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English only

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

**Ad Hoc Working Group on Long-term Cooperative Action
under the Convention**

Eleventh session

Bonn, 2–6 August 2010

Item 3 of the provisional agenda

**Preparation of an outcome to be presented to the Conference of the Parties for adoption
at its sixteenth session to enable the full, effective and sustained implementation of the
Convention through long-term cooperative action now, up to and beyond 2012**

**Ideas and proposals on the elements contained in
paragraph 1 of the Bali Action Plan**

Submissions from Parties

1. The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), at its second session,¹ invited Parties to submit to the secretariat ideas and proposals and, where appropriate and to the extent possible, specific textual proposals on the elements contained in paragraph 1 of the Bali Action Plan,² taking into account the interlinkages among the elements and the specific subparagraphs under each of the elements, in order to focus the consideration of all the five elements by the AWG-LCA.
2. The secretariat received one such submission on 28 July 2010. In accordance with the procedure for miscellaneous documents, this submission is attached and reproduced* in the language in which it was received and without formal editing.

¹ FCCC/AWGLCA/2008/8, paragraph 25.

² Decision 1/CP.13.

* This submission has been electronically imported in order to make it available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the text as submitted.

FCCC/AWGLCA/2010/MISC.5

GE.10-70362

Submission from the Cook Islands

Submission to the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention (AWG-LCA)

27 July 2010

1 At the tenth session of the AWG-LCA, held from 1 to 11 June 2010, the negotiations in the AWG-LCA progressed and several Parties - developed and developing alike - requested that negotiations should continue regarding emissions from international shipping and aviation. A number of delegations supported the proposal by the Cook Islands¹ for a COP decision and stated that it had the potential to bridge the gaps in positions expressed by Parties. In this submission we consider the treatment of the issue in the second iteration of the AWG-LCA chair's text² and propose amendments to the current Chair's text as a way forward for the eleventh session, to be held from 2-6 August 2010. Please refer to paragraph 11 of this submission for the Cook Islands proposed amendments.

2 The Cook Islands takes great interest in achieving results regarding emissions reductions from international shipping and aviation. Limitations and reductions of greenhouse gas emissions from all sectors are needed in order for there to be a high likelihood of keeping global temperature increase below 1.5 degrees, as advocated by the Cook Islands and over 100 other countries for whom higher temperature rises would have catastrophic effects. Despite a recent drop due to the global economic downturn, there is a strong upward trend over the longer term in emissions from both sectors. If this trend is not reversed, emissions from international bunker fuels will take up a very substantial proportion of any global GHG budget that is compatible with stabilising GHG concentrations at levels that would prevent dangerous anthropogenic interference with the climate system - making it difficult or impossible to achieve the ultimate objective of the Convention.

3 In addition, policies to limit and reduce emissions in these sectors could yield revenue, which could be used as an important supplementary source of funding for climate change adaptation and mitigation activities in developing countries. The Cook Islands looks forward to the report of the UN Secretary General's High-Level Advisory Group on Climate Change Financing. We hope that it will present a thorough consideration of the issues related to revenues from international transport and so provide a useful contribution to the debate.

4 The Cook Islands takes particular interest in the emission reduction mechanisms for shipping under development and consideration at the International Maritime Organization (IMO), where as an IMO Member State we are playing an active role in the debate. IMO and ICAO are the appropriate fora for detailed consideration of policies; nonetheless a balanced decision taken by the sixteenth Conference of the Parties to the UNFCCC, one that recognises the role of those bodies while offering guidance on outstanding political questions, would stimulate development of appropriate emission reduction mechanisms for the sectors at the IMO and ICAO respectively.

¹ Submitted to the ninth session of the AWG-LCA, contained in document FCCC/AWGLCA/2010/Misc.2/Add.1 and reproduced in an Annex to this submission.

² FCCC/AWGLCA/2010/8

5 In concluding an agreement of the COP regarding this issue, therefore, we should strive to avoid text which would make it difficult for these UN specialized agencies to succeed in their work. In the consideration of the decision text on international shipping, several countries with maritime expertise have underlined the special characteristics of shipping and the consequential principles embedded in the IMO mandatory frameworks. It is not the intention of the Cook Islands to repeat and expand on this. As a Small Island Developing State and an IMO Member State we would like to communicate that the IMO has demonstrated robust solutions for all States, including developing states, in the 51 mandatory IMO frameworks on safety, environment and security. Several of these frameworks have links to frameworks of other UN bodies. The success of these frameworks is (amongst other reasons) because the relevant UN bodies have fully respected the principles and customary practices of the other UN body.

6 It was in light of these considerations that the Cook Islands submitted the proposal referred to above for a COP decision, which in our view takes into account the various view-points in the process and the special nature of the sectors. We consider the text we offered to be a good basis for achieving an agreement in Cancun and were encouraged to hear the support of other Parties at the tenth session of the AWG-LCA.

7 Having studied the relevant paragraphs (54, 55, 56) of the second iteration of the AWG-LCA chair's text, we are concerned that the appropriate balance is not yet present. Below we outline our concerns and propose amendments to the text that we believe would recapture that balance, drawing on our original submission, which is also included for reference.

8 It is important to recognise that a decision of the COP, which agrees that limitation and reduction of bunker emissions should be pursued, working through ICAO and IMO, cannot also issue decisions that bind those bodies. This applies both to the principles and practices that should be adhered to, and to the overall goal.

9 With regard to the latter, while we would prefer an unambiguous reference to the 1.5 degrees target, we recognise that this issue is subject to debate among Parties.

10 Finally, in order to ensure that policies are equitable with regard to the most vulnerable developing countries, and to reflect requests from a number of Parties to pursue the issue of 'bunker finance', we would like to include reference to the use of revenues. We have modified our proposed wording to reflect discussions with other Parties.

11 We therefore suggest the following amendments:

Delete para 54.

Para 55:

Delete: "[taking into account the principles and provisions of the Convention,] [on a scale consistent with the long-term global goal defined in section A on a shared vision for long-term cooperative action)";

Add new para: "Encourages the International Civil Aviation Organization and the International Maritime Organization to carry out their work in accordance with their respective Conventions and customary practices, taking into account applicable principles and provisions of the Framework Convention on Climate Change."

Add new para: "Requests the International Civil Aviation Organization and the International Maritime Organization to ensure that the majority of any revenue arising from the implementation of such policy approaches and measures shall be made available to support climate change adaptation and mitigation in developing countries, in particular small island developing states and least developed countries.

Annex

COOK ISLANDS

Submission to the Ad Hoc Working Group on long- Term Cooperative Action under the Convention (AWG-LCA)

May 2010

The Conference of the Parties,

Agrees that the limitation and reduction of emissions of greenhouse gases not controlled by the Montreal Protocol from aviation and marine bunker fuels should be addressed, working through the International Civil Aviation Organization and International Maritime Organization, respectively.

Encourages the International Civil Aviation Organization and the International Maritime Organization to

(1) develop without delay policy approaches and technical and operational measures to limit or reduce greenhouse gas emissions from aviation and marine bunker fuels respectively, to levels consistent with keeping the increase in global temperature to well below 1.5 degrees Celsius;

(2) ensure that revenue from the implementation of such policy approaches and measures shall be made available to support climate change adaptation and mitigation in small islands developing states and least developed countries;

(3) carry out their work in accordance with their respective Conventions and customary practices, taking into account applicable principles and provisions of the Framework Convention on Climate Change.

Invites these organizations to inform the Conference of the Parties, at its seventeenth session, and its subsidiary bodies as appropriate at regular intervals, of activities, policy approaches and measures established and under development, emission estimates and other achievements relevant to limiting and reducing greenhouse gas emissions.
