

INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
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21 August 1991

PREPARATION OF A FRAMEWORK CONVENTION ON CLIMATE CHANGE

Set of informal papers
provided by delegations, related to the preparation
of a framework convention on climate change

Note by the secretariat

Addendum 11

This addendum contains material received from Malaysia.

A/AC.237/Misc.1/Add.11

GE.91-62332

List of informal papers

30. MALAYSIA: Draft text on a framework Convention on Climate Change (sent with communication of 2 August 1991).

PREAMBLE

The Parties to this Convention,

Being aware that global climate change is a matter of common concern for mankind.

Aware of the potentially harmful impact on life forms, health and the environment through the increasingly rapid changes of the global climate system;

Recalling the pertinent provisions of the Declaration of the United Nations Conference on the Human Environment, and in particular principle 21, which provides that "States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction".

Recalling the provisions of General Assembly resolutions 45/53 of 6 December 1988, 44/207 of 22 December 1989 and 45/212 of 21 December 1990 on Protection of Global Climate for present and future generations of mankind, and General Assembly Resolution 44/228 of 22 December 1989 on United Nations Conference on Environment and Development.

Affirming that the protection and the enhancement of the environment and economic development should be coordinated harmoniously and be viewed in an integrated and balanced manner.

Noting the fact that the major part of greenhouse gases emissions, have ever since the Industrial Revolution, originated in developed countries and recognizing therefore that these countries bear full responsibility in taking ameliorative actions.

Concerned that excessive past and present anthropogenic emissions of greenhouse gases have led to accumulated concentrations in the atmosphere which, in the absence of ameliorative actions, may result in global warming which could adversely affect mankind.

Being aware of the need to take realistic and feasible measures which are beneficial to the environment without prejudicing opportunities for economic development, and stressing that measures to combat adverse impacts of climate change upon or to cause damage to economic and other social activities of mankind should of necessity be taken on a sound and scientific basis.

Taking into account the special circumstances and needs of developing countries, particularly for financial assistance and transfer of best available environmentally sound technologies.

Stressing that improvement of the international economic environment for the developing countries and promotion of their sustained economic development are prerequisites for enabling developing countries to participate effectively in the international efforts to protect the global environment.

Recognizing that the developing countries have as their main priority the eradication of poverty and the achievement of economic and social development

and that their emissions of greenhouse gases must grow to accommodate their development needs, reflecting their peoples' right to enjoy better standards of living.

Recognizing also that the principle of equity and the common but differentiated responsibility of countries should be the basis of any global response to climate change, whereby the developed countries must take the lead by committing themselves to actions to reduce their major contribution to the global net emissions of greenhouse gases.

Reaffirming the importance of integrating environmental concerns and considerations into policies and programmes in all countries in light of country-specific conditions, without imposing new forms of conditionalities in aid or development financing or constituting a pretext for unjustified barriers to trade.

Recognising also the need for new and additional financial resources as well as technology transfers based upon preferential and concessional terms are necessary to enable developing countries to effectively

contribute to limiting, adapting to and mitigating the adverse effects of global climate change;

Recognizing the valuable scientific work on global climate change initiated by the United Nations Environment Programme, the World Meteorological Organization and other organizations.

Noting the important work accomplished by the Intergovernmental Panel on Climate Change.

Recognizing the need to improve further the scientific knowledge of climate change and to research further into its socio-economic impacts and related response strategies.

Mindful of the need to take precautionary measures to limit, reduce and minimize the increasingly rapid change of global climate.

Aware that measures to minimize the climate change and its effects due to human activities require international cooperation and action and should be based on scientific and technical considerations.

Determined to protect life forms, human health and the environment against the adverse effects and the potential impacts of climate change.

GENERAL PRINCIPLES

The Parties agree to cooperate on the following Principles.

1. The protection of the planet and of its environment is a common concern of mankind;
2. Mankind has a right to a balanced and healthy life in accordance with the rhythm and harmony of nature;
3. All peoples, of present and future generations, have a right to economic growth and sustainable development;
4. Every state has a responsibility to protect the environment, for its own people and also a moral responsibility to the entire global community;
5. Equal rights of all inhabitants of the Planet to global common, in particular to oceans which act as a major source of sinks, and atmospheric resources;
6. Every state has the sovereign right to exploit its natural resources in accordance with its national policy and aspirations. In this regard, environmental considerations should not be used as

an excuse for interference in the internal affairs of the developing countries, nor should these be used to introduce any forms of conditionality in aid or development financing, or to impose trade barriers affecting the export and development efforts of the developing countries.

6. The developed countries, being the major contributors of greenhouse gases emissions, must bear the main responsibility for the degradation of the global environment. Ever since the Industrial Revolution, the developed countries have over-exploited the world's natural resources through unsustainable patterns of production and consumption, causing damage to the global environment, to the detriment of the developing countries.

7. The developed countries, in view of their main responsibility for environmental degradation and their greater financial and technological capabilities, must take the lead in eliminating the damage to the environment as well as in assisting the developing countries to deal with the problems facing them.

8. Both the developed and developing countries shall have common but differentiated responsibilities, taking into account the capacities and capabilities of the developing countries.
9. Environmental considerations and economic development shall proceed in an integrated and balanced manner in accordance with country-specific conditions.
10. The developing countries need new and additional financial resources from the developed countries to enable them to address effectively the environmental and developmental problems confronting them. There should also be preferential and concessional terms of transfer of best available environmentally sound technologies to these developing countries.
11. The international community must actively support the efforts of developing countries to strengthen their institutional and technical capacities.
12. Responsibility for the emission of greenhouse gases should be viewed both in historical and cumulative

terms, and in terms of current emissions. Developed countries must therefore commit themselves to adopting measures to halt human-induced climate change and to setting up mechanisms to guarantee the environmental security and the development of the developing countries.

13. Developing countries cannot be expected to accept any obligations to take immediate action to stabilise and reduce the emissions of greenhouse gases in the near future.
14. Firm commitments must be made by developed countries in their efforts to tackle the problem of climate change, particularly towards the transfer of technology to developing countries, the establishment of a separate funding mechanism, and the development of economically viable new and renewable energy sources as well as sustainable agricultural practices.
15. Developing countries must be provided with the full scientific, technical and financial cooperation necessary to cope with the adverse impacts of climate change.

16. The eradication of poverty and the achievement of economic and social development, particularly in the developing countries, is a major priority. Sustainable development and steady economic growth constitute a way to break this cycle of poverty and environmental degradation and to strengthen the capabilities of the developing countries for environmental protection. The least developed countries, disaster-prone developing countries as well as islands and low-lying developing countries should be given special attention by the world community.

DEFINITIONS

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GENERAL OBLIGATIONS

1. Both developed and developing countries shall take measures to protect mankind and the environment against adverse effects resulting or likely to result from human activities which modify or are likely to result in climate change.

2. To this end, both the developed and developing countries shall, in accordance with the means at their disposal and their capabilities:
 - (a) Cooperate by means of systematic observations, research and information exchange in order to better understand and assess the effects of human activities on the climate change and the effects on the environment, social and economic development, particularly in the developing countries, due to the climate change.

 - (b) Cooperate in the formulation of agreed measures, procedures and guidelines in the implementation of this Convention, with a view to the adoption of protocol and annexes.

- (c) Cooperate with relevant international bodies, intergovernmental organisations and non-governmental organisations to implement effectively this Convention.
 - (d) Encourage the promotion of public education and awareness of the environmental and socio-economic impacts of greenhouse gas emissions and of climate change.
 - (e) Cooperate in the development and application of best available environmentally sound technologies and their transfer thereof, in particular to developing countries.
3. Both developed and developing countries agree to work towards a common long-term objective of stabilizing the concentration of greenhouse gases in the atmosphere, at a level to be mutually agreed upon in the light of scientific findings and on the basis of an equitable formula, taking into account net carbon dioxide emissions since the Industrial Revolution.

4. Developed countries shall, as short term objectives and measures:

(a) (i) declare, adopt and implement national strategies to stabilize and reduce their per capita emissions of greenhouse gases, particularly carbon dioxide;

(ii) stabilization of emissions of greenhouse gases other than those controlled by the Montreal Protocol, particularly carbon dioxide, should be achieved by them at the latest by the year 2000 and shall be set at the 1990 emission levels. Further reduction, particularly carbon dioxide should be set following comprehensive study to be undertaken by the Intergovernmental Panel on Climate Change or other relevant international bodies;

(b) provide new and additional financial resources for the developing countries to cover the full incremental costs involved in combating the climate change and for these developing countries to adapt to and mitigate the adverse

effects of climate change, to their own capabilities;

- (c) provide assured and easily available access to best available environmentally sound technology on preferential and concessional terms to developing countries; and
- (d) support developing countries in their efforts to create and develop their endogenous capacities in scientific and technological research and development directed at combating climate change.

RESEARCH AND SYSTEMATIC OBSERVATION

1. The developed and developing countries undertake to initiate and cooperate in, directly or through competent intergovernmental or international bodies, the conduct of research, economic and scientific assessment on:
 - (a) The physical, chemical and biological processes that may affect the global and regional climate.

- (b) The identification of the substances, practices, processes and activities that have, or are likely to have adverse effects on the global or regional climate and of appropriate strategies for addressing them.

- (c) The methods of predicting future changes in the global or regional climate that are due to natural processes and human activities, including the development and validation of improved climate models, particularly for regional climates using available data from both the developed and developing countries.

- (d) The techniques for assessing net emissions of greenhouse gas, aerosols and precursors through systematic observations of the rate of emission by sources and their uptake by sinks as well the ambient concentration of greenhouse gas.

- (e) The impacts and the potential impacts, in particular, on vulnerable small islands, including low-lying coastal, arid and semi-arid areas on

mankind, human activities and the environment and appropriate strategies for addressing them as well as the social and economic costs and benefits of changes to the global or regional climate and of potential responses to those changes.

- (f) The costs and benefits of implementing effective strategies to stabilize, limit, reduce, modify, control and regulate human activities that result in adverse effects on the global climate as well as the strategies to adapt to climate change and the cost and benefits of implementing them.

- (g) Environmentally sound technologies, practices and measures for mitigating and adapting to the adverse effects of changes in the global climate arising from human activities, in particular industrial production and consumption patterns, including greater efficiency in energy use and the development of safe renewable sources of energy, due account being taken of the countries' specific circumstances and situation.

- (h) The full incremental costs, in particular to the developing countries, of limiting or adapting to and mitigating the adverse effects of global climate change.
- (i) The role of all biomass and oceans, including the Antarctica and Arctic, as major sinks as well as ways and means of preserving and enlarging existing as well as creating of new sinks, and programs of afforestation and deforestation.

2. The developed and developing countries shall cooperate consistent with their national laws, regulations and practices, and taking into account the level of their development, in promoting, directly or through competent intergovernment or international bodies, the development and transfer of technology and knowledge relevant to scientific and technical research. Such cooperation shall be carried out particularly through:

- (a) The supply of necessary equipment and facilities for research and systematic observations; and
- (b) Appropriate training of scientific and technical personnel.

