

UNITED NATIONS ACTIVITIES



Climate Change: Plan of Action Adopted

Introduction

The Fourth Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC) was held from 2–13 November 1998, in Buenos Aires, Argentina, and was attended by over 5,000 participants. The Meeting aimed at paving the way for reducing greenhouse gas emissions as required by the Kyoto Protocol to the UNFCCC (see Environmental Policy & Law, Vol. 28 (1998) at pages 11, 63 and 160). In particular, the Protocol's three "mechanisms": Emissions trading; and Joint Implementation (JI) of climate protection projects between the industrialised countries, as well as between the industrialised and developing countries within the framework of the Clean Development Mechanism (CDM) – referred to during the Meeting as the "Kyoto Mechanisms". Delegates also reviewed progress under the 1992 Climate Change Convention.

The Kyoto Protocol's mechanisms were the subject of intense debate. Under the Protocol, an international "emissions trading" regime will be established allowing industrialised countries to buy and sell emissions credits amongst themselves. The CDM and JI programme will provide credits for financing emissions-avoiding projects in developing and transition countries.

The Protocol will become legally binding when at least 55 countries, including developed countries accounting for at least 55 per cent of these countries' 1990 carbon dioxide emissions, have signed and then ratified. The developed country signatories to date account for 78.7 per cent of the group's emissions.

Over 150 non-governmental organisations, representing business and environmental interests, actively participated in the work of the Conference. More than 100 seminars and workshops were held, demonstrating the growing commitment of industry and civil society to the campaign to reduce greenhouse gas emissions.

During the two weeks of deliberations, delegates considered decisions for the Conference of the Parties (COP) during the ninth sessions of the Subsidiary Body for Implementation (SBI-9) and the Subsidiary Body for Scientific and Technological Advice (SBSTA-9). Issues related to the Kyoto Protocol were considered in joint SBI/SBSTA sessions.

A High-Level segment, which heard statements from over 100 ministers and heads of delegation, was convened on 12 November.

The Conference concluded with the adoption of a two-year Plan of Action to reduce the risk of global climate change (see below at page 55).

Opening Sessions

In his address, COP-3 President *Hiroshi Ohki* (Japan), said the Meeting faced the challenge of maintaining the political momentum created in Kyoto. He noted the need to review economic structures and re-examine lifestyles.

Maria Julia Alsogaray, Secretary of Natural Resources and Sustainable Development of Argentina, was elected President of COP-4. She wanted the Meeting to signal a new momentum in the process and said an action plan for future work should be established.

Michael Zammit Cutajar, Executive Secretary of the FCCC, noted that this was the first COP to be held in a developing country. He anticipated that an action plan with ambitious and politically firm deadlines would be created as a result of this Conference, and stated that the Meeting presented an opportunity to revitalise the UNFCCC, perhaps through strengthening the transfer of technology and know-how and financial support.

The Executive Director of the United Nations Environment Programme (UNEP), called for effective cooperation and collaboration among all players, in order to "repair the environment and forestall a climate catastrophe." *Klaus Töpfer* also underlined that the "mechanisms" agreed to in Kyoto at the last COP cannot be a substitute for domestic action by industrialised countries. "The bottom line is that developed countries must start cutting their emissions of greenhouse gases. They should adopt win-win strategies, those that reduce emissions in ways that also help the economy. All other action should be supplemental to this effort," he said.

Following the election of the officers of the COP, delegates discussed changes to the provisional agenda.

The President reported that Antigua and Barbuda had ratified the Kyoto Protocol on 3 November, the first to do so.

Delegates heard reports from the Chairs of the Subsidiary Bodies. The Chair of AG13, *Patrick Széll* (UK), presented the draft decision on the Multilateral Consultative Process (L.3). Although the Parties had accepted the thrust of the proposal, delegates did not agree on the size and composition of the Multilateral Consultative Committee. The President said she would hold intersessional meetings to tackle outstanding issues. The Subsidiary Bodies then began their work.

Voluntary Commitments

While the issue of future commitments for both developed and developing countries was not on the agenda, informal discussions on this matter formed part of the meeting's backdrop.

Despite overwhelming opposition at the subsidiary bodies meetings and a pre-COP meeting, Argentina placed an item on voluntary commitments for developing countries (non-Annex I Parties) on the provisional agenda as Agenda Item 6.

The willingness of the host country to break ranks with most of its partners in the G-77/China and signal its willingness to undertake such a binding commitment at COP-5 as the first developing country, not only set a tone of suspicion on the first day, but ensured that the developing countries dug their heels in against any hint of new obligations or what they considered to be associated conditionalities.

COP President *Alsogaray* responded to G-77/China opposition by striking the item off the agenda and suggesting that informal consultations between interested countries proceed.

In discussing the provisional agenda, and in particular, Item 6, Indonesia, on behalf of the G-77/China, said this issue had been deliberated at length, but no consensus had been reached. He proposed adoption of the agenda without Item 6.

India recalled that the debate at Kyoto had rejected the idea of voluntary commitments, stating it was not implied in the principles of common but differentiated responsibilities.

Saudi Arabia, Venezuela, and Algeria cautioned that discussion of the issue at this stage would be divisive and distract from discussions of compliance and continuing increases in developed countries' emissions.

Brazil described the UNFCCC as an exercise in burden-sharing, recognising the differentiated responsibilities between Annex-I and non-Annex I Parties.

China noted that developed country emissions were projected to be 5 per cent above 1990 levels by 2000 and 13 per cent above 1990 levels by 2010. He distinguished developing country "survival emissions" from developed country "luxury emissions" and said that developing countries risked losing financial assistance and technology transfer under the UNFCCC. He added that voluntary commitments would create a new category of Parties under the UNFCCC and could destroy the unity of the G-77/China.

The United States expressed regret that divisions among Parties would prevent delegates from putting all the issues on the table at this session. An open and full discussion on options could clarify a number of questions.

The Russian Federation reminded delegates that within 15 years, emissions from non-Annex I countries would exceed those of Annex I countries.

The Czech Republic, with Hungary and Slovenia, supported the inclusion of Item 6 and noted that it could foster useful debate and dialogue.

Austria, on behalf of the EU, said the question of broadening commitments in the long term is necessary and unavoidable. As it may not be possible to resolve this issue in plenary, he proposed that the COP President take a decision on how to proceed.

Delegates adopted the provisional agenda without Item 6, as no consensus existed on its inclusion.

The President noted that as several Parties had expressed interest in continuing discussion, she would facilitate informal consultations. The United States led the support for such consultations. China cautioned against these, stating that they could jeopardise the neutrality of the presidency.

India and Saudi Arabia observed that the item had been deleted because there was no consensus on further discussion. Voluntary commitments should not be considered and the President should not participate in consultations.

(It was later reported that such discussions between Annex I and non-Annex I countries had indeed taken place.)

Kazakhstan later expressed its intention to join the group of industrialised countries and accept a legally binding target.

Argentine President *Carlos Menem*, announced during the second week of the COP, that his country would undertake a voluntary commitment to abate its greenhouse gas emissions at COP-5.

Delegates were therefore not altogether surprised when barely a day later, *President Clinton* announced that the United States had become the 60th Party to sign the Kyoto Protocol. Argentina had given a signal the US had been waiting for, especially in view of the background of the relevant Senate (Byrd-Hagel) resolution, which states that "the United States should not be a signatory to any protocol that excludes developing countries from legally binding commitments ..."

Subsidiary Body for Scientific and Technological Advice

SBSTA, chaired by *Kok Ke Chow* (Malaysia) held ten meetings, including several joint sessions with SBI to discuss, among other things, the Kyoto Protocol mechanisms. It considered "Matters related to the Kyoto Protocol (a) Matters related to decision 1/CP.3, paragraph 5:"

– Land-use change and forestry

Brazil noted that this issue alone could undermine the Kyoto Protocol if the COP should take a wrong decision on how to account for the influence of forestry on greenhouse gas emission concentrations.

Delegates considered the Chair's draft conclusions on the subject. The conclusions called for the organisation of a second SBSTA workshop prior to the tenth session, to focus on issues related to Article 3.4 of the Kyoto Protocol (such as methodologies, uncertainties, and research and data needs).

At the request of the Russian Federation and other Parties, the title of the draft conclusion was amended to read "land use, land use change and forestry." The draft conclusions were adopted as amended. ➤

The COP adopted the decision in the final plenary as L.5 (see page 61).

– Impact of single projects on emissions

Delegates considered the Chair's draft conclusions, which were based on informal consultations. Under the conclusions, SBSTA would further consider the issue at its tenth session. These were accepted for forwarding to the COP, which adopted a decision on the issue in the final plenary (L.8, see page 55).

– Research and systematic observation

The Global Climate Observing Systems (GCOS) presented a Report on the Adequacy of Global Climate Observing Systems. It recommended, *inter alia*, that Parties prepare national plans and exchange relevant data.

Delegates discussed the GCOS Report and called for expansion of research and systematic observation. Many highlighted the need to focus research and systemic observation systems on developing countries and issues that were relevant to them to combat the deterioration of these systems.

Informal consultations were held which resulted in draft conclusions outlining decisions to develop an action plan to consider options for implementation. In addition, the Secretariat was requested to compile a report on priorities for action to improve global observing systems in relation to the needs of the Convention.

The Group also considered the Chair's recommendation on the relationship between efforts to protect the stratospheric ozone layer and efforts to safeguard the global climate system.

The Russian Federation said the process was moving ahead too quickly and there was no need to prepare a document to be considered at the next COP. The Chair explained that there was a step-by-step approach embodied in the document, and clarified that the decision on the matter would be taken at SBSTA-11, which would give the Secretariat ample time. The Russian Federation proposed deleting the requirement of a report from the Secretariat, since the IPCC Report could provide the required information.

The Chair explained that there would be two separate reports and the draft decision was adopted, despite the objection of the Russian Federation to portions of the text. The COP adopted the decision in final plenary (L.4, see page 55).

– Methodological Issues for Greenhouse Gas Inventories (GHG) (Agenda Item "Other Matters")

The Chair explained that these issues would be discussed at an expert workshop to be held in December 1998, by the Secretariat.

Delegates considered the draft conclusions and requested the Secretariat, *inter alia*, to prepare a report on the revised guidelines for Annex I communications, particularly on the GHG inventory section, and consult with the Intergovernmental Panel on Climate Change (IPCC) on a comprehensive joint plan for the inventory programme. The conclusions were then adopted by SBSTA.

Delegates later discussed scientific and methodological aspects of the proposal by Brazil. Brazil described it as the allocation of responsibilities among different emitters based on their actions as measured by the increase in global temperatures, rather than by emissions.

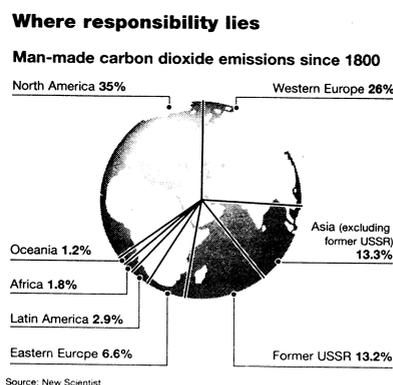
SBSTA adopted draft conclusions on this proposal, in which it decided to consider the issue further and called on Brazil to report at SBSTA's next session.

– Development and Transfer of Technology

The G-77/China stressed that without practical technical know-how, technology transfer would be impossible.

A contact group discussed three draft decisions proposed by the US, The G-77/China and the EU.

The US delegate said that communications between Parties were hindered by the differing understandings of the issues. He said technology transfer should be based on country specific needs and proposed that reference be made to successful programmes. He also supported the Secretariat's proposal for a consultative process that



Courtesy: Financial Times

would facilitate dialogue between Parties.

The G-77/China proposal focused on identifying means of linking the issues and providing an interface between the providers of technology and the recipients. It proposed a technology transfer mechanism (TTM) "to assist developing country Parties to obtain their needed environmentally sound technologies and know-how, conducive to addressing climate change, on non-commercial and preferential terms and thus contribute to the ultimate objective of the Convention."

There was consensus on the capacity building section of the G-77/China proposal, which called for efforts to enhance endogenous capacities and provide enabling environments. The United States opposed the proposal for a TTM since it would be difficult to agree on its terms of reference. The delegate also opposed the reference to "non-commercial, preferential terms," and recalled that the reference was rejected when the Convention was being negotiated.

Delegates then debated, *inter alia*, issues relating to the transfer of public domain technology; the features of a consultative process; and the role of dialogue between Parties.

During the second week, delegates considered the draft conclusions on technology transfer, and requested the SBSTA Chair to establish a consultative process, which would consist of regional workshops and meetings to implement FCCC Article 4.5 (technology transfer). Parties were invited to provide submissions to the Secretariat by 15 March 1999, in response to the issues listed in the annex to the decision.

Delegates adopted most of the text unchanged, modifying the preamble to reflect the role of the private sector in some countries. A paragraph requesting SBSTA establish a consultative process to consider the issues listed in the annex was the subject of considerable debate.

The Chair closed the formal meeting and began informal discussions. The EU said that the annex was not a negotiated text and supported the US proposal to leave the debate to the High-Level segment, as it related to other issues under negotiation. After some discussion, the Chair invited the EU, the US and the G-77/China to discuss the issue informally.

The Chair later reported that participants had agreed to let the Chair make a proposal. He proposed the following: "to achieve agreement on a framework for meaningful and effective actions." The reference to "technology transfer mechanism" would be deleted. A bracketed reference in the annex asked whether existing multilateral mechanisms were sufficient. The Chair wished to accept the text for forwarding to the COP, but the US objected. SBSTA accepted the text, and the Chair said the record would note the US objection. The US, supported by Japan, said the action was inappropriate and a statement in the record was insufficient. The US delegate said that the record should show the decision was accepted in the face of objection.

Delegates adopted the decision on development and transfer of technology (L.16, see page 55), in the final plenary.

Subsidiary Body for Implementation

Chaired by Bakary Kante (Senegal), SBI met eight times, including the joint sessions with SBSTA.

It considered implementation of FCCC Articles 4.8 and 4.9 (adverse effects); review of information/possible decisions under Decision 9/CP.1; second national communications from Non-Annex 1 Parties; national communications from Non-Annex 1 countries; financial mechanism; administrative and financial matters; and schedule of meetings for 2000–2001.

Several contact groups met to discuss the issues further and draft conclusions. However, for many issues delegates could not reach agreement in the contact groups and the draft decisions were forwarded to the COP with brackets. Outstanding issues were then discussed behind closed doors in high-level consultations and the decisions were presented in final plenary.

– *Adverse Impacts*

The Chair convened a contact group on Articles 4.8 and 4.9 and on related articles of the Kyoto Protocol (2.3 and 3.14).

The debate about adverse impacts and compensation became confrontational in nature. The OPEC countries tried and failed to link Articles 4.8 and 4.9 and associated Kyoto Protocol measures to an EU drive to include policies and measures in the work programme.

Saudi Arabia stressed the need for the contact group to produce an unambiguous text that could be adopted by the COP. The US and Canada indicated that the issues raised by Articles 4.8 and 4.9 and the subsequent decisions should be separate. With Australia, they said the issue should be considered in a non-political manner.

The contact group met three times and discussed a Co-Chairs' draft decision, which stated that the basic elements for further analysis should include the identification of adverse effects; determination of the impacts of implementation measures in developing countries; the identification of the specific needs and concerns of developing country Parties arising from such adverse effects and impacts; and determining further necessary actions related to funding, insurance and technology transfer to meet the needs of developing countries. A programme of work was proposed.

In describing the results of the contact group, Co-Chair *Bo Kjellén* said the text reflected the objectives and there was general agreement on outstanding issues. The two bracketed paragraphs in the preamble reflected the lack of time for full negotiation. The G-77/China replied that there were compromises even in the unbracketed text. The delegate said the group would accept the document, including the brackets, to preserve momentum. The US, with the EU, said the impression of general agreement was misleading. The delegate said the contact group did not discuss this text and there was no agreement on the work plan. Saudi Arabia stated there was no consensus and suggested that if the whole text were bracketed, then all texts should be bracketed.

The draft decision on Articles 4.6 and 4.9 was finally adopted with two amendments and the removal of brackets from around the entire text (L.9, see page 58).

– *Review of Information and Possible Decisions under Decision 9/CP.1*

Delegates considered the review of information and possible decisions under Article 4.2 (f), which addresses amendments to UNFCCC Annexes.

Pakistan requested Parties to delete Turkey from Annexes I and II. The EU said all OECD countries should have legally binding targets, and informal consultations were held on this issue.

In plenary, the President of the COP invited comments on the draft decision on the review of implementation of commitments and of other provisions of the Convention (L.2, see page 55). Under the draft, the COP would continue to review this matter at COP-5. Turkey reiterated that its current status was an anomaly that delays its ratification of the Convention. Pakistan called for the resolution of the issue to allow Turkey to participate in the process. ➤

– *Second National Communications from Annex I Parties*

The full compilation and synthesis of such communications was discussed. The Secretariat provided a review of documentation and discussed gaps in data and reporting.

A contact group met to formulate a draft decision. It proposed that the third national communications from Annex I Parties be due in 2001 and that subsequent national communications be due every three to five years.

The Co-Chairs of the contact group later announced that consensus had been reached. The G-77/China proposed bracketing a paragraph in the annex which noted that many Annex I Parties would not reduce GHGs to 1990 levels. They said this issue became linked to discussion on UNFCCC Article 4.2 (a) and (b) (adequacy of commitments).

The text was accepted with brackets. The final plenary adopted the text (L.10, see page 55), with the removal of the brackets from paragraph 10(c).

– *National Communications from Non-Annex I Countries*

China, supported by Togo and the Central African Republic, said UNFCCC Decision 10/CP.2 recognised the need for adequate and additional financial resources for inventories, an enormous task for some developing countries.

The EU said communications should be considered on a country-level basis and more frequent workshops would be beneficial.

The contact group on non-Annex I national communications considered a draft Co-Chairs' text. Discussion centred on a number of issues including whether national communications would be evaluated and whether there would be a process of ongoing evaluation; whether a compilation and synthesis of non-Annex I national communications would be completed, and if so when; whether there would be in-country reviews; and whether workshops would help the consideration and/or preparation of national communications.

Following lengthy debate on the draft, the Chair said the entire text would be bracketed for consideration by the COP plenary. The final plenary adopted the decision as L.11 (see page 55).

– *Financial Mechanism*

Under this heading, delegates debated the report of the Global Environment Facility (GEF) and the financial mechanism and the review process.

Several developing country Parties suggested a political reorientation of the GEF to meet their needs, such as the preparation of non-Annex I communications. Several developed country Parties suggested that the GEF should operate as the Convention's financial entity, although improvements were needed. The Chair called for unity among the delegates to resolve the status of the GEF and appealed for a solution.

The contact group on the financial mechanism met and focussed on procedural matters that would enable a decision to be reached. It later discussed a draft decision

presented by the G-77/China. The US tabled its own draft decision that focused on improvements at the operational level of the GEF; resolving the status of and guidance to the GEF in one draft decision; and GEF support programmes to assist developing countries in altering their policy and legal framework in support of technology transfer. The G-77/China said this proposal did not adequately meet the needs of developing country Parties.

Following extensive consultations behind closed doors, the COP plenary was presented with a draft decision (L.22, see page 55), without brackets, which it adopted.

It was agreed that the restructured GEF shall serve as the financial mechanism. For details see page 55.

Second Review of the Adequacy of UNFCCC Article 4.2 (a) and (b).

There was consensus among Parties that the current commitments were inadequate and a decision should be reached at COP-4.

The G-77/China continued to view the inadequacy of commitments in terms of the poor performance of Annex-I Parties, while developed country Parties insisted that the problem is a lack of global participation, particularly by key developing countries such as China and Brazil.

The row surrounding the question of voluntary commitments was seen to contribute to the deadlock in the debate on the review of the adequacy of the UNFCCC commitments, forcing a postponement of the issue.

There was no discussion or decision on this issue by the COP, nor was it clear what the nature of such future discussions will be.

– *Administrative and Financial Matters*

The Secretariat outlined a number of administrative and financial matters and a brief discussion ensued. The Chair decided to hold consultations on the issues raised.

Delegates adopted a decision on the subject in final plenary (L.13, see page 55).

– *Schedule of Meetings for 2000–2001*

The EU, supported by Canada and Australia, proposed that COP-5 be held in 2000 rather than 1999. Saudi Arabia, China, Venezuela, Nigeria and Mauritania, objected to this proposal.

China noted that several issues under the Convention remained unresolved and time was needed to prepare for the Protocol's entry into force.

Joint Sessions

– *Flexibility Mechanisms*

Delegates discussed the Protocol's flexibility mechanisms, contained in Article 6 (emission reduction units), Article 12 (clean development mechanism (CDM)) and Article 17 (emissions trading).

The G-77/China stressed the need for the flexibility mechanisms to proceed step-by-step. Brazil said the CDM should not be operational before ratification of the Protocol and implementation of domestic measures.

The African Group stressed that the use of flexible mechanisms be limited to an agreed amount since the primary objective of the UNFCCC was to encourage domestic action. It added that appropriate work with debt relief in Africa would create an enabling environment for a wide range of CDM projects.

The EU stated that the mechanisms should be developed parallel to and consistent with each other. The delegate said that domestic actions should be the primary means of emissions reductions and the mechanisms should be supplemental. He called for the definition of a quantitative and qualitative ceiling based on equitable terms.

Australia said the flexibility mechanisms were to be open market-based, transparent, cost effective and equitable; provide comprehensive coverage, including sinks; and be fundable.

A joint SBI/SBSTA contact group met several times and discussed the preparation of a comprehensive work programme on flexibility mechanisms. The EU and a group of Annex I Parties, including Australia, Canada, Iceland, New Zealand, Norway, the Russian Federation and the US (the so-called "umbrella group") distributed draft decisions and discussion documents. Other Parties, including the G-77/China, called for more time to consider the volume of documentation.

The G-77/China stressed the need for a clear section in the work programme devoted to the nature and scope of the mechanisms to facilitate comparison. He added that the mechanisms should not exacerbate the economic disadvantage of countries and called for the CDM to be discussed on a priority basis.

The US stressed parallel progress on all mechanisms. The EU preferred a general, rather than a detailed, debate. Several Parties expressed concern about the length of the draft work programme.

A few days later, the G-77/China submitted a proposed work programme containing an extensive list of issues, embodying a step-by-step approach and prioritising the CDM.

The EU said the G-77/China draft programme lacked, *inter alia*, a clear timeline, deadlines and allocation of work to different bodies. They rejected the prioritisation of work, calling for parallel development of all three mechanisms. The Co-Chairs then introduced a draft decision on mechanisms, taking into consideration the views expressed in the group, admitting that it was outside their mandate.

The next day, draft work programmes were submitted by Australia (on behalf of Canada, Iceland, New Zealand, Norway, the Russian Federation and the US), Japan, Switzerland and the Co-Chairs.

After much debate on these drafts, delegates convened a joint SBI/SBSTA plenary in the early morning hours of the following day, but there was still no agreement on a work plan. Later on that same day, the Chair informed the COP plenary that a decision had been reached on the flexibility mechanisms and two draft texts would be forwarded to the COP.

During the final plenary, the COP adopted a decision that included a work programme on mechanisms (L.21, see page 55). The decision contained, *inter alia*, several elements: prioritisation of the CDM; a final decision on Protocol Articles 6 (emission reduction units), 12 (clean development mechanism) and 17 (emissions trading) at COP-6; and a request to the Secretariat to prepare a plan for facilitating capacity building for developing country Parties, especially for the small island States and the least developed countries, to participate in the CDM.

The work programme contained a list of issues to be discussed under four categories: General; CDM; Article 6 projects; and Article 17 – emissions trading between Parties included in Annex B.

– Activities Implemented Jointly

A joint SBIII/SBSTA plenary session considered the status of the AIJ pilot phase. The Secretariat provided a report on the 95 projects, the main methodological issues, and subjects that arose in workshops on this topic.

The G-77/China, supported by many developing countries, noted that AIJ is separate from the mechanisms arising from the Protocol. The delegate said that there were insufficient details to draw conclusions and the pilot phase should be extended.

Several other countries contended that the AIJ pilot phase provides lessons for the flexibility mechanisms and a review of the AIJ pilot phase for COP-5 would support the development of this work.

Following informal consultations, a draft decision was presented which was forwarded to the COP plenary. During the final plenary, the draft decision (L.20, see page 59) was adopted without discussion.

The decision continues the AIJ pilot phase, invites Parties to make submissions on projects and begins a process of review to enable a decision to be made by the end of the present decade.

Preparations for Meeting of the Parties

The joint session discussed preparations for the first session of the Conference of Parties serving as the Meeting of the Parties to the Protocol (COP/MOP-1).

The Chairs introduced their draft decision and invited discussion. After several proposals and counter-proposals, the draft decision (L.19), was accepted with two minor changes to the annexes.

The decision focuses on a work plan that includes allocation of preparatory work between the subsidiary bodies and a list of tasks assigned to Conference of the Parties serving as the Meeting of the Parties.

Presidential Ceremony

This was held on 11 November. *Nitin Desai*, on behalf of the UN Secretary-General *Kofi Annan*, said the Kyoto Protocol offered a sustainable path for industrialised countries and demonstrated shared stewardship for the planet. He underlined the need for early ratification of the Protocol and action on issues including technology transfer, domestic measures and scientific research. ➤

Carlos Menem, President of Argentina, said the Protocol had been approved by the Senate of Argentina and was under consideration in the lower house. He stated that at COP-5, Argentina will make a commitment to lower emissions for the period 2008 to 2012. Countries were to be permitted, he said, "to find a new way under the Convention."

The COP-4 President proposed to convene a group of "friends of the President" at the ministerial level to address the outstanding issues from the SBI and SBSTA.



Michael Cutajar, Executive Secretary of the UNFCCC, informed delegates that Jordan had offered to host COP-5. He said a final decision had not been reached because financial matters were under discussion.

Turkey said it had presented the UNFCCC to Parliament for ratification. However, its Annex I and II status did not conform to the country's economic circumstances. The delegate requested resolution of this issue at COP-5.

High-Level Segment

A number of speakers, including the EU, Japan, Sweden, Russian Federation, Egypt, and the G-77/China, stressed that active leadership to prevent global warming must come from developed country Parties. Domestic action must provide the main means for meeting commitments to combat climate change; and flexibility mechanisms were supplemental and their use must be subject to strict rules of accountability and compliance.

The UK and Ghana said that scientific uncertainty should not be used as an excuse for inaction.

The G-77/China said their participation in mitigating climate change depends on the effective implementation of developed country Party commitments in the field of technology transfer and financial resources.

Several Parties, including Denmark, Venezuela, Poland, Australia, France, the EU and the US, called for the establishment of a coherent, effective and strong compliance system. The G-77/China called for a decision on compliance at COP-4. Germany suggested a ceiling for mechanisms and, with France, supported the inclusion of sanctions in the compliance system.

Closing Plenary

The final plenary did not begin until 6.00 am on Saturday, 14 November. Prior to this, selected delegates had met in closed high-level negotiations, informal consulta-

tions, regional meetings and "friends of the President" sessions.

Delegates adopted ten decisions on outstanding issues. They also adopted a "Plan of Action," which will prepare the way for industrialised countries to take future action under the 1997 Kyoto Protocol.

Plan of Action

The Plan establishes deadlines for finalising the outstanding details of the Protocol, so that the agreement will be fully operational when it enters into force sometime after the year 2000.

In addition, the Plan of Action boosts work on transferring climate-friendly technologies to developing countries and addresses the special needs and concerns of countries affected by global warming and by the economic implications of response measures.

"We now have an action plan with political timetables," said *Michael Zammit Cutajar*, the Convention's Executive Secretary. "The crunch will come at the sixth session of the Conference of the Parties at the end of the year 2000."

To ensure that the mechanisms are effective and credible, the work plan may address such issues as the nature and scope of the mechanisms, criteria for project eligibility, compatibility with sustainable development, auditing and verification criteria, institutional roles, principles and guidelines, and so forth.

In the words of the Conference President, "this Plan of Action will fill in the missing details of the Kyoto Protocol and pave the way for its early implementation."

Conclusion of the Session

The report of the COP was adopted without amendment.

Switzerland commented on the process of reaching the Conference decisions. The delegate said there was a significant lack of transparency in the manner in which the extended Bureau was set up. He remarked that although small working groups were necessary, the process of delegation to the working groups should be transparent and democratic. He stated they must have a clear mandate from the Plenary and called upon the Bureau and the Secretariat to draft a proposal to elaborate an open and interactive mechanism for establishing working groups.

The UNFCCC Executive Secretary referred to the Swiss statement and views expressed to him from environmental NGOs concerning the style of negotiations. *Michael Zammit Cutajar* noted that he wanted the process to be inclusive and promised to work on the issue. He also noted that the COP had produced a solid plan of action and firm deadlines that will generate results over the next two years.

The next session of the Conference of the Parties will be held in late 1999. The COP's subsidiary bodies will meet in May/June 1999, in Bonn, to prepare for that session. (MJ) □

(See also following report)