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THE WHITE HOUSE

WASHINGTON

February 19, 1991

MEMORANDUM FOR THE GLOBAL CHANGE STRATEGY TASK FORCE

FROM: D. ALLAN BROMLEY *DMB*
SUBJECT: Global Change Strategy Task Force Meeting

The Global Change Strategy Task Force will meet on Thursday, February 21, 1991, at 4 p.m. in Room 324 of the Old Executive Office Building.

We will review the results of the first negotiating session of the Framework Convention on Climate Change and discuss where the negotiations may be headed over the upcoming months. Bob Reinstein, US Negotiator for the Framework Convention, will present a summary of the meetings as well as a discussion of the final decisions made during the two-week session.

Attached for your reference are copies of the UN Press Release, which provides a good summary of the negotiations, and the Annex on Organizational Matters. The latter document defines how the negotiations will be conducted and includes guidelines for the negotiations, organization of Working Groups, and a listing of several procedural points.



General Assembly

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A/AC.237/L.5
14 February 1991

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR A FRAMEWORK
CONVENTION ON CLIMATE CHANGE

First session

Washington, D.C., 4-14 February 1991

Agenda item 3

ORGANIZATIONAL MATTERS

Draft decision submitted by the Chairman

Establishment of subsidiary organs and organization of work

The Intergovernmental Negotiating Committee for a Framework Convention on Climate Change

1. Decides to establish two Working Groups to assist the Committee in carrying out its work;
2. Adopts the guidelines for the negotiations, organization of Working Groups and procedural points contained in the annex to the present decision.

ANNEX

I. GUIDELINES FOR THE NEGOTIATIONS

1. All items in the negotiations should be dealt with in an integrated manner and on the basis of General Assembly resolution 45/212 of 21 December 1990, which inter alia, reaffirms the principles embodied in General Assembly resolutions 44/207 and 44/228, both of 22 December 1989.
2. The work of the groups must be interrelated and will be integrated by the plenary. To this end the two Working Groups will report regularly to the plenary.
3. Funding commitments, mechanisms and means for transfer of technology to developing countries, as well as matters concerning international scientific and technological co-operation, should be an integral element in the negotiations.

4. The final agreement on the convention should cover in an integrated manner all areas of common concern, including, inter alia: (a) emissions; (b) sinks; (c) transfer of technology; (d) financial resources and funding mechanisms for developing countries; (e) international scientific and technological co-operation; and (f) measures to counter the effects of climate change and its possible adverse impact, particularly on small island developing countries, low-lying coastal, arid and semi-arid areas, tropical regions liable to seasonal flooding and areas prone to drought and desertification.

II. ORGANIZATION OF WORKING GROUPS

5. The Working Groups will prepare draft texts for consideration by the plenary.

A. Working Group I: Commitments

6. Working Group I will prepare a text related to:

(a) Appropriate commitments, beyond those required by existing agreements, for limiting and reducing net emissions of carbon dioxide and other greenhouse gases, on the protection, enhancement and increase of sinks and reservoirs, and in support of measures to counter the adverse effects of climate change, taking into account that contributions should be equitably differentiated according to countries' responsibilities and their level of development;

(b) Appropriate commitments on adequate and additional financial resources to enable developing countries to meet incremental costs required to fulfil the commitments referred to above and to facilitate the transfer of technology expeditiously on a fair and most favourable basis;

(c) Commitments addressing the special situation of developing countries, taking into account their development needs, including, inter alia, the problems of small island developing countries, low-lying coastal areas and areas threatened by erosion, flooding, desertification and high urban atmospheric pollution; also taking into account the problems of economies in transition.

B. Working Group II: Mechanisms

7. Working Group II will prepare a text related to:

(a) Legal and institutional mechanisms, including, inter alia, entry into force, withdrawal, compliance and assessment and review;

(b) Legal and institutional mechanisms related to scientific co-operation, monitoring and information;

(c) Legal and institutional mechanisms related to adequate and additional financial resources and technological needs and co-operation, and technology transfer to developing countries corresponding to the commitments agreed to in Working Group I.

III. PROCEDURAL POINTS

8. There will be no more than two meetings held at any one time within the Intergovernmental Negotiating Committee.

9. There will be no inter-sessional meetings of the Intergovernmental Negotiating Committee Working Groups or any subgroups.

10. All drafting is to be done by each Working Group, within the framework of its mandate, subject to any subsequent need for harmonization.

11. If and when it is deemed necessary, the Working Groups, subject to the approval of the Intergovernmental Negotiating Committee, may establish ad hoc subgroups to deal with specific issues, with due respect to the understanding that no more than two meetings may be held at any one time. These groups would be reviewed continually to allow reformulation and adjustment in order to reflect the progress of the negotiations.



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Press Release

Department of Public Information • News Coverage Service • New York

Intergovernmental
Negotiating Committee
on Climate Change
11th Meeting (PM)
and Round-up of Session

ENV/CCC/11
14 February 1991

**INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR FRAMEWORK CONVENTION
ON CLIMATE CHANGE, WASHINGTON, D.C., 4-14 FEBRUARY**

**Sets up Working Groups; Adopts Guidelines for Negotiations;
Urges Contributions for Developing Countries' Participation in Process**

The Intergovernmental Negotiating Committee for a framework convention on climate change this afternoon established two Working Groups to assist it in negotiating an international instrument to reduce global climate warming.

Working Group I will deal with appropriate commitments for reducing greenhouse gas emissions, additional financial resources to enable developing countries to fulfil their obligations under the convention, technology transfers and the special needs of developing countries. Working Group II will consider the legal and institutional mechanisms of preparing the framework convention.

In the same decision, the Committee adopted guidelines for the negotiations on a framework convention on climate change, the organization of the Working Groups and procedural points on the holding of meetings and on the drafting to be done -- all contained in an annex.

It emphasized in those guidelines that all items in the negotiations should be dealt with in an integrated manner; that the

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For information media--not an official record

work of the groups must be interrelated and integrated by the plenary; and that funding commitments, mechanisms, technology transfer and international scientific and technological co-operation should be an integral element in the negotiations.

Concluding nearly two weeks of deliberations at the Westfields International Conference Center, near Washington, D.C., the Committee also adopted a decision urging contributions to a special voluntary fund set up by the General Assembly to support the participation of developing countries in the negotiating process.

As of 13 February, contributions to the fund totalled \$1.25 million, and a number of countries indicated that they were considering pledges, some on a bilateral basis. Today, the representative of Japan announced a \$200,000 contribution to the fund.

Regarding relations with the Intergovernmental Panel on Climate Change (IPCC) -- an expert group whose scientific and technical findings on climate change formed the basis of an assessment report which was before the Committee during the session -- the Committee concluded that relationship had already been set out in General Assembly resolution 45/212.

The Committee said the IPCC was not a negotiating forum and that in continuing its work, as mandated by the United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO), the Panel could provide technical and scientific assistance in response to the requests of the Committee.

The Committee, in another decision, expressed its profound gratitude to the Government and people of the United States for their warm and generous hospitality and for the excellent facilities provided during the Committee's first session.

At the final meeting today, the Committee adopted, as amended, its report (document A/AC.237/L/1 and Corrs. and Adds 1-4), which was introduced by Vice-Chairman and Rapporteur Ion Draghici (Romania).

Concerning the dates for future sessions, it decided, provisionally, that its second session would be held at Nairobi, from 1 to 15 June; and that the second and third sessions would take place at Geneva, from 9 to 18 September and 9 to 20 December, respectively.

The Committee postponed the election of officers of the two Working Groups until its next session, because of a lack of consensus among the regional groups on representation.

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The Executive Secretary of the Committee and Director of the ad hoc secretariat made a statement on funding of the negotiating process, including the secretariat's operating budget.

The representatives of the Soviet Union, Vanuatu, Cuba, Greece and Zaire, on behalf of the five regional groups, expressed thanks to the host Government, the Chairman and Secretariat staff.

In a concluding statement, the Chairman, Jean Ripert (France), warned delegates not to leave the session believing that all the Committee had done was talk about procedural things. Because of the nature of the endeavour, concerns and interests, it had been necessary to spend time talking about mandates. Delegates, he said, should leave the meeting with an awareness of having done useful work.

The Assembly, in resolution 45/212, established the Intergovernmental Negotiating Committee to prepare an effective framework convention on climate change, containing appropriate commitments and any related legal instruments as might be agreed upon.

That instrument, the Assembly said, should be completed prior to the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, in June 1992, and opened for signature during that Conference.

A "framework" for a convention consists of a statement of general principles identifying the major issues to be considered and defining general areas where Governments should assume commitments to specific actions.

In that connection, the guidelines for the negotiations, which the Committee adopted today, state that the final agreement on the convention should cover, in an integrated manner, all areas of common concern, including emissions; sinks (forests); transfer of technology; financial resources and funding mechanisms for developing countries; international scientific and technological co-operation; and measures to counter the effects of climate change and its possible adverse impact, particularly on small island developing countries, low-lying coastal, arid and semi-arid areas, tropical regions liable to seasonal flooding and areas prone to drought and desertification.

The first session of the Committee began on 4 February. Opening the meeting on behalf of Secretary-General Javier Perez de Cuellar was Antoine Blanca, Director-General for Development and International Economic Co-operation. Representing the host Government, the United States, was Michael R. Deland, Chairman of the President's Council on Environmental Quality.

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Also addressing the opening meeting were the Executive Director of UNEP, Mostafa K. Tolba, and the Secretary-General of the WMO, G.O.P. Obasi. Those two agencies gave momentum to the negotiation of a convention on climate change in 1988 when they jointly established the IPCC.

During three days of general debate, on preparations for the elaboration of an instrument on climate change, the Committee heard a total of 76 speakers -- 68 Member States and eight representatives of specialized agencies, intergovernmental and non-governmental organizations.

Statement by Executive Secretary

MICHAEL ZAMMIT CUTAJAR, Executive Secretary of the Committee and Director of its ad hoc secretariat, speaking on the funding of the negotiating process, including the secretariat's operating budget, said the adequacy of estimates made for staff and conference servicing costs, as well as the source of funding for heads of expenditure, would have to be examined in the light of the work plan emerging from the session. He recalled that in adopting the resolution which established the Committee and its secretariat, the General Assembly had received a statement indicating that no additional appropriations would be required in respect of the programme budget for the 1990-1991 biennium. No reference had been made about the source of funding for heads of expenditure.

The expenditures he had in mind, he said, were, for example, requirements for general operating costs, travel, consultants and documentation. Costs might also be incurred for activities aimed at raising awareness of the issues under negotiation, particularly in developing countries. Those could include public information work and dialogue with non-governmental organizations. When those matters had been clarified, it would be possible to estimate the overall cost of the negotiating process, to match that estimate with the resources available from the United Nations budget and from the budgets of other entities of the United Nations system.

It was his intention, he said, in consultation with the Chairman, to present such estimates to the Committee in advance of its next session. That would enable Governments to assess the need for contributions to the trust fund and to respond to it, hopefully in advance of the session.

The question of staffing and location of the secretariat would be taken up with the responsible departments at United Nations Headquarters, he continued. No one, other than himself, had yet been assigned to the secretariat of the Committee, and the ad hoc

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arrangements for servicing the current meeting were specific to it. On staffing, he would consult with the executive heads of UNEP and WMO, as well as other bodies, on the possibilities for secondment of staff.

As regards the location of the secretariat, he said there were several options in Geneva, which he would explore on his return there next week. It would be desirable to find a location which would maximize the ability of the Committee secretariat to draw upon existing infrastructures, thereby minimizing its own staffing and support needs. He drew attention to document A/AC.237/INF.2, entitled "Temporary secretariat arrangements", which indicated the present office address in Geneva where he might be reached until further notice.

Action on Organizational Matters

The decisions adopted by the Committee on organizational matters (document A/AC.237/L.5) cover three aspects of its future work: guidelines for the negotiations; organization of working groups; and procedural points.

The mandates of the two Working Groups, which will prepare draft texts for consideration by the plenary, are as follows:

Working Group I, on commitments, will prepare a text containing commitments for limiting and reducing net emissions of carbon dioxide and other greenhouse gases; on the protection, enhancement and increase of sinks and reservoirs; and in support of measures to counter the adverse effects of climate change, taking into account that contributions should be equitably differentiated according to countries' responsibilities and their level of development.

That text will also contain commitments on adequate and additional financial resources to enable developing countries to meet the costs required to fulfil their commitments, as well as commitments to facilitate the transfer of technology on a fair and most favourable basis.

The text to be prepared will also include commitments addressing the special situation of developing countries, taking into account their development needs, including the problems of small island developing countries, low-lying coastal areas and areas threatened by erosion, flooding, desertification and high urban atmospheric pollution, as well as the problems of economies in transition.

Working Group II, on mechanisms, will prepare a text containing legal and institutional mechanisms related to: entry into force,

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withdrawal, compliance and assessment and review of the convention; scientific co-operation, monitoring and information; and adequate and additional financial resources and technological needs and co-operation, as well as technology transfer to developing countries corresponding to the commitments agreed to in Working Group I.

On procedural points, the Committee decided that there will be no more than two meetings held at any one time; no inter-sessional meetings either of the working groups of any subgroups; all drafting is to be done by each working group, within the framework of its mandate, subject to any subsequent need for harmonization; and, if and when necessary, the working groups, subject to Committee approval, may establish ad hoc subgroups to deal with specific issues, on the understanding that no more than two meetings may be held at any one time.

Relationship with IPCC

Stating that the modalities of its relationship with the IPCC had been set out in Assembly resolution 45/212, the Committee welcomed suggestions that the Panel should continue with its work (document A/AC.237/L.1/Add.4). It said the Panel was not a negotiating forum, and that in continuing the work mandated by UNEP and WMO, the Panel could provide technical and scientific assistance in response to the Committee's requests.

The Committee said it was desirable that the IPCC continue to seek and achieve the full participation of developing countries in all aspects of its activities, and that it should encourage the widest possible participation of experts and of relevant international and other organizations in its work. It said the IPCC's work should cover both the short term and the long term, helping the Committee in its work on the framework convention.

Special Voluntary Fund

In a decision on the use of the special voluntary fund to support the participation of developing countries in its work (document A/AC.237/L.1/Add.4), the Committee welcomed the intention of several Governments and a regional organization to contribute to the fund; urged Governments which had not yet done so to contribute at an early date; and expressed the hope that those which had already done so would make further contributions. It also urged relevant United Nations bodies, in particular the United Nations Development Programme (UNDP), UNEP and WMO, to contribute generously to the fund.

The Committee requested the Executive Secretary, in determining the eligibility of countries for access to the fund, to bear in mind

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the following, in addition to the criteria set out in resolution 45/212: the vulnerability of countries to the rise in sea level, drought and desertification and severe weather disturbances; the importance of financing the attendance of experts, including scientists, as members of delegations from developing countries; adequate regional representation of developing countries; and the important role of regional organizations in providing suitable technical support to the effective participation of developing countries in the negotiating process.

Donors and recipients of financial assistance were invited to keep the Executive Secretary informed of their relevant funding arrangements so that the special voluntary fund might be used to the greatest effect. And the Executive Secretary was requested to facilitate the full participation of all countries entitled to participate, by ensuring the timely distribution of notifications, documentation and other information well in advance of Committee sessions.

Rules of Procedure

The Committee adopted its rules of procedure (document A/AC.237/5) on 11 February. Up until then, difficulties had centred on those rules dealing with decision-making, in particular, rule 27 on general agreement, and rule 29 on majority required.

As adopted, rule 27 states: "The Committee shall make its best endeavours to ensure that the work of the Committee is accomplished by general agreement. If, in the consideration of any matter of substance, all efforts by the Committee and its Chairman, pursuant to the provisions of rule 5 (on general powers of the Chairman) have been made and no agreement appears to be attainable, the Committee shall thereupon decide upon the steps to be taken in accordance with rule 29.

Rule 29, as adopted, states: "Subject to rule 27, decisions of the Committee and its subsidiary organs shall be taken in accordance with the rules of procedure of the General Assembly and its committees, respectively." The original version had called for decisions on all substantive matters to be taken by a two-thirds majority of the representatives present and voting. The Assembly's rules require a simple majority of those present and voting.

History

The negotiation of a framework convention on climate change is the latest development in a process which gained momentum in 1988 when the WMO and UNEP jointly established the Intergovernmental Panel on

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Climate Change. The Panel, consisting of climatologists, scientists, government officials, policy advisers and environmentalists, examined all available scientific information on climatic change, assessed its environmental and socio-economic impact and proposed possible action. After holding four sessions, the Panel issued its first assessment report which provided the most authoritative scientific and technical findings to date on climate change. That report was the main background document before the Committee at this first session.

In 1988, the Assembly endorsed the establishment of the IPCC. In 1989, it emphasized the need to begin, as a matter of urgency, the drafting of a framework convention on climate change. The preparatory meeting for the Committee's first session was the meeting convened by WMO and UNEP in Geneva (24-26 September 1990) of the Ad Hoc Working Group of Government Representatives to Prepare for Negotiations on a Framework Convention on Climate Change.

Among the recommendations of that Group was the establishment of a single negotiating process to discuss policy issues and respond to Assembly decisions. At its current forty-fifth session, the Assembly decided to set up the Intergovernmental Negotiating Committee to prepare a framework convention on climate change, to be completed prior to the 1992 Environment and Development Conference in Brazil.

Officers

The Committee elected Jean Ripert (France) as its Chairman, and elected four Vice-Chairmen: Ahmed Djoghlaif (Algeria), Raul Estrada Oyuela (Argentina), T. Prabhakar Menon (India) (later replaced by Chandrashekhar Dasgupta of India) and Ion Draghici (Romania). Mr. Draghici also acted as Rapporteur. The Alliance of Small Island States sought the representation of small island developing countries on the bureau.

Michael Zammit Cutajar was appointed Executive Secretary of the Committee and Director of its ad hoc secretariat. Assuming his duties on 11 February, he said he was convinced the Committee could contribute to a more efficient and equitable use of the world's resources to satisfy human needs and aspirations. Given that many actions required to counter climate change were also justified on other grounds, he saw prospects for a framework convention with substantive commitments and with productive linkages to more general programmatic initiatives in other policy areas.

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Participants

The first session of the Intergovernmental Negotiating Committee was attended by the representatives of 101 States, 11 United Nations offices, seven intergovernmental and 69 non-governmental organizations.

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