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UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

**AD HOC WORKING GROUP ON FURTHER COMMITMENTS FOR ANNEX I PARTIES  
UNDER THE KYOTO PROTOCOL**

**First session**

**Bonn, 17–25 May 2006**

**Item 3 of the provisional agenda**

**Planning of future work**

**Views regarding Article 3, paragraph 9, of the Kyoto Protocol**

**Submissions from Parties**

1. The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, at its first session, established an open-ended ad hoc working group of Parties to the Kyoto Protocol for consideration of further commitments for Parties included in Annex I for the period beyond 2012, in accordance with Article 3, paragraph 9, of the Protocol. It invited Parties to submit to the secretariat, by 15 March 2006, their views regarding Article 3, paragraph 9, of the Kyoto Protocol, to be compiled and made available to the group before its first meeting (FCCC/KP/CMP/2005/8/Add.1, page 3, para.5).
2. The secretariat has received 12 such submissions. In accordance with the procedure for miscellaneous documents, these submissions are reproduced\* in the language in which they were received and without formal editing.

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\* This submission is supported by Bulgaria, Romania, Croatia, The former Yugoslav Republic of Macedonia, Albania, and Serbia and Montenegro.

PAPER NO. 1: ALGERIA

**POINT DE VUE DE L'ALGÉRIE SUR L'ARTICLE 3, PARAGRAPHE 9,  
DU PROTOCOLE DE KYOTO**

Cette disposition est cruciale pour la mise en œuvre du Protocole de Kyoto à l'avenir. Elle vise à établir les engagements juridiquement contraignants de réduction et de limitation d'émissions de gaz à effet de serre pour les Parties figurant à l'Annexe 1 de la Convention au-delà de la première période d'engagements.

La deuxième période d'engagements devrait suivre la première sans discontinuité et donc commencer le 1<sup>er</sup> Janvier 2013.

La deuxième période d'engagements devrait donner aux agents économiques un signal fort et durable. A cet égard, l'expérience de la première période suggère que les délais et la durée de celle-ci (établissement des engagements 15 ans avant le terme de la période, entrée en vigueur 9 ans avant, durée de 5 ans) se révèlent trop courts. La deuxième période d'engagements devrait donc courir jusqu'en 2025 ou 2030. Le niveau des engagements devrait être établi rapidement.

Les engagements de la deuxième période doivent constituer une intensification et une accélération de l'effort de réduction des émissions de gaz à effet de serre commencé pendant la première période. Ils devraient porter sur l'ensemble des gaz à effet de serre figurant à l'annexe A du Protocole. A travers le mécanisme de développement propre, ils aboutiront à des réductions d'émissions dans des pays en développement ne figurant pas à l'annexe I.

Les engagements de la deuxième période doivent représenter pour chaque Partie figurant à l'Annexe 1 un réel effort de réduction des émissions de gaz à effet de serre. Toutes les quantités assignées doivent donc être cette fois-ci inférieures aux émissions attendues sans effort. Le recours aux mécanismes de Kyoto permettra de réduire et d'égaliser les coûts de mise en œuvre des engagements.

L'objet du processus mis en place pour établir les engagements juridiquement contraignants pour les parties figurant à l'annexe 1 pour la deuxième période engagements est d'aboutir à un amendement à l'Annexe B du Protocole. Ce processus n'a pas pour objet la révision du protocole et/ou de la convention et des ses annexes.

PAPER NO. 2: AUSTRIA ON BEHALF OF THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES

**SUBMISSION BY AUSTRIA ON BEHALF OF THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES**

**This submission is supported by Bulgaria, Romania, Croatia, the former Yugoslav Republic of Macedonia, Albania and Serbia and Montenegro.**

Vienna, 22 March 2006

**Subject: Views regarding Article 3, paragraph 9, of the Kyoto Protocol, to be compiled and made available to the open-ended ad hoc working group, established under decision 1/CMP.1, paragraph 2, prior to its first meeting**

Austria on behalf of the European Community and its Member States and Bulgaria, Romania, Croatia, the former Yugoslav Republic of Macedonia, Albania and Serbia and Montenegro strongly welcomes the initiation of a process to consider further commitments for Parties included in Annex I for the period beyond 2012 in accordance with Article 3(9) of the Kyoto Protocol (1/CMP.1) and the decision to engage in a dialogue to exchange experiences and analyse strategic approaches for long-term cooperative action to address climate change by enhancing implementation of the Convention (-/CP.11).

The EU is looking forward to working constructively with other Parties in the open-ended ad hoc working group established by Decision 1/CMP.1. In line with that decision, the EU is submitting views regarding Article 3 paragraph 9 of the Kyoto Protocol.

**I. General remarks**

The European Union considers that the process established under Article 3.9 of the Kyoto Protocol must be guided by the ultimate objective of the Convention, the stabilisation of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, as laid down in its Article 2, and by the principles stated in its Article 3.

Climate Change requires an urgent global response in order to meet the ultimate objective of the Convention, which includes both mitigation of and adaptation to climate change. According to the Third Assessment Report of the Intergovernmental Panel on Climate Change (IPCC TAR), much deeper reductions in greenhouse gas emissions than those envisaged for the first commitment period of the Kyoto Protocol will be necessary. This message was emphasised with an even stronger sense of urgency by the follow-up report<sup>1</sup> from the Exeter Conference of 1-3 February 2005 which reviewed the likely impacts of climate change.

The European Union is concerned that delaying such a response would necessitate more drastic cuts in the future, increase the cost and extent of adaptation measures and lead to serious damage from climate change impacts. In many cases, the accelerating effects of climate change could render adaptation impossible.

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<sup>1</sup> The report was published on 30 January 2006 and can be downloaded at:  
<http://www.defra.gov.uk/news/latest/2006/climate-0201.htm>

The European Union confirms its conviction that, with a view to achieving the ultimate objective of the Convention, the global mean surface temperature increase should not exceed 2 °C above pre-industrial levels. This conviction is based on the findings of the IPCC and further scientific evidence, that global warming above this level is likely to have major negative environmental, economic and social impacts. The European Union emphasises that the maximum global temperature increase of 2 °C over pre-industrial levels should be considered as an overall long-term objective to guide global efforts to reduce climate change risks in accordance with the precautionary approach as expressed in Art. 3.3 of the Convention. The European Union also recognises that the 2 °C objective cannot be considered to be a wholly safe level.

Recent scientific research and work under the IPCC indicate that keeping this long-term temperature objective within reach will require global greenhouse gas emissions to peak within the next two decades, followed by substantial reductions in the order of at least 15% and perhaps by as much as 50% by 2050 compared to 1990 levels.

The European Union is implementing the Kyoto Protocol and is confident that it will meet its present commitments, including through the swift implementation of already planned measures by Member States and at EU level and the use of the flexible mechanisms. The implementation of the European Union Emissions Trading Scheme has incorporated the price of carbon into private sector decision making and has established a framework for trading and the use of the flexible mechanisms. Knowing that the first commitment period of the Kyoto Protocol is only a first step, the EU recognises that the European Community and its Member States, like other developed Parties, will need to work even harder in the coming years and in future commitment periods to contribute to reaching the ultimate objective of the Convention.

We are working with other Kyoto Parties to ensure the successful functioning of flexible mechanisms (including joint implementation, the clean development mechanism and international emissions trading), so that we will be able to use them to achieve present and further commitments cost-effectively and to support sustainable development. At the same time, the use of flexible mechanisms will continue to generate significant investments in climate-friendly technologies and stimulate the development, deployment, and transfer of these technologies, practices and processes in both developed and developing countries. These mechanisms rely on the existence of binding quantified emission limitation or reduction commitments beyond 2012.

In view of the global emission reductions required, global joint efforts are needed in the coming decades, in line with common but differentiated responsibilities and respective capabilities, including significantly enhanced aggregate emission reduction efforts by all economically more advanced countries. Developed countries should continue to take the lead in accordance with the Convention in the fight against climate change. Without prejudging new approaches for differentiation between Parties in a future fair and flexible framework, the EU looks forward to exploring with other Parties strategies for achieving necessary emission reductions and believes that, in this context, reduction pathways for the group of developed countries in the order of 15-30% by 2020 compared to the base years used in the Kyoto Protocol, and by 2050, in the spirit of the Conclusions of the March 2005 (Environment) Council, should be considered.

However, the developed countries that presently have commitments inscribed in Annex B and have ratified the Kyoto Protocol will not be able to combat climate change effectively on their own. These countries accounted for only about 30% of global emissions in the year 2000. Today's 25 Member States

of the European Union accounted for 14% of global emissions in 2000.<sup>2</sup> This share is expected to decrease substantially over the coming decades.

A broad response now, rather than later, would allow all Parties to take advantage of the current opportunities to begin to establish more sustainable economies and to avoid lock-in into high carbon emitting technologies. For example, some \$16 trillion needs to be invested in the world's energy systems by 2030.<sup>3</sup> It is in this context that the European Union looks forward to the dialogue established among all Parties to the Convention during 2006 and 2007 under decision -/CP.11.

The European Union considers the Montreal Action Plan as a strategic approach in search of enhanced cooperation and further action to meet the ultimate objective of the Convention. This submission on Article 3.9 of the Kyoto Protocol is part of the EU's wider approach to further detailing the steps envisaged by the Action Plan. We are therefore keen to bring the work of the ad hoc group to a successful end as early as possible and in time to ensure that there is no gap between the first and second commitment periods in line with decision 1/CMP.1.

## **II. Issues to be considered in the process according to Article 3.9**

The European Union believes that further commitments undertaken by Annex I Parties have to be fair and grounded on best available scientific and socio-economic analysis and also contribute to achieving the necessary aggregate emission reductions in view of the ultimate objective of the Convention.

In order to establish an appropriate level of emission reductions that meets the criteria set out above, the ad hoc working group should aim to base its work on a thorough understanding of scientific and socio-economic analysis. This should entail analysis of historic, current and projected emission levels and socio-economic driving forces. It should also take into account economic aspects of action and inaction, including the cost of inaction.

To assess the options open to developed countries to deliver the necessary deep emission cuts in a cost-effective manner, the ad hoc working group should consider economic parameters, such as the rate of technology development and diffusion, including the role and the potential of flexible mechanisms and other collaborative action, the rate of renewal of capital stock and investment in new infrastructure in key economic sectors as well as possible positive and negative consequences of different actions for competitiveness.

Based on the outcome of the above analysis, a number of more specific questions will need to be addressed - taking into consideration and within the context of any changes that may result from the review of the Kyoto Protocol under Article 9. These might include:

- Should the discussion address just the next commitment period, or take a longer term view? What should the length of future commitment periods be?
- What will be the provisions for the use of flexible mechanisms? What will be the scope of the carbon market?
- How will sinks be treated under future commitment period(s)?
- Should there be any changes to the sectors and sources of emissions covered (e.g. international bunker fuels, giving priority to those that contribute the most to or exhibit increasing rates of GHG emissions)?

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<sup>2</sup> World Resources Institute, CAIT (<http://cait.wri.org>), figures for all Kyoto gases excluding CO<sub>2</sub> from LULUCF.

<sup>3</sup> IEA, World Energy Outlook 2004.

Furthermore, we look forward to the results of the consultations that the COP/MOP 1 President agreed to undertake on how to address possible demands from countries wishing to take on commitments. Any such proposals might have consequences for the consideration of further commitments.

The European Union is looking forward to exploring these questions with partners under the Article 3.9 and Article 9.2 work streams to determine the level of further commitments in the next commitment period(s). This will also enable the European Union and other Parties to give a clear signal to the private sector of the shape of the future investment framework as soon as possible. To continue and strengthen its role, the private sector needs greater certainty regarding the continuation of the flexible mechanisms under the Kyoto Protocol and the required level of emission reductions. To create incentives for climate-friendly investment, a well-functioning carbon market with a long-term signal regarding the price on carbon is necessary. It is in everyone's best interests to clarify, as soon as possible, the parameters within which the further commitments for the period(s) post 2012 are meant to operate.

### **III. Process in the open-ended ad hoc working group**

The European Union considers the ad hoc working group to be a subsidiary body as provided by Rule 27 of the Rules of Procedure. According to Rule 27.1 and Article 13.5 of the Kyoto Protocol, the rules of procedure apply *mutatis mutandis* to the ad hoc working group.

The European Union suggests the ad hoc working group to concentrate at its first meeting on two tasks:

- to provide an open exchange of views on the expectations of Parties for the work of the group and
- to agree on elements for a programme of work, including inter alia the issues to be considered by the group.

The European Union believes that input in the form of scientific information and socio-economic analysis, in particular work from IPCC, will be important as a basis for the considerations of the ad hoc working group. To ensure the maximum use of synergies in a cost-efficient way, the group should, wherever possible, make use of work already undertaken or currently under way under the Convention and the Kyoto Protocol. To this end, the European Union suggests the Secretariat or the respective Chairs of the Subsidiary Bodies to report on progress in relevant other fora under the Convention and the Kyoto Protocol, such as:

- the Workshops under the Dialogue on long-term cooperative action to improve the implementation of the Convention,
- the Work Programme on Mitigation,
- the experiences with CDM and JI,
- analysis of information submitted by Parties,
- the process under the COP of discussing issues related to deforestation in developing countries,
- the Five-year Work Programme on Impacts, Vulnerability and Adaptation,
- work on technology transfer, inter alia in the EGTT and the LEG.

Furthermore, the European Union would like to ask the Secretariat to consider possibilities for the ad hoc working group to exchange views with the scientific community and all stakeholders. Presentations by representatives of the scientific community and stakeholders as well as input from the IPCC and the IEA could help to inform the work of the ad hoc working group.

The European Union also notes that a number of issues that might be covered by the upcoming review of

the Kyoto Protocol in line with its Article 9 will be relevant to the work of the ad hoc working group on article 3.9. It is therefore important for the COP/MOP to address this issue and decide how to ensure that the two processes function in harmony.

Work on the issues raised in sections I and II is also under way in fora outside the Convention and the Protocol. It would be useful to reflect also on how such processes might inform the work of the ad hoc working group.

The process should be conducted in a manner that enables all Parties, including those with small delegations, to participate appropriately. To make the process as transparent as possible, all documents should be published on the UNFCCC website.



**CONSIDERATION OF COMMITMENTS  
FOR SUBSEQUENT PERIODS FOR PARTIES INCLUDED IN ANNEX I  
TO THE CONVENTION UNDER ARTICLE 3, PARAGRAPH 9, OF  
THE KYOTO PROTOCOL**

China welcomes Decision 1/CMP1 on the consideration of commitments for subsequent periods for Parties included in Annex I to the Convention under Article 3, paragraph 9, of the Kyoto Protocol, and submits the following views in accordance with Paragraph 5 of that Decision.

The open-ended ad hoc working group of the Parties, established pursuant to the above-mentioned decision, shall initiate discussion of substance on commitments for subsequent periods for Parties included in Annex I to the Convention at SBI 24 and complete negotiation in 2008 to ensure that there will be no gap between the first and second commitment periods.

The process to consider commitments for subsequent periods for Parties included in Annex I to the Convention under Article 3, paragraph 9, of the Kyoto Protocol is independent of, and therefore, should not be linked to any other process or progress thereof.

The mechanisms under the Kyoto Protocol and the Marrakesh Accord, such as the Clean Development Mechanism, the Compliance Committee, the International Transaction Log, etc, should be maintained and improved as appropriate so as to ensure continuity.

The time span of the second commitment period needs to be longer than the first one. Emission reduction/limitation targets for Parties included in Annex I to the Convention should not be less than those of the first commitment period. A new paradigm is needed for Parties included in Annex I to the Convention to implement their commitments under the Convention and Kyoto Protocol related to financial resources and technology transfer.

No new commitment, other than those provided for in Article 4 of the Convention and Article 10 of the Kyoto Protocol, shall be introduced for Parties not included in Annex I to the Convention.

PAPER NO. 4: COLOMBIA

**PROPUESTA DE POSICIÓN  
ARTÍCULO 3.9 DEL PROTOCOLO DE KYOTO**

El documento esta compuesto por 4 secciones: Antecedentes, Consideraciones Generales, Recomendaciones y Otros.

**1) Antecedentes:**

El artículo 3.9 del Protocolo de Kyoto establece que “los compromisos de las Partes incluidas en el anexo I para los periodos siguientes se establecerán en enmiendas al anexo B del presente Protocolo que se adoptarán de conformidad con lo dispuesto en el párrafo 7 del artículo 21. La Conferencia de las Partes en calidad de reunión de las Partes en el presente Protocolo comenzará a considerar esos compromisos al menos siete años antes del término del primer período de compromiso a que se refiere el párrafo 1 supra”.

Atendiendo a dicha consideración, en su primera sesión la Conferencia de las Partes en calidad de reunión de las Partes, que tuvo lugar en la ciudad de Montreal, Canadá del 27 de noviembre de 2005 al 10 de diciembre del mismo año, adoptó la decisión FCCC/KP/CMP/2005/L.8/Rev. 1 que decide:

- Iniciar un proceso para examinar nuevos compromisos de las Partes incluidas en el anexo I para el periodo posterior a 2012, de conformidad con lo dispuesto en el párrafo 9 del artículo 3 del Protocolo.
- Decide además que dicho proceso se inicie sin demora y sea llevado a efecto en un grupo de trabajo especial de composición abierta de las Partes en el Protocolo de Kyoto, establecido por la misma decisión, que informará a cada período de sesiones de la Conferencia de las partes en calidad de reunión de las Partes del Protocolo de Kyoto sobre la situación en que se encuentre dicho proceso.
- Acuerda que el grupo se deberá proponer finalizar su tarea y conseguir que la Conferencia de las Partes en calidad de reunión de las Partes del Protocolo de Kyoto apruebe sus resultados tan pronto como sea posible, y a tiempo para garantizar que no haya una interrupción entre el primer y el segundo periodo de compromiso;
- Acuerda además que este grupo se reunirá por primera vez conjuntamente con el 24 periodo de sesiones de los órganos subsidiarios y que las subsiguientes reuniones serán programadas según sea necesario, por el grupo.
- Así las cosas, invita a las Partes a presentar a la secretaría, a más tardar el 15 de marzo de 2006, sus opiniones en relación con el párrafo 9 del artículo 3 del Protocolo de Kyoto.

**2) Consideraciones Generales:**

Para Colombia es claro que el Protocolo de Kyoto, así como, los Mecanismos de Flexibilidad que éste plantea representan un paso importante en términos de acciones concretas por parte de los países para cumplir unos de los principios establecidos por la Convención y que es reforzado por el Protocolo, en referencia a la importancia de tomar medidas para reducir al mínimo las causas del cambio climático y mitigar sus efectos adversos teniendo en cuenta que dichas medidas deberán ser eficaces en función de los costos a fin de asegurar beneficios mundiales.

En ese sentido, el país apoya el esfuerzo que cada uno de los países ha realizado para crear e implementar correctamente el actual esquema bajo el cual opera el Protocolo de Kyoto y los

mecanismos de flexibilidad, los cuales deben ser fortalecidos e impulsados para cumplir el fin último de la Convención de estabilizar las concentraciones de gases efecto invernadero en la atmósfera a un nivel que impida las interferencias antropógenas peligrosas en el sistema climático.

Los Mecanismos de Flexibilidad establecidos en el Protocolo de Kyoto (Comercio de Emisiones, Implementación Conjunta, Mecanismo de Desarrollo Limpio) han mostrado ser herramientas costo – efectivas que facilitan a los países desarrollados alcanzar sus metas de manera menos costosa al tiempo que permite a los países en desarrollo avanzar más rápidamente a través de la senda del desarrollo sostenible, guardando las diferencias entre las economías (principio de responsabilidades comunes pero diferenciadas, base de la Convención Marco de Naciones Unidas sobre Cambio Climático).

En ese sentido, es claro que el actual régimen de cambio climático debe ser fortalecido, y una forma de hacerlo es no generándole mayor incertidumbre a éste, y por el contrario mantener y ajustar los actuales instrumentos económicos para que éstos fluyan de una mejor forma bajo el andamiaje ya creado para ello.

En el marco de lo anterior, Colombia, busca y reitera su posición de seguir adelante con los logros y procesos adelantados antes que concluyese el periodo establecido por el Artículo 3, parágrafo 9. Así las cosas, es claro que para el país, constituye un gran aporte y respaldo por parte de la Secretaría y del Grupo Ad Hoc, a conformarse, que se sigan manteniendo para el segundo periodo de compromiso los instrumentos y figuras, establecidos en el marco del Protocolo de Kyoto. Lo anterior en atención al esfuerzo que los países en desarrollo han aunado a fin de conseguir que las figuras y procesos se estableciesen para con los países anexo I, con el fin de buscar un armónico desarrollo del Protocolo y sus mecanismos de flexibilidad.

Temas como los compromisos cuantificados, los países listados en anexo I, el manejo del tema forestal bajo la actual estructura deben ser abordados por parte del Grupo Ad Hoc. En cuanto a éste último es importante resaltar la necesidad de abordar el tema forestal desde una óptica más propositiva del que se ha hecho a la fecha, ya que a pesar de sus innegables impactos ambientales, sociales y económicos, a hoy esta en un desarrollo inferior a los demás temas manejados en la Convención y el Protocolo.

La posición de Colombia se basa en algunos principios reconocidos al nivel internacional y se refuerza con el tema forestal.

- Responsabilidades comunes pero diferenciadas En atención al Artículo 4 de la CMNUCC que establecen responsabilidades comunes pero diferenciadas y es en este punto, que para el caso de los países en desarrollo, los esfuerzos para reducir emisiones mediante actividades orientadas a capturar o reducir emisiones CO<sub>2</sub>, tendrán efectos que recaen en actores sensibles de la comunidad en general. Éste es un escenario distinto al de los países Anexo I en que las responsabilidades de reducción recaen en Gobiernos principalmente e Industrias en su defecto. Por lo anterior, es inadmisibles que para la revisión de los compromisos futuros a establecer, se establezcan algunos para los países en desarrollo.
- Desarrollo sostenible y erradicación de la pobreza: En atención a las Metas del Milenio, y de acuerdo al párrafo 4 del Artículo 3 de la Convención, las actividades que se desarrollen para evitar la deforestación deben ser coordinadas integralmente con el desarrollo económico y social, previendo que la deforestación evitada no sea un obstáculo para el desarrollo económico del país y su población sensible. Por lo mismo y en atención a lo reseñado anteriormente es claro que existen compromisos de reducir los índices de pobreza, sin que ello implique un detrimento del

medio ambiente, es decir, un desarrollo sostenible conciente de las necesidades básicas de su población. Razón por la cual es imperativo que el tema forestal y los proyectos que de éste se derivan, obtengan mas fuerza en el debate de los compromisos futuros para los países Anexo I y su auspicio así como apoyo a los mismos.

- Equidad: En este punto es necesario anotar que los compromisos futuros no habrán de reducir aquellos que los países Anexo I tienen, ni establecerán nuevos para los países en desarrollo. Sin embargo y en atención al principio de Equidad, se habrán de mantener los mismos ajustándolos y dándole fuerza o impulso a aquellos que no han alcanzado tanto desarrollo, como es el caso del tema forestal y su auspicio por parte de los países Anexo I.

### **3) Recomendaciones:**

- Partiendo del principio de mantener la integridad de los compromisos existentes y no debilitar procesos ya adelantados y establecidos, se hace necesario que se desarrollen mecanismos que complementen los compromisos actuales o refuercen aquellos que no han logrado un desarrollo pleno, a saber, el tema forestal. A lo anterior, es posible anotar que de considerarse que se han de establecer nuevos compromisos, de acuerdo al Artículo 3 parágrafo 9 del Protocolo de Kyoto, es necesario que estrictamente estos sean para los países Anexo I.

### **4) Otros elementos a Considerar:**

- Protocolo de Kyoto: Recordemos que el Protocolo de Kyoto es un instrumento que fija obligaciones cuantificadas de reducción de emisiones de gases de efecto invernadero para países desarrollados que figuran en un anexo "B". El Protocolo establece que estas reducciones deberán ser reales (verificables) y realizarse principalmente mediante esfuerzos realizados a nivel doméstico por parte de los países del Anexo I. Dichas reducciones no podrán ser asumidas por los países en desarrollo ni mucho menos, a éstos se le habrán de atribuir más compromisos de los que a hoy tienen.

PAPER NO. 5: ICELAND

Reykjavík, 15 March 2006

**VIEWS REGARDING ARTICLE 3, PARAGRAPH 9 OF THE KYOTO PROTOCOL**

Iceland welcomes the initiation of a process to consider further commitments for Parties listed in Annex B of the Kyoto Protocol for the period beyond the year 2012 and is looking forward to working constructively with other Parties in the open-ended ad hoc working group established by a Decision at COP/MOP 1. In line with the provisions of that decision, Iceland hereby submits its views regarding the implementation of Article 3 paragraph 9 of the Kyoto Protocol.

**I. General remarks**

Combatting climate change is one of the most pressing and complicated tasks facing mankind in the 21st Century. Although there are great uncertainties about the magnitude, speed and likely effects of climate change, the scientific evidence appears to support the proposition that human-induced global warming is taking place and is likely to increase in the future. At the same time, emissions of greenhouse gases are rapidly increasing in many parts of the world, and questions have been raised about the ability and will of countries to deliver sizable reductions in emissions.

Iceland is convinced that individual countries and the global community can improve their response to climate change, and that many opportunities for low-cost and win-win solutions - mitigating climate change and supporting sustainable development at the same time - remain unexploited. It is a central task for the present and future talks on climate change to identify and exploit these opportunities and to achieve the necessary cuts in GHG emissions to stabilize their concentration in the atmosphere in a cost-effective manner.

Iceland believes that the discussions and eventual results regarding Article 3.9 of the Kyoto Protocol must support the ultimate objective of the UN Framework Convention on Climate Change: to stabilise greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Developed countries must continue to be in the forefront in efforts to curb emissions of greenhouse gases. At the same time, it must be considered that emissions from Annex B countries that have ratified the Kyoto Protocol are less than 30 per cent of global emissions, and that share is declining. Further cuts by those countries will be a crucial part of a new post-2012 global architecture of commitments, but this alone will not suffice in the absence of other elements, if progress towards the stabilization of emissions in countries responsible for 70% of emissions is not achieved. The process towards a future regime of commitments must be guided by fairness, the principle of common but differentiated responsibilities and an understanding for the urgent need for poverty eradication and the achievement of the Millennium Development Goals. It is not to be expected that the great majority of non-Annex I countries can take on burdens in the global effort to mitigate climate change in the near future without technical and financial assistance, but many developing countries, especially those experiencing a rapid economic growth, might be able and expected to take a more sustainable and climate-friendly path to development than is presently envisaged.

**II. The Process**

As a general rule, Iceland believes that the ad hoc working group should aim to conduct its work as efficiently as possible, and that it should hold its meeting as much as possible back-to-back or coinciding with regular meeting of bodies of the UNFCCC and the Kyoto Protocol. Some fora serving the regular process of the UNFCCC could also serve the needs of the ad hoc working group, in providing expert

information and offering an exchange of views relevant to its work. Synergies could also be found between the work of the ad hoc working group and other forward-looking processes, notably the upcoming review under Article 9 of the Kyoto Protocol and the Workshops under the Dialogue on long-term cooperative action to address climate change by enhancing the implementation of the Convention.

### **III. Issues to be considered**

The issues to be considered by the ad hoc working group might include:

*- Science, emission trends and need for global reductions*

It is imperative to review in the early stages of the discussions the latest scientific evidence of current and projected global warming trends, and their connection with GHG emissions. This will help countries assess better the need for emission reductions.

*- Differentiation of commitments and sectoral targets*

The presumptions behind the issuing of the national emission limitations in Annex B were subject to debate. Calculations of commitments for new periods are likely to pose similar questions on possible differentiation of commitments, and what concerns should influence such differentiation. It would be helpful to have some expert input on this issue. One element worth discussing in that regard is a review of the contribution of different sectors to GHG emissions, and some if some kind of sectoral targets are feasible. It is hard to see that certain economical and industrial sectors can take on global commitments, as only States are responsible in the global system. It is, however, interesting to see if some kind of sectoral analysis or benchmarking can be of use in the calculation of national commitments, so that States with high-emission sectors would be expected to do a bigger share of reductions than others, as they would be seen as having greater potential for cost-effective reductions.

*- The role of flexible mechanisms and sinks*

The use of flexible mechanisms to meet emission targets must be addressed: Should the criteria for their use remain the same, or be changed in some way to reflect the experience from their use? The same applies to carbon sinks, if the criteria for their use to meet targets should be unchanged, made more strict or expanded to include new types of sinks and encourage increased use of currently accepted sinks. It should be considered that all manageable sinks that can reduce the GHG concentration in the atmosphere should be accepted, provided that monitoring is possible.

*- Possible inclusion of new Parties in Annex B*

The possibility of adding new States in Annex B should be addressed, including the criteria for a listing and the process of voluntary addition to Annex B.

*- The role of technology*

A crucial element of the path towards sustainable development and the curbing of GHG emissions is the development of new climate-friendly technology and accelerated transfer of existing climate-friendly technologies, in renewable energy and other fields. A post-2012 climate regime should strengthen incentives for increased technology transfer and development from the present level. Efforts in that way must emphasize both short-term mitigation efforts and long-term solutions.

PAPER NO. 6: INDIA

**ARTICLE 3.9 OF THE KYOTO PROTOCOL**

CMP.1 decision adopted at Montreal “initiate[d] a process to consider further commitments of Parties included in Annex I for the period beyond 2012 in accordance with Article 3, paragraph 9 of the Protocol”; established an open-ended ad hoc working group” to conduct the process; and invited Parties “to submit to the secretariat, by 15 March 2006, their views regarding Article 3, paragraph 9”.

2. At this stage, our comments are as follows:

- (a) The implementation of Article 3.9 is in no way connected to the provisions of Article 9. The Protocol does not link Article 3.9 with any other process; it, therefore, stands independently by itself.
- (b) The open-ended ad hoc working group should complete its work and have the results adopted by a Meeting of the Parties to the Protocol as early as possible. There should be no gap between the first and second commitment periods. In order to ensure this, it is highly desirable that the working group should conclude its work by 2008.
- (c) In view of the mounting evidence of the serious threat posed by climate change, the Annex I mitigation target for the second commitment period should be substantially larger than the 5.2 percent reduction target for the first period. All Annex I Parties should make the maximum possible emission reductions during the second period, on the basis of appropriate burden-sharing. It should be recognized that the same percentage reduction in emissions may entail higher costs in some Annex I countries and that it would, therefore, be appropriate for these countries to meet a larger share of their emission reduction targets by utilizing the CDM option. Equitable burden sharing can thus be achieved without lowering targets.
- (d) While recognizing the need to maintain an appropriate balance between domestic actions and flexibility mechanisms, we believe that all Annex I Parties should make more extensive use of the CDM in the second commitment period. This would yield several benefits. First, by lowering the costs of compliance, it would encourage Annex I Parties to adopt deeper emission reduction targets. Second, it would facilitate appropriate burden sharing. Countries where domestic measures to reduce emissions entail relatively high costs, could offset this disadvantage by greater reliance on low-cost CDM options. These countries will find it particularly advantageous to make greater use of the CDM facility in meeting their emission reduction targets. In short, Annex I Parties could adopt more ambitious emission reduction targets, without incurring excessive costs, by greater use of the CDM. Third, this would help simultaneously to (i) moderate the increasing emissions originating in developing countries by adopting latest technologies, and (ii) generate funding for adaptation in Developing Countries, since 2 percent of CDM funds are devoted to adaptation.

3. The above comments are our initial contribution. We shall make further suggestions as and when required during sessions of the open-ended ad hoc working group or at other appropriate forums.

PAPER NO. 7: JAPAN

**ARTICLE 3, PARAGRAPH 9 OF THE KYOTO PROTOCOL: CONSIDERATION OF  
COMMITMENTS FOR SUBSEQUENT PERIODS FOR PARTIES  
INCLUDED IN ANNEX I TO THE CONVENTION**

1. The discussion on Article 3-9 is concerned with subsequent periods and is therefore an integral and indispensable part of the discussion relating to the future framework.
2. In view of the urgency involved, the future framework must tackle our common problem more aggressively. Therefore, before discussing next commitment, it behooves the international community to review the present framework and strengthen it in the light of experiences and knowledge acquired.
3. Most importantly, the next framework must address more directly to the UNFCCC's ultimate objectives as stipulated in its Article 2. The scientific consensus is growing that the increased use of fossil fuels and other human activities are contributing in a large part to global warming. As has been shown by the IPCC projections on rising global average surface temperatures and sea levels, as well as by other researches and studies, the threat of climate change is clear and present.

A delay in action will only result in more damage incurred and a heavier burden to be shouldered. We must act quickly enough to combat climate change whilst also endeavoring to ensure sustainable development and achieve energy security. In addressing this immense challenge, the Kyoto Protocol is a significant first step but needs further improvement and development, based on common experiences and lessons learnt.

4. Time is rapidly running. In terms of economic and human development and on many other accounts, the world of today is by no means the world of 1997. By the end of a second commitment period, the world will have changed even more. World action on climate change will be irrelevant if it does not reflect this profound shift.
5. More specifically, the relative proportions of Annex I and Non-Annex I emissions have dramatically changed since 1992. Non-Annex I CO<sub>2</sub> emissions grew by 55% between 1990 and 2003, and they will soon be greater than the total emissions produced by Annex I parties. It is expected that Japan's proportion of CO<sub>2</sub> emissions from fossil fuel combustion, currently around 4.8% of the global total, will be reduced as the amount of emissions created by Non Annex I parties continues to rise.

According to IEA statistics, the CO<sub>2</sub> emission from Annex I Kyoto ratifiers in 2003 has declined by 6.2% from its 1990 level. Among the global emission of 25.0 billion CO<sub>2</sub>ton, Annex I Kyoto ratifiers take up only around 31%.

6. Moreover, reflecting the ever growing concern, anxiety and acute sense of urgency from amongst all walks of people, new undertakings to address climate change are emerging. G8 process with 12 other major energy consuming countries supported by the IEA and the World Bank and Asia Pacific Partnership on Clean Development and Climate are some of the important examples. Bilateral and regional arrangements abound. Whilst complementing the UNFCCC process, they are actually advancing their own actions, and making discussions on climate change multilayered.
7. In view of all this, the UNFCCC process must create a new solidarity, act rapidly and lead the world's action aggressively. It is in this broad context that the discussions on Article 3-9 must progress. They



can only be meaningful if they open the scope and focus wide enough to embrace all relevant perspectives.

8. Japan therefore finds it absolutely necessary to ensure that the discussions on Article 3-9 be coordinated with the periodic review of the Protocol as spelled out in Article 9 and with the newly opened long-term dialogue under the Convention.

9. Japan considers that the discussions on Article 3-9 must proceed in a most pragmatic and action-oriented way so that a positive conclusion is reached quickly. Efforts need to be made to avoid a gap between the first and second commitment periods.

It should also proceed in a most cost-effective and efficient way. The ad-hoc working group should hold its sessions during the SB and/or COP meetings to minimize costs.

10. As a country which shares the most serious concern over advancing climate change, Japan stands ready to work with all parties in pursuit of a most positive conclusion of the discussions on Article 3-9.

11. In view of the above, the ad-hoc WG should consider, among others, the following points.

(1) Subsequent commitment periods must focus more on the realization of the ultimate objectives of Article 2 of the Convention. For that, the framework for subsequent periods must mobilize maximum reduction efforts by all major emitting countries across the board, while enabling all countries to take effective mitigation measures in accordance with their own capabilities. A problem that is global in cause and effect must be dealt with by all, not by some.

(2) Our new efforts must be sustained on a long-term basis. We need to continue discussions in order to reach agreement on long-term goals and ways of achieving them, reach common understanding on our emission reduction potentials and capabilities. The very nature of the problem dictates it. Long-term perspective is vitally necessary for more consistent global actions and investment to take place. Besides this, we have to examine what kind of framework would most promote such global actions and investment. Therefore, the length, modalities, concepts and contents of the next commitment period should be discussed in the forthcoming WGs.

(3) Analysis of existing as well as new technologies, and their transfer is crucial. Maximum energy efficiency should be vigorously sought in all key sectors. The analysis and assessment phase which will precede negotiations on Article 3-9 should fully examine all of this. And all this must be done on the basis of information and expertise acquired not in chamber but in the field.

(4) In-depth and down-to-earth understanding of real mitigation potential will lead not just to quantified commitments but also to some other innovative ways to enhance mitigation by all major parties. Deeper knowledge about how mitigations are actually taking place and how they are not taking place despite theories, will provide us with more effective and imaginative ways of dealing with the problem. The WG must explore those ways and try to create a new enabling culture so that new action in this regard be encouraged.

(5) The ad-hoc WG must also discuss how emissions reductions will not hinder but rather enhance sustainable development. The pursuit of the stabilization of GHG concentrations will require a basic shift in our energy system which in turn provides benefits through growth and innovation. The experiences of many countries including Japan, testify to this. The WG must show the world that mitigation and assuredly adaptation will advance, and not compete against sustainable development of all countries.

(6) Investment in GHG-abatement technology is the key to the success. The WG is expected to discuss how best the UNFCCC can provoke such investment and integrate technology innovation into its mitigation actions. Experiences may differ among countries, reflecting diverse conditions. Yet those experiences must be studied and made available to encourage further investment in technology. Business and other relevant resources should be mobilized and engaged not just for the WG deliberations on Article 3-9 but for the subsequent UNFCCC actions.

(7) Last but not least, we must focus on adaptation. While climate change affects the entire world, it hits the developing world most severely. In view of this, we regard adaptation measures for vulnerable countries as being particularly important. It is imperative to address the adverse effects as well as the causes of climate change, and adaptation should be integrated and mainstreamed in our development policies.

12. (1) Japan is sure to achieve its reduction target under the Kyoto protocol. Upon entry into force of the Kyoto Protocol, the GOJ decided the Kyoto Protocol Target Achievement Plan to ensure the achievement of our goal of a 6% reduction through a huge package incorporating a myriad of measures which included a nation-wide mobilization of all actors and stakeholders and has involved national and local governments, local communities, households, ordinary citizens, businesses and organizations of all sorts. We will achieve our target by monitoring our performance closely and adopting new measures if needed. With periodic reviews and additional measures introduced as necessary, we are sure we can achieve it.

(2) Japan will continue promoting energy conservation even more vigorously. It will keep investing massively on all crucial technologies. It will never spare any effort to drive the nation into a new energy saving lifestyle. It intends to share its policy experiences and innovations with all interested parties. It wishes to learn more from the experiences of other countries and forge together a new sense of cooperation and solidarity.

(3) Japan intends to reduce even further its emissions. For that purpose, it is in a process of establishing medium and long-term goals including how specific targets should be set. It intends to do so in any equitable, deep-cutting, world-wide scheme which it hopes will come out of this new round of WG and other UNFCCC discussions and which will serve to stabilize concentrations of GHG at a level that would prevent dangerous anthropogenic interference with the climate system, and to enhance sustainable development of all of us.

PAPER NO. 8: NEW ZEALAND

**ARTICLE 3, PARAGRAPH 9, OF THE KYOTO PROTOCOL**

Context

Climate change is a global problem. It affects all countries, including posing a significant threat for Pacific Island Countries, which are on the front line of climate change impacts.

A constructive dialogue is needed on how to take meaningful action on climate change, and at the same time provide for future economic growth and development aspirations. The UN Climate Change Conference in Montreal launched a number of work streams related to this, of which Article 3.9 is one.

An effective global response will require all countries – developed and developing – to contribute as best they can. Anything less than broad and balanced participation and action will be inadequate to deal with the magnitude of the challenge.

New Zealand recognises that climate change is a serious and urgent challenge.

We intend to meet our CPI commitments under the Kyoto Protocol, despite not finding it as easy to reduce our emissions as we would like. New Zealand is unusual as a developed country: one problem we have is how to deal with non-carbon dioxide emissions from natural life processes (enteric fermentation in ruminant animals) and pastoral agriculture, for which solutions are not currently available.

Principles

In considering Article 3, paragraph 9, of the Kyoto Protocol, New Zealand considers that the following principles should be used to guide Parties' thinking:

- Addressing climate change is a challenge that requires urgent as well as sustained action over the long-term. Solutions developed need to be durable and have environmental, scientific and economic integrity.
- National circumstances are important. Different countries have different economies. Some economic activities, for example non-carbon dioxide emissions from natural life processes, currently have no or limited mitigation options and solutions will require major scientific and technological advances. The requirements for adaptation could also be substantial. In finding solutions, we need to account for differences.
- Solutions to climate change should not be developed in isolation. Where appropriate, there needs to be integration between climate change and non-climate change objectives.
- Solutions should provide the private sector with ongoing confidence to make long-term climate friendly investments: certainty and competitiveness issues are important elements of this.
- There is no single solution or path to solve climate change. A full range of measures and approaches need to be considered: within the Kyoto Protocol and beyond it. The Kyoto Protocol does not exist in isolation; its evolution needs to take account of the principles of complementarity and burden sharing with actions of non-Parties and non-State actors, and should

aim for convergence with actions taken under the UN Framework Convention on Climate Change and other climate change initiatives.

### Process

In considering Article 3, paragraph 9, of the Kyoto Protocol, New Zealand considers that the following should be used to guide the working process:

- The open-ended ad hoc working group should be attached to the existing meeting schedule to allow maximum participation and transparency.
- The process should be robust and credible.
- Outcomes should be fair and equitable for all Parties.
- Parties should be given sufficient time both to digest the work of the open-ended ad hoc working group and to submit views for consideration.
- The experiences and lessons learned with the implementation of the Convention and the Kyoto Protocol to date should be used to inform consideration under Article 3.9.
- At this early stage of consideration, Parties should not close off any options for moving forward.
- In developing a process, Parties should be cognisant of the upcoming mandated Review of the Kyoto Protocol.

PAPER NO. 9: NORWAY

**CONSIDERATION OF COMMITMENTS FOR SUBSEQUENT PERIODS FOR PARTIES INCLUDED IN ANNEX I TO THE CONVENTION UNDER ARTICLE 3, PARAGRAPH 9, OF THE KYOTO PROTOCOL**

In Montreal, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol invited Parties to submit their views regarding Article 3, paragraph 9 (FCCC/CMP/2005/L.8/Rev.1). Norway welcomes the opportunity to provide views on the process launched at COP/MOP 1.

Norway considers the process established as very important to ensure the continued functioning of the Kyoto Protocol and its flexible mechanisms. It is therefore very important that the work is undertaken effectively and finalised as soon as possible to avoid a gap between the first and the second commitment period. At the same time, Norway would like to underline that the industrialised countries presently included in Annex B will not alone be able to deliver an adequate response to the global problem we are facing. It is therefore important that the process established to consider commitments under Article 3.9 is kept well informed about the review process to be established under Article 9 and the dialogue established in Montreal on long-term cooperative action to address climate change by enhancing implementation of the Convention.

Issues to be considered in the Ad hoc Working Group

The main task of the ad hoc working group will be to elaborate and agree on amendments to Annex B of the Kyoto Protocol. However, before discussing actual numbers and emission commitments, there are several elements that need to be addressed by the group. In Norway's view, the following elements should be considered:

- Ambition level for the second commitment period: It is necessary to discuss the total reduction to be achieved by Parties included or to be included in Annex B. This discussion could be guided by a broader discussion on a longer-term target to be achieved under the Convention.
- Annex B: Consider whether the commitments should be formulated in the same manner (percentage of 1990 emissions) also in the second period, as well as inclusion of other Parties in the Annex.
- Length of the second commitment period: The first commitment period is five years. Should the second commitment period be of the same length, shorter or longer?
- Differentiation of commitments: Norway is convinced that emission commitments should be differentiated also in the second commitment period. The process for agreeing on differentiated commitments should, however, be more analytical compared to the process we had before agreeing on the first commitment period.
- Land-use, land-use change and forestry (LULUCF): There is a need to consider how sinks, including harvested woods, should be dealt with in the second commitment period. This issue might be considered as part of a broader discussion about Annex A, where the revised IPCC guidelines for national GHG inventories should be taken into account.
- Global Warming Potentials (GWP): Consider the need for up-dating the values being applied for the first commitment period (Article 5, paragraph 3). The values being applied are from IPCC's Second Assessment Report.
- Kyoto mechanisms (JI, CDM and international emissions trading): Norway is convinced that the Kyoto-mechanisms should be included also in the second commitment period. However, possible amendments to the rules and guidelines should be considered in light of experiences gained in using the mechanisms.

- Article 25 on the entry into force of the Kyoto Protocol includes a “double trigger”. It requires a certain number of ratifications, and in addition it is also dependant on ratifications from Parties included in Annex I which account for a specified fraction of the total CO<sub>2</sub> emissions in Annex I countries in 1990. The procedure for amending Annex B only requires the acceptance of a given number of Parties to enter into force. This is an issue that may merit re-consideration.
- Decision 2/CP.3, paragraph 4 addresses emissions from fuels sold to ships and aircraft engaged in international transport. It “urges the Subsidiary Body for Scientific and Technological Advice to further elaborate on the inclusion of these emissions in the overall greenhouse gas inventories”. SBSTA has not yet been able to resolve this issue. It may be appropriate for the ad hoc working group to consider it.

#### Organisation of the work

The first meeting of the ad hoc working group should concentrate on the following two issues:

- exchange of views on the expectations of Parties for the work of the group,
- agree on a work plan, preferably up to COP/MOP 3.

The group should make use of work undertaken by SBI and SBSTA that are of relevance to the group. In addition, it might be useful to find opportunities for informing the group about relevant work undertaken within the scientific community and other NGOs.

There are several links between the process under Article 3.9 and the review of the Kyoto Protocol under its Article 9. Norway believes it will be important to consider merging these processes at an appropriate time.

PAPER NO. 10: REPUBLIC OF KOREA

**CONSIDERATION OF COMMITMENTS FOR SUBSEQUENT PERIODS FOR PARTIES INCLUDED IN ANNEX I TO THE CONVENTION UNDER ARTICLE 3, PARAGRAPH 9, OF THE KYOTO PROTOCOL**

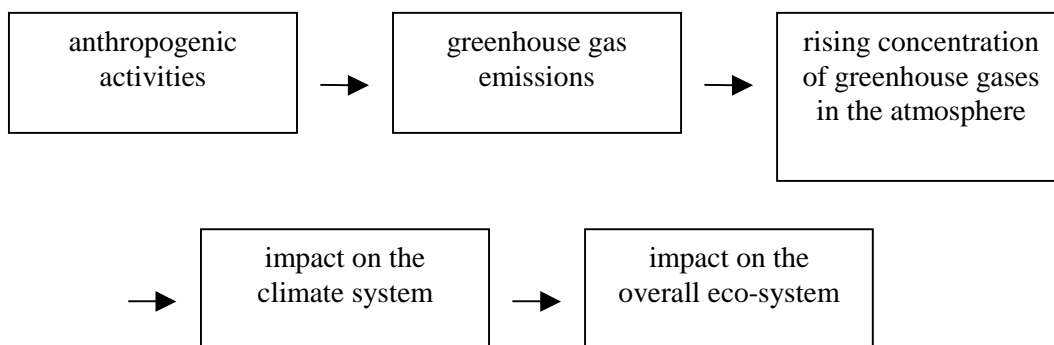
**March 15, 2006**

The Republic of Korea welcomes Decision 1/CMP.1 through which the Annex I Parties are to initiate a process to consider further commitments for the period beyond 2012 in accordance with Article 3, paragraph 9, of the Kyoto Protocol.

The Korean government expects the ad hoc working group to provide a platform for effective discussions in determining the level of meaningful emissions reduction targets for Annex I Parties. The Republic of Korea, for its part, remains committed to actively participating in the forthcoming discussions related to the ad hoc working group.

**1. Approach to Climate Change Issues**

Climate change and its associated impacts occur progressively according to the following stages:



The UN Framework Convention on Climate Change must serve as an overarching framework that establishes targets on human-induced activities and subsequent greenhouse gas emissions and provides mechanisms to implement the targets.

- Built on the outcomes of in-depth scientific analysis on climate change, the following must be put into place: (i) assessment of the level at which atmospheric greenhouse gas concentration should be stabilized, (ii) identification of a global emission level that reaches the concentration target along with the establishment of a phased reduction target and (iii) formulation of a phased action plan that meets the reduction target.

Likewise, reduction commitments for Annex I Parties for the period beyond 2012 should be formulated and adjusted pursuant to the outcomes of a scientific analysis on the optimal reduction level.

**2. Annex I Parties as Prime Movers**

As prescribed by the UN Framework Convention on Climate Change, each Party is urged to protect the climate system in accordance with the basic principle of “common but differentiated responsibilities.” The Convention also recognizes the special needs and concerns of developing countries arising from their unique economic structures and energy supply & demand systems.

In particular, Article 3, paragraph 1 of the Convention provides Annex I Parties with a pioneering role and responsibilities in addressing global climate change. As such, it is necessary that the developed countries assume leadership in their post-2012 emissions reduction commitments in accordance with Article 3, paragraph 9, of the Protocol.

Considering historical responsibility on climate change coupled with their status in the international community, it is even more crucial for Annex I Parties to spearhead international endeavors to reduce greenhouse gas emissions.

A practical way to effectively mitigate and adapt to the impact of climate change is to develop and diffuse clean technologies. In this context, the Republic of Korea recognizes that enabling an environment for technological development and transfer is the most effective vehicle for achieving tangible outcomes against climate change and for promoting sustainable development of both developing and less developed countries.

- Along with the commitments for Annex I Parties for the period beyond 2012, mechanisms should be established to encourage Annex I Parties to take the lead in disseminating and transferring clean technologies.
- Developing and less developed countries are in pressing need of capacity-building assistance related to innovative technologies. Financial assistance and technology transfer from developed countries are essential to this end.

Fulfillment of commitments and the ensuing progresses made by Annex I countries will undoubtedly become a driving force behind worldwide efforts in tackling climate change in the foreseeable future.

### **3. Determining Optimal Emissions Reduction Level on the Basis of Primary Analysis and Evaluation**

Prior to full-fledged discussions on post-2012 reduction mandates of Annex I Parties, the ad hoc working group needs to compile as much accurate information as possible on the following and apply them as the basis for discussions.

- Stock-taking of Annex I Parties according to economic structure, natural resources, technology standards
- Overviews and prospects of greenhouse gas emissions and sinks by Annex I Parties
- Mitigation policies and measures of Annex I Parties as well as its effects
- Drawing-up scenarios on the level and timeframe of post-2012 reduction commitments by Annex I Parties

The aforementioned data and information should be provided by globally recognized independent institutions that are able to ensure an objective assessment. Comparative analysis and assessment of the data will enable us to determine the optimal emission reduction level for Annex I Parties.



PAPER NO. 11: RUSSIAN FEDERATION

**РОССИЙСКАЯ ФЕДЕРАЦИЯ**

Российская Федерация в соответствии с рекомендацией, содержащейся в п. 5 решения – СМР.1 "Рассмотрение в соответствии с п. 9 Статьи 3 Киотского протокола обязательств на последующие периоды для Сторон, включенных в Приложение I к Конвенции", принятого Конференцией Сторон, действующей в качестве 1-го Совещания Сторон Киотского протокола (КС/ССКП-1), представляет в Секретариат следующие соображения по п. 9 Статьи 3 Киотского протокола для их обобщения с предложениями других Сторон Протокола и последующего рассмотрения на заседании Специальной рабочей группы открытого состава Сторон Киотского протокола.

Российская Федерация придает исключительно важное значение переговорам по обязательствам Сторон Киотского протокола на периоды после 2012 года, что нашло отражение в заявлении, сделанном в Федеральном законе Российской Федерации "О ратификации Киотского протокола к Рамочной конвенции ООН об изменении климата" № 128-ФЗ от 4 ноября 2004 г.:

*"Российская Федерация исходит из того, что обязательства, налагаемые протоколом на Российскую Федерацию, будут иметь серьезные последствия для ее экономического и социального развития. В связи с этим, решение о ратификации было принято после тщательного анализа всех факторов, в том числе с учетом значения протокола для развития международного сотрудничества, а также с учетом того, что протокол вступит в силу только при условии участия в нем Российской Федерации.*

*Протокол определяет для каждой из подписавших его Сторон обязательства по количественным показателям сокращений эмиссии парниковых газов в атмосферу в первый период его действия – с 2008 по 2012 годы.*

*Обязательства Сторон протокола по количественным показателям сокращений эмиссии парниковых газов в атмосферу во второй и последующие периоды действия протокола, то есть после 2012 года, будут определяться в ходе переговоров со Сторонами протокола, которые должны начаться в 2005 году. По итогам этих переговоров Российская Федерация примет решение о своем участии в протоколе во второй и последующие периоды его действия."*

Исходя из этого, Российская Федерация считает, что:

1. Непременным условием для ведения конструктивных переговоров является соблюдение принципов, заложенных в Статье 3 Конвенции, а именно:

- *"Сторонам следует защищать климатическую систему на благо нынешнего и будущих поколений человечества на основе справедливости и в соответствии с их общей, но дифференцированной ответственностью и имеющимися у них возможностями.*

- *Политика и меры, направленные на борьбу с изменением климата, должны быть экономически эффективными для обеспечения глобальных благ при наименьших возможных затратах; должны учитывать различные социально-экономические условия; должны соответствовать конкретным условиям каждой Стороны и быть интегрированы с национальными программами развития, поскольку экономическое развитие имеет ключевое значение для принятия мер по реагированию на изменение климата.*

- *Меры, принятые в целях борьбы с изменением климата, включая односторонние меры, не должны служить средством произвольной или необоснованной дискриминации или скрытого ограничения международной торговли".*

2. Принятие Сторонами конкретных обязательств по снижению выбросов парниковых газов возможно только после окончания первого периода действия Киотского протокола на основе анализа итогов полноты выполнения Сторонами обязательств по Конвенции и Киотскому протоколу и оценки потенциальных возможностей Сторон на перспективу.

3. Необходимым условием для конструктивного ведения переговоров является принятие решения о разработке механизмов принятия обязательств Сторонами, не включенными в Приложение I к Конвенции, выразивших добровольное намерение о принятии таковых. Этот тезис и последовательная линия, проводимая Российской Федерацией по данному вопросу, нашли свое отражение в документах 11-й Конференции Сторон Конвенции и Конференции Сторон, действующей в качестве 1-го Совещания Сторон Киотского протокола, состоявшихся 28 ноября – 9 декабря 2005 г. в Монреале (Канада). Российская Федерация намерена продолжать предпринимать усилия по созданию условий для расширения активного состава участников климатического процесса. При этом считаем, что в первую очередь участниками мер по снижению антропогенных выбросов парниковых газов должны быть Стороны, вносящие наибольший вклад в общемировую эмиссию этих газов, с учетом приоритетов и уровня экономического развития. В противном случае, никакие совместные меры не смогут обеспечить не только снижения мирового объема выбросов парниковых газов, но даже замедлить темпы его прироста.

4. Для достижения прогресса в переговорах целесообразно рассматривать принцип общей, но дифференцированной ответственности в сочетании с принципом общих, но дифференцированных мер, т.е. поощрение различных, приемлемых для стран мер, объединенных общей целью – снизить антропогенную нагрузку на климатическую систему.

5. Тематика переговоров по будущим действиям, предпринимаемым для снижения антропогенной нагрузки на климат и предотвращения негативных последствий его изменения, должна соответствовать не только текущим реалиям мировой политики и состояния мирового энергетического рынка, но и упреждать негативные тенденции будущего развития с тем, чтобы в условиях динамично развивающегося мира предлагаемые подходы оставались современными, востребованными и, главное, выгодными для всех стран.

6. Детального обсуждения требует вопрос научного обоснования целей и путей их достижения, предлагаемых для будущих действий. Это касается, в том числе, определения допустимых уровней антропогенного воздействия на климат, оптимальных сроков и подходов к стабилизации концентрации парниковых газов в атмосфере, адаптации природных и социально-экономических систем к изменениям климата. Такая работа должна проводиться в тесной кооперации с МГЭИК и найти отражение в 4-м Оценочном докладе МГЭИК.

7. Одним из новаторских и позитивных инструментов Киотского протокола являются задействованные в нем рыночные механизмы. Полагаем необходимым провести работу по повышению их эффективности для использования в будущем в сочетании с внутренними мерами по ограничению выбросов парниковых газов.

Российская Федерация приветствует начало переговоров по участию Сторон Приложения I в международном сотрудничестве по проблеме изменения климата после 2012 г. и полагает целесообразным максимально широко определить сферу деятельности Специальной рабочей группы открытого состава (СРГОС) Сторон Киотского протокола для охвата всего круга вопросов, связанных с различными формами участия в сотрудничестве как индустриально развитых, так и развивающихся стран. Также важно на первом этапе сформировать тематические подгруппы.

По нашему мнению, СРГОС необходимо сосредоточиться на выявлении позитивных инструментов Киотского протокола для их совершенствования, повышения привлекательности и эффективности с точки зрения реального достижения основной цели Конвенции. В данном

контексте мы придаем большое значение предстоящему на КС/ССКП-2 рассмотрению Протокола согласно Статье 9 и Статьей 4.2(d) и 7.2(a) Конвенции в свете наилучшей имеющейся научной информации и оценок по проблеме изменения климата и его последствий, а также имеющей к этому отношение технической, социальной и экономической информации.

Работа СРГОС должна проводиться в тесном контакте с учрежденным на КС-11 "Диалогом по долгосрочной деятельности, основывающейся на принципах сотрудничества и направленной на решение проблем, связанных с изменением климата, посредством усиления осуществления Конвенции".

Informal translation

**The Russian Federation in accordance with provisions of paragraph 5 of decision “Consideration of commitments for subsequent periods for Annex I Parties to the Convention under Article 3.9 of the Kyoto Protocol” adopted by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (COP/MOP) at its first session, submits to the secretariat the following views on Article 3.9 of the Kyoto Protocol for their consideration, together with the views submitted by other Parties to the Protocol, by the open-ended ad hoc working group of Parties to the Kyoto Protocol.**

The Russian Federation considers negotiations on the future commitments of Parties to the Kyoto Protocol for the period after 2012 to be of utmost importance. This position is reflected in the statement contained in the Federal Law of the Russian Federation “On the Ratification of the Kyoto Protocol to the UNFCCC”, No. 128-Φ3 of 4 November 2004:

*“The Russian Federation realizes that its commitments under the Kyoto Protocol will have serious implications for the economic and social development. In that regard, the decision to ratify the Protocol was taken only after a detailed analysis of all the factors involved, including the importance of the Protocol for strengthening international cooperation, and taking into account that the Protocol would enter into force only after its ratification by the Russian Federation.*

*The Protocol sets quantitative greenhouse gas emission reduction commitments for the period 2008-2012 for each signatory Party.*

*Quantitative greenhouse gas reduction commitments for the second and subsequent commitment periods, i.e. beyond 2012, will be determined in the course of negotiations which should start in 2005. The decision on the participation of the Russian Federation in the second and subsequent commitment periods will be taken based on the outcome of these negotiations.”*

Taking into account the above, the Russian Federation believes that:

1. Implementation of the provisions of Article 3 of the Convention, *Principles*, should be a fundamental prerequisite for the constructive negotiations, namely:
  - *The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities.*
  - *Policies and measures to protect the climate system against human-induced change should be appropriate for the specific conditions of each Party and should be integrated with national development programmes, taking into account that economic development is essential for adopting measures to address climate change.*
  - *Measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.*

2. Adoption by Parties of the specific commitments to reduce greenhouse gas emissions is only possible after the first commitment period has ended based on the analysis of the degree of implementation of commitments under the Convention and Protocol, and on the assessment of potential future capabilities of Parties.
3. A necessary prerequisite for constructive negotiations would be a decision on establishing a mechanism that would allow non-Annex I Parties willing to take voluntary commitments to do so. This position put forward by the Russian Federation and consistently reiterated in its interventions, was reflected in the documents of the eleventh session of the Conference of the Parties and of the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol held in Montreal, Canada, from 28 November to 9 December 2005. The Russian Federation intends to pursue its efforts aimed at creating conditions to expand the scope of active participation in the climate process. We believe that Parties contributing most to global greenhouse gas emissions should be among the first to take measures to reduce those emissions, taking into account their priorities and levels of economic development. Otherwise, no joint efforts would lead even to reducing the rates of growth in emissions, not to mention the reduction in emissions themselves.
4. In order to achieve progress in the negotiations, it is advisable to incorporate the principle of common but differentiated responsibilities in conjunction with the principle of common but differentiated measures, i.e. promotion of various - acceptable for countries - measures aimed at achieving the common objective, namely to reduce anthropogenic interference with the climate system.
5. The issues to be discussed in the negotiations on future actions aimed at reducing anthropogenic interference with the climate system and preventing its adverse effects should correspond not only to the current realities of the global policies and conditions of the global energy markets but should also anticipate negative trends in future developments in order to ensure that approaches proposed in the framework of the rapidly developing world remain up-to-date, attractive and, most importantly, advantageous for all countries.
6. The issue of scientific justification of the objectives and of the means of achieving them merits a detailed consideration. This includes, inter alia, determination of acceptable levels of anthropogenic interference with climate, optimum timelines and approaches to stabilizing greenhouse gas concentrations in the atmosphere, adaptation of natural and social and economic systems to climate change. This work should be done in close cooperation with the IPCC and its results should be reflected in the Fourth Assessment Report of the IPCC.
7. Kyoto mechanisms and related markets are a novel and positive development. We believe it is necessary to increase their effectiveness in order to use them in the future along with domestic measures aimed at reducing greenhouse gas emissions.

The Russian Federation welcomes the initiation of negotiations on the participation of Annex I Parties in the international climate change cooperation beyond 2012 and considers it advisable to define, as widely as possible, the scope of work of the open-ended ad hoc working group of Parties to the Kyoto Protocol (AWG) in order to include a broad spectrum of issues relating to various forms of participation in this cooperation of both developed and developing countries. It would be important to establish thematic sub-groups at the early stages of the negotiations.

In our view, the AWG should concentrate on highlighting the positive instruments of the Kyoto Protocol in order to improve them, increase their attractiveness and effectiveness from the point of view of achieving the objectives of the Convention in real terms. In this context, we attach great importance to forthcoming consideration at COP/MOP 2 of Article 9 of the Protocol and Articles 4.2(d) and 7.2(a) of

the Convention in the light of the best available scientific information and assessments of the climate change problem and its impacts, as well as of related technical, social and economic information.

The AWG should work in close contact with the Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention established by COP 11.

PAPER NO. 12: SWITZERLAND

**AD HOC GROUP ON ARTICLE 3.9 OF THE KYOTO PROTOCOL**

Switzerland welcomes the opportunity to submit initial views on elements that the negotiations under Article 3.9 should address, as well as on the process. The outcome of these negotiations will decisively determine the effectiveness of the future international climate regime. That is why we would like to explore a number of issues that need to be considered for the framework of the future international climate regime. We look forward to working with the other Parties on these matters.

**General context**

Like all countries, Switzerland is vulnerable to the effects of climate change. In the past hundred years the observed increase in temperature in our country has been more than 1.5 degrees, well above the global increase of 0.6 degrees. Recent natural disasters resulting from extreme climatic events have caused high damages to property, infrastructure and – during the 2003 summer heat wave and during the 2005 floods – even the loss of human life. This is why we consider that national and international efforts of all countries are required to preserve the global climate as a central element of our environment and our well-being.

We are convinced, that international cooperation is a precondition to address climate change as one of the most urgent problems the international community is facing. From the beginning of the international process in this field, Switzerland has, within the framework of UNFCCC and its Kyoto Protocol, contributed to the creation of a strong and effective international regime to combat climate change.

Switzerland has undertaken a number of measures to reduce greenhouse gas emissions. These measures target all emitting sectors and all greenhouse gases addressed by the Kyoto Protocol. The main framework is the CO<sub>2</sub> Act, which stipulates the reduction of energy-related CO<sub>2</sub> emissions by 10 % compared to 1990 levels. We are willing to fully comply with the commitments taken so far and we are prepared to actively participate in the development and establishment of the next phase of the international climate regime.

**Process**

In the light of experience gained in the course of the implementation of the Climate Convention and the Kyoto Protocol, we suggest to start the process under Article 3.9 with analysis of :

- lessons learned while implementing the Kyoto Protocol
- the reduction potential of policies and measures and their cost-effectiveness
- the possibilities of implementing mitigation policies and measures through enhanced international cooperation
- the results of and possible improvements to the carbon market.

In this context the work under the ad hoc group should be efficiently organized by:

- establishing a flexible plan of work with a calendar
- establishing subgroups to deal with the analysis of the above mentioned issues
- making use of the information provided by relevant organisations and stakeholders.

### **Principles and issues to be considered**

We advocate an international climate regime that promotes and facilitates the avoidance, reduction and limitation of GHG emissions. This regime should also contribute to sustainable development and strengthen international cooperation to ensure the participation of all major emitters from both developed and developing countries. It should further be cost-effective by using economic instruments and foster technology development and transfer.

We consider quantified emission limitation or reduction objectives of greenhouse gas emissions and the participation of all major emitters from both developed and developing countries to be important prerequisites for progress with a view to achieving the ultimate objective of the Convention.

To this end, the process under Article 3.9 should :

- assess how quantified emission limitation or reduction objectives may be distributed among countries or activity sectors
- assess the possibility of an extended participation of countries, in conjunction with incentives for such participation, including through technology transfer and the carbon market
- consider the length of the second commitment period
- build on the various components of the Kyoto Protocol which have proven useful in avoiding, limiting and reducing greenhouse gas emissions (e.g. flexible mechanisms)
- use resources and build on information and assessments provided by relevant organizations such as the OECD, IEA and the IPCC
- exploit links between the process under Article 3.9 and the review of the Kyoto Protocol as provided for in Article 9, as well as the dialogue launched at COP 11 on long-term cooperative action under the Convention.

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