention. In addition, Article 4.2(f) provides that the Conference of the Parties shall review, not later than December 31, 1998, available information with a view to taking decisions regarding such amendments to the lists in Annexes I and II as may be appropriate, with the approval of the Party concerned.

We fully acknowledge the common but differentiated responsibilities and capabilities noted in Article 3, and we reaffirm our intention, along with other current Annex I Parties, to take the lead in combatting climate change and the adverse effects thereof. At the same time, we are aware that actions by current Annex I Parties alone cannot accomplish the objective in Article 2. For this reason, we do not think it too early to begin considering how to broaden the opportunities to contribute to the effort to combat climate change.

As we consider next steps under the convention, let us also consider how to promote and recognize the efforts of an increasing number of countries, beyond those currently identified in Annex I, to play a greater role in solving this global problem. We may wish, for example, to consider further differentiating among parties to the convention, including the means through which new categories might be established and the specific mechanisms that might be used to promote and recognize actions beyond those incumbent on every Party under Article 4.1.

### Establishing a Process for the Future

The time remaining to us before the first Conference of the Parties next spring is short -- less than eight months -- and our agenda is very full. We must therefore begin considering at this session how to advance our common agenda. As noted earlier in my intervention, we believe that Berlin should initiate a formal process for considering next steps under the convention to deal with the threat of climate change. This process should encompass efforts on at least five fronts:

- 1) establishing a new aim
- 2) developing common actions
- 3) enlisting public and private sector expertise
- 4) strengthening the convention process, and
- 5) promoting broader leadership

In our view, we should also consider setting a deadline or endpoint for this process. The pendency of the Rio Conference in June 1992 provided an important impetus to the negotiators of our convention. What many believed could not be accomplished in a decade, was accomplished in 15 months.

We will also need to consider carefully how best to reflect the various outcomes of these efforts. Some will need to be recorded in an amendment or a protocol; others could perhaps be implemented more expeditiously through decisions of the Conference of the Parties or even outside the convention.

We believe that the process we envision should be launched in Berlin. It could be undertaken in several ways, for example, through a Ministerial Declaration or a decision of the Conference of the Parties. We should use the time available at this session and in the months prior to INC-11 to consider these issues more fully. We should also reserve time on the agenda of INC-11 to reach agreement on the approach and the elements involved.

#### Mapping the Way to Berlin

The road to Berlin runs through New York where we shall meet again next February for an extended session. Let me also suggest that the road to Berlin and beyond also runs through Cairo. In two weeks our nations will participate in the International Conference on Population and Development. As time marches on, we are increasingly aware that our actions to reduce greenhouse gases and promote sustainable development will be exponentially more difficult if we do not develop comprehensive strategies to address the rapid rate of population growth. This is a critical parallel initiative to our efforts under this convention and in other fora to address patterns of consumption and waste generation that contribute significantly to critical global environmental trends. Moreover, this is an issue that transcends national borders and ideologies, for inherent in it is our desire to improve the quality of life through sustainable development.

In closing, I would like to make several comments on Secretariat document A/AC.237/65. In particular, I would like to address the issue of possible action by the Committee, discussed in paragraphs 13-18; on the process for examining additional commitments (discussed in paragraphs 29-32); and on the format for the draft outline of a report, discussed in section III of the secretariat note.

#### Possible Action by the Committee

- o We recommend that the Committee, at this session, provide guidance on the type of report it expects to be forwarded to COP I on this issue, and that the Secretariat be tasked with the preparation of a report for consideration at INC 11.
- o We agree that the compilation and synthesis of information on the global situation will be of value in the formulation of decisions on this issue by the COP, and suggest that this information be developed in coordination with the IPCC Secretariat, which is already charged with the preparation of a policy makers summary on its assessments of the science, impacts and response strategies for climate change.
- o The United States also recommends that at its 11th session, the Committee adopt conclusions and recommendations to be forwarded to COP 1 on this issue.

#### Process for Next Steps

The United States supports option (c) in the Secretariat paper: A decision should be taken at COP I to start a process leading to next steps beyond the year 2000. The mandate from COP I should include the following recommendations in addition to those discussed above:

- o The subsidiary body on implementation should be tasked as the forum for these discussions.
  - Unlike a separate forum outside of the FCCC process, this would involve all parties in the discussion. Further more, it would mean that no new institutional mechanisms would have to be created to undertake this effort, but would allow the FCCC Secretariat to be used to support the process.
- o Meetings of the SBI should be held three times per year (one session of which would be coincident with the annual meeting of the COP).

Format for Report to COP 1

Finally, let me briefly comment on the issue of the report to the first session of the Conference of the Parties. We support the inclusion in this report of both conclusions and recommendations. The United States believes that the conclusions should reflect the Committee's consideration of the nature and extent of the commitments in article 4.2(a) and (b); key conclusions on the science and impacts of climate change; and on the longer term trends of anthropogenic emissions.

With respect to the identification of technological options that might be used to limit or reduce emissions or enhance sinks of greenhouse gases, in addition to the information that would be available through the communications of individual countries, we envision the creation of a private sector advisory committee which could have several components. We believe that the need for such a committee should be recognized in the conclusions.

We have already provided our view on the elements of the recommendations we would endorse, and will not reiterate them here.

Thank you Mr/madame co-chair. My delegation and I intend to consider the views expressed here carefully, and we look forward to working with our colleagues at this session and thereafter to develop the consensus needed to carry us over the threshold to the next millennium.

11th Session  
Intergovernmental Negotiating Committee  
United Nations, New York  
February 8, 1995

Last August, my delegation urged that the process we will begin in Berlin should have a first and overriding objective -- to establish a new aim to guide our efforts to adopt policies and measures to mitigate climate change in the immediate post-2000 period. Setting a new aim should be our top priority, we said, for it will anchor the post-2000 regime.

Since then we have had the opportunity to consider more fully how to proceed. I would like to share our further thoughts with you now.

We are all seized with the problem -- the global problem -- of climate change. The convention sets an overall direction, but it is up to us to move responsibly in that direction. Rhetoric is not enough. We must respond with concrete measures and be accountable for our actions. Our circumstances vary -- not everyone is at the same stage of development and not everyone has the same capacity to respond. Our responses, therefore, can and should be differentiated -- but global participation is critical. Similarly, governments alone cannot solve the problem of climate change. We must integrate the public and private sectors fully into the global response.

Negotiating Process

As we indicated last August, the Conference of the Parties should initiate a formal negotiating process at its Berlin meeting to encompass efforts in at least five areas:

- 1) establishing a new aim
- 2) developing a common menu of actions
- 3) enlisting public and private sector expertise
- 4) strengthening the convention process, and
- 5) promoting broader leadership

The negotiating process should take place within a reasonable but limited period. In our view, it would be desirable to have a conclusion no later than 1997, and it should subsume the reviews contemplated in subparagraphs 4.2(d) and (f) of the convention.

The Subsidiary Body on Implementation should be the forum for this negotiation. We see no need to establish another open-ended body for this purpose. The burden of multiple meetings in multiple fora, particularly on smaller parties, is simply too great.

To avoid establishing a new body, we favor conferring a greater role on the Subsidiary Body on Scientific and Technological Advice (SUBSTA) in the review of national communications. In particular, the SUBSTA should be the forum for technical review and analysis of these communications. The SBI would in turn be responsible for evaluating the aggregate actions of the Parties on the basis of the synthesis of national communications.

Article 9, paragraph 3, specifically authorizes the Conference of the Parties to elaborate the functions and terms of reference of the SUBSTA. Locating the review of national communications in the SUBSTA would free the SBI for the negotiation of next steps. Article 7.2(i) confers on the Conference of the Parties the authority to entrust the SBI with this negotiation.

#### Developing a New Aim

The negotiating process should begin with an analytical or assessment phase. In this phase, Parties would be asked to consider what level of action should be achieved and what level of action may realistically be achieved, by whom and over what time period. Developing a common menu of actions may be helpful in this respect as well as developing information on promising technologies and ways to accelerate their development and diffusion. In this phase as well, full consideration should be given to:

- 1) the in-depth review of national communications whose initial results will be available later this year;
- 2) information available from pilot efforts related to joint implementation; and
- 4) the 1994 Interim Report and the 1995 Second Assessment Report of the Intergovernmental Panel on Climate Change (IPCC).



Like the negotiating process, the analytical or assessment phase will best be served by establishing certain parameters. First, it should conclude in 1996. Second, it should examine the potential for action not only in the near term -- by the year 2010 -- but also in the longer term -- by the year 2020. Third, it should utilize the best science and social science, for instance, that of the IPCC assessment. We anticipate that there will be many informal consultations during this analytical and assessment phase of the negotiating process.

Many have noted the convention's inadequate horizon -- the aim applies to the year 2000 but not beyond. In our own efforts to develop post-2000 alternatives, we had found that the benefits of certain measures can be overlooked. This is because some actions have longer maturation periods and may not produce immediate benefits. Still, their potential is enormous and it may be important to begin them in the near term. Including a focus also on the longer term, while less certain, will ensure that our efforts are more comprehensive.

The analytical or assessment phase should be followed by negotiation of a new aim to guide our efforts in the first decade of the next century. The analytical or assessment phase should serve to facilitate reaching agreement -- no later than 1997 -- on this new aim.

#### Developing a Common Menu of Measures

In our view, we should also seek to develop a common menu of measures. The national communications submitted thus far contain a wealth of information and ideas. The compilation and synthesis have catalogued more than 700 policies and measures, including voluntary agreements and programs, economic incentives and performance-based efficiency standards. These have been categorized in a database according to country, sector, gas and type of policy instrument.

It will be vital not to leave this database on the shelf, but to use it as the starting point for developing a shorter common menu of measures. Parties could choose from this menu in their further efforts to reduce or sequester greenhouse gas emissions. Moreover, as we noted last summer, Parties may wish to explore how cooperative efforts may enhance their results.

Some policies and measures may be more appropriate or feasible in some national circumstances than in others. At the same time, no one has a monopoly on good ideas. There may be actions some or all of us have not fully considered. With a common menu, each Party could consider whether or not the measures identified would fit its national circumstances. If undertaken systematically, all could profit from such a review.

Much of the preparatory work has been done. Now we must proceed systematically through the information collected. The secretariat should be asked to produce an initial menu based on those identified in synthesizing the national communications. This menu could be circulated to all Parties prior to the meetings this fall of the subsidiary bodies. Those meetings should be used in part to reach agreement on a common menu. In other words, we believe that this effort can and should be undertaken swiftly and efficiently, and that it should produce results in short order.

#### Enlisting Public and Private Sector Expertise

Among its functions, the Subsidiary Body on Scientific and Technological Advice is required to "identify innovative, efficient and state-of-the-art technologies and know-how and advise on the ways and means of promoting development and/or transferring such technologies." This is thus an effort that will go forward under the convention.

As we noted last August, however, public and private sector experts have substantial wisdom to lend to our discussions. We continue to believe that it is vital to develop a consultative mechanism that will enable the parties to bring such experts more centrally into our work and to enlist their active participation.

Such a consultative mechanism of public and private sector experts may also assist the parties in their review of measures from the common menu, whether in determining the potential of such measures in various circumstances or in assessing their feasibility. Such a mechanism might also be used to identify various factors that inhibit achieving the potential of specific measures and to suggest ways of overcoming them.

Public and private sector expertise will also be a critical element in the development and broad diffusion of the "backstop technologies" needed to mitigate and adapt to climate change. It is in part to accelerate the development of these technologies that the United States strongly supports launching a climate technology initiative. We look forward to further discussion of this issue during this session.

#### Strengthening the Convention Process

Fundamental to the process we have initiated under our convention is that each Party must be accountable for its actions. Notwithstanding an important and useful first effort at developing national communications, we are keenly aware of the improvements that will be needed to better enable the Conference of the Parties to assess the overall aggregated

effect of the steps taken. Critical in this regard will be the development of comparable methodologies for evaluating the effectiveness of measures to limit emissions and enhance removals of greenhouse gases. The Convention specifically enumerates this responsibility of the Conference of the Parties in Article 7, paragraph 2(d). In our view, this is but one area in which further work is urgently needed.

As an integral part of the in-depth review of national communications that will begin later this year, we should seek to identify areas in which such further work should be pursued on a priority basis and to suggest improvements in the guidelines previously adopted for preparing national communications. To this end, the secretariat should be asked to produce a document for the second Conference of the Parties that addresses needed improvements in the guidelines for national communications. Just as the compilation and synthesis have provided the basis for developing a common menu of actions, so can the in-depth review provide the basis for strengthening the convention process in numerous vital areas.

An area that begs for early development of comparable methodologies for reporting information and data is that of joint implementation. It may be some time before all Parties to our convention are able to agree on what constitutes a joint implementation project. But it should be far less difficult in the near term to agree on the kinds of information that should be provided by those who would assert that a particular activity constitutes "joint implementation." In fact, without an effort to develop comparable methodologies in this area, we run a serious risk of not collecting in the near term information that will be needed to make future judgments. We urge that the Conference of the Parties endorse the need to prepare guidelines for this purpose.

In our national communication, we have described our pilot joint implementation program. We have set out the guidelines and made our initial selection of projects in the program. We acknowledge that we face difficult problems in instituting common guidelines for an international program on joint implementation. We hope that lessons could be drawn from our experience and that of other countries in considering an international program that could be the basis for effective and cost-effective measures.

#### Promoting Broader Leadership

At our last session my delegation fully acknowledged the common but differentiated responsibilities and capabilities noted in Article 3, and we reaffirmed our intention, along with

other current Annex I Parties, to take the lead in combatting climate change and the adverse effects thereof. At the same time, we noted that the actions of current Annex I Parties alone cannot accomplish the objective of Article 2. We urged that we begin considering how to broaden the opportunities to contribute to the effort to combat global climate change.

As paragraphs 8 through 10 of Article 4 make clear, developing countries face significantly different national circumstances, just as Annex I countries face significantly different national circumstances. We must deal with these different circumstances sensibly as we identify the next steps to be taken under our convention. At the same time, all Parties already have certain obligations under the convention, and the further efforts of all Parties will be needed, particularly in the next century, if we are to mitigate and adapt successfully to the adverse effects of climate change.

Moreover, convincing the public and the legislature in each country of the need to participate in this effort will depend on a credible showing of the efforts being made by all countries.

For these reasons, the negotiating process with respect to next steps must involve all Parties to the convention.

**PART II**

**CONCLUSIONS REACHED AT THE NINTH AND  
TENTH SESSIONS OF THE INTERGOVERNMENTAL  
NEGOTIATING COMMITTEE FOR A FRAMEWORK  
CONVENTION ON CLIMATE CHANGE**

**Extract from the report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its ninth session held at Geneva from 7 to 18 February 1994 (A/AC.237/55)**

1. Proceedings

50. Working Group I discussed sub-item 2 (d) (Review of adequacy of commitments in Article 4.2(a) and (b)) at its 2nd meeting on 7 February. Document A/AC.237/47, prepared by the interim secretariat, was taken as a basis for consideration of the subject.

51. Statements under this sub-item were made by representatives of 22 States, including one speaking on behalf of the European Economic Community and its member States.

52. Having discussed texts presented by the Co-Chairmen (A/AC.237/WG.I/L.17 and L.17/Rev.1), Working Group I, at its 9th meeting on 17 February, recommended draft conclusions on the sub-item for adoption by the Committee.

2. Conclusions

53. On the recommendation of Working Group I, the Committee, at its 5th plenary meeting on 18 February, agreed upon the following conclusions regarding sub-item 2 (d):

54. Having reviewed document A/AC.237/47 on the review of the adequacy of commitments in Article 4.2(a) and (b) and recalling that only the Conference of the Parties (COP) is mandated to take final decisions on this matter, the Committee reached the following preliminary conclusions:

(a) The scope of the review would be the adequacy of subparagraphs (a) and (b) of Article 4.2 in their entirety. The primary point of reference for the review would be the ultimate objective of the Convention contained in Article 2 and the progress towards its achievement. The process for the review of the adequacy of commitments would be separate from the review of the implementation of these commitments, although the aggregate assessment resulting from the latter review could be relevant to the consideration of possible further action;

(b) The review of the adequacy of commitments would be based in part on a compilation and a synthesis of information on the global situation, including relevant scientific, technical, social and economic information. The IPCC First Assessment Report (1990), the Supplement thereto (1992), and the Special Report (November 1994) would be key inputs to the review;

(c) The review of the adequacy of commitments, and the consideration of further action, would also take into account a technical analysis and a compilation and synthesis of information from the national communications of Annex I Parties, if available;

(d) The preparations for the review of the adequacy of commitments and possible follow-up by COP 1 should begin now and proceed in a step-by-step manner;

(e) The responsibility for the function of supporting the COP in the review of the adequacy of commitments should rest with the subsidiary bodies.

55. The view was expressed that the commitments in Article 4.2(a) and (b) should be considered inadequate for the long term and that further action may be required to make satisfactory progress towards achieving the objective of the Convention. The reasons included, *inter alia*, current scientific understanding and the view expressed by some delegations that certain provisions of Article 4.2(a) and (b) refer to the present decade. The need for broader action which would have an impact in the period beyond 2000 was highlighted. Potential difficulties that might arise if the Parties sought to amend the text of Article 4.2(a) and (b) were identified. It was noted that the Committee, in considering further action, should take into account the common but differentiated responsibilities of Parties, as well as the differences in Parties' starting points and approaches, economic structures and resource bases, the need to maintain strong and sustainable economic growth, available technologies and other individual circumstances, as well as the need for equitable and appropriate contributions by each Annex I Party to the global effort, beyond the existing commitments in Article 4.2(a) and (b). However, other delegations were of the view that the review of the adequacy of commitments by the Conference of the Parties at its first session (COP 1) should be undertaken in the light of the scientific and technical evidence to be provided by the competent bodies, and that there would be sufficient information to make informed judgement on the adequacy of commitments.

56. In the event that the commitments in Article 4.2(a) and (b) are found to be inadequate, the following options for further action were mentioned:

(a) An amendment to the Convention;

(b) A protocol, or protocols, to the Convention to be negotiated before, at or subsequent to COP 1; and

(c) A resolution or decision by Parties at COP 1 that would clarify or interpret the relevant text, provide guidance to the Parties in implementing the Article, or reflect a political statement of will by the Parties.

57. Several subjects for such follow-up to the review of the adequacy of commitments were mentioned during the discussions.

58. The Committee agreed to continue the discussion on the matter at its next session, with a view to preparing recommendations for appropriate action to be taken by COP 1, in accordance with the relevant provisions of the Convention.

59. In this context, the interim secretariat was requested to provide further documentation on the issue for consideration by the Committee at its tenth session including:

(a) A compilation and synthesis of interventions on this subject from the present session and of any further comments which Parties or other member States may have transmitted to the interim secretariat by 30 April 1994. Documents that have been or

will be submitted to the interim secretariat may, upon request by the submitting country or organization, be issued by the interim secretariat in the original language only and distributed to all delegations;

(b) A schedule for organization of the process for the review of adequacy, the inputs thereto and any follow-up, for the period between the tenth session and COP 1, taking into account the relevant provisions of the Convention;

(c) Elements of a draft outline for a report by the Committee to COP 1 on the review of the adequacy of commitments.



**Extract from the report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its tenth session held at Geneva from 22 August to 2 September 1994 (A/AC.237/76)**

1. Proceedings

38. Working Group I discussed sub-item 3 (b) at its 2nd and 3rd meetings on 23 August. It had before it the following documents:

(a) Comments from Parties or other member States on the review of the adequacy of commitments in Article 4, para. 2 (a) and (b) (A/AC.237/Misc.36 and Add.1.); and

(b) Note prepared by the interim secretariat on the review of the adequacy of commitments in Article 4, para. 2 (a) and (b) (A/AC.237/65).

39. Statements under this sub-item were made by representatives of 34 States, including one speaking on behalf of the European Community and its member States.

40. Having discussed texts presented by the Co-Chairmen (A/AC.237/WG.I/L.23), Working Group I, at its 9th meeting on 1 September, recommended draft conclusions on the sub-item for adoption by the Committee.

2. Conclusions

41. On the recommendation of Working Group I, the Committee, at its 7th plenary meeting on 2 September, agreed on the following conclusions regarding sub-item 3 (b):

42. Having reviewed document A/AC.237/65 on the review of the adequacy of commitments in Article 4.2(a) and (b), drawing upon document A/AC.237/Misc. 36 and Add.1, recalling its intention to undertake a preliminary review of the adequacy of commitments by Annex I Parties in Article 4.2(a) and (b) and recalling that the Conference of the Parties (COP) is mandated in conformity with Article 4.2(d) to take appropriate action on this matter, the Committee reaffirmed its conclusions as outlined in paragraph 54 of the report on its ninth session (A/AC.237/55), and concluded it had made progress in understanding the subject and in identifying possible ways in which the process for the review of the adequacy might unfold, including inputs to be provided and possible follow-up actions.

43. Some countries expressed the need for a cautious approach to the review of the adequacy of commitments and decisions on commitments in the light of such review. They stressed the need to focus on the implementation of existing commitments of Annex I Parties and raised the question of whether Annex I Parties would be able to meet existing commitments by the year 2000. In the view of these countries, informed

consideration of additional commitments at COP 1 as requested by Article 4.2(d) could only take place in the light of a thorough review of each of the national<sup>1</sup> communications of Annex I Parties.

44. These countries expressed the opinion that the scientific, technical, and economic information that had been the basis of the existing commitments was basically unchanged and, therefore, did not warrant new commitments. They expressed the opinion that the Second Assessment Report of the IPCC would not be available until the last quarter of 1995 and that it would seem to be the best source of information on scientific, technical and socio-economic issues that are required to be considered under Article 4.2(d). These countries felt that among the information that is required for an informed review of the adequacy of commitments would be the economic impacts on developing countries of any new commitments by Annex I Parties. In these circumstances, these countries felt it would be premature for COP 1 to draw conclusions as to whether current commitments were adequate and, if not, what COP decisions would be appropriate if any such conclusions were drawn.

45. These countries referred to the delicate balance between commitments of developed and developing countries that have been negotiated in the existing Convention and indicated that, in addition to additional commitments being premature, any suggestions relating to further commitments for non-Annex I Parties were not acceptable. In this regard, some other countries referred to Article 4.2(d) which states that COP 1 shall review the adequacy of Article 4.2(a) and (b), which concerns the commitments of Annex I Parties and not those of non-Annex I Parties.

46. Some countries recalled the principle of common but differentiated responsibilities stated in Articles 3 and 4 of the Convention and that the fulfilment of commitments by non-Annex I Parties are subject to financial and technical flows from developed country Parties, according to Article 4.7 of the Convention.

47. Some of these countries furthermore noted that any consideration of commitments by non-Annex I Parties must necessarily wait for the effective demonstration of leadership by Annex I countries as called for in the Convention, by means of real reduction of their emissions of greenhouse gases.

48. Some other countries were of the opinion that the implementation of the existing commitments by Annex I Parties should go hand in hand with the development of additional commitments, in particular for the period beyond the year 2000. A number of these countries noted that these existing commitments do not provide sufficient guidance on action to be taken beyond 2000. These countries felt that currently available scientific information from the IPCC and other relevant information, such as that from the International Energy Agency (IEA), indicated that present commitments, including those for Annex I Parties in Article 4.2(a) and (b), are insufficient to meet the objective of the

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<sup>1</sup> This term includes communications from the regional economic integration organization included in Annex I to the Convention.

Convention. Some of these countries noted that, according to currently available scientific information, stabilization of CO<sub>2</sub> emissions at 1990 levels by the year 2000 will not lead to stabilization of atmospheric CO<sub>2</sub> concentrations at any time within the next 100 years. Together with the additional report to be provided by the IPCC before the eleventh session of the Committee, this information, according to these countries, was expected to meet the demand for scientific information and assessment as indicated in Article 4.2(d). Some countries felt that, at the same time, the precautionary principle, in accordance with Article 3.3, remains an important element of the Convention to be taken also into account.

49. These countries were of the opinion that COP 1, as indicated in Article 4.2(d), would be a particularly important occasion to make progress on the elaboration of additional commitments. They also felt that, at a minimum, that session would have to launch a formal process or negotiations on such commitments. It should agree on the mandate of the negotiating or other process, including the type of instrument and the subject or subjects to be addressed. Other elements of a process would also have to be determined, such as the forum for negotiations, the frequency and duration of meetings, any inputs that would be needed and a deadline for the negotiations. In this context, many of these countries preferred a protocol to an amendment. As regards the substance of such a protocol, as well as on the choice between a comprehensive protocol or a series of more specific protocols, they were open to considering alternatives. However, the concept of an inclusive protocol, addressing all gases covered by the Convention, their sources and sinks, and the full range of sectors, drew particular interest. Some countries felt that such a protocol might be built on complementary approaches involving, on the one hand, commitments on a new aim or on targets and timetables and, on the other, commitments on policies and measures, possibly including a menu of options. Some countries felt that a protocol or protocols could also be the basis for sector-specific actions, and/or for international coordination of policies and measures, including economic and administrative instruments. Reference was made to Article 4.2(e) in this regard. They recognized that a protocol would have to take into account the different starting points and circumstances of Parties. Some of these countries drew attention to the need for a protocol to elaborate on equity among Parties, in accordance with their common but differentiated responsibilities and respective capabilities, noting relevant references in Articles 3 and 4 of the Convention. COP 3 in 1997 was seen by many as a suitable target date for agreeing on a protocol.

50. These countries felt that the responsibility for negotiations might be given to the Subsidiary Body for Implementation (SBI). If the workload of the SBI was too heavy, an alternative would be to charge an open-ended ad-hoc body of the COP with this task.

51. Some of these countries were of the opinion that action by Annex I Parties alone would be insufficient in the light of the objective of the Convention and therefore raised the question how global action could be promoted. They felt that additional commitments should have to demonstrate continued leadership of the developed country Parties in addressing climate change. In order to increase effectiveness, some of these countries felt that such commitments should also offer opportunities for other Parties to contribute to the effort to combat climate change.

52. Some of these countries also considered that COP 1, beyond launching a new round of negotiations, would also provide an opportunity to already adopt some additional commitments. These could take the form of a Protocol, if a proposal for that were made available in time, that is, before 28 September 1994, or of a decision or a resolution by the Parties.

53. Suggestions for additional institutional arrangements to support the implementation of existing and any new commitments were welcomed. In this regard, technical panels and a mechanism for consultation with key industries that could make a significant contribution to addressing global emissions drew particular interest. The Committee agreed to further consider these proposals at its eleventh session.

54. The Committee agreed that, at its eleventh session, it would continue its discussion and recalled that at that session it would carry out, on an interim basis, the most pressing tasks of the subsidiary bodies including the tasks listed in Article 4.2(d), and make the necessary recommendations thereon to COP 1. In preparing a report to COP 1 on the matter, it would take into account, as appropriate, the elements for an outline as suggested in document A/AC.237/65, section III. The Committee requested the interim secretariat to prepare an annotated compilation of information on the global situation, based on available peer-reviewed scientific, technical, social and economic information contained in approved reports from IPCC and other relevant intergovernmental bodies. It also requested the interim secretariat to provide a compilation of interventions on this subject from the present session and of any further comments which Parties or other member States may have transmitted to the interim secretariat by 15 November 1994. Documents that have been or will be submitted to the interim secretariat may, upon request by the submitting country or organization, be issued by the interim secretariat in the original language only and distributed to all delegations.

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