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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Eleventh session
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Item 7 (b) of the provisional agenda

MATTERS RELATING TO COMMITMENTS

REVIEW OF THE ADEQUACY OF COMMITMENTS IN ARTICLE 4,
PARAS. 2(A) AND (B)

Letter dated 22 September 1994 from the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of Germany to the Executive Secretary of the interim secretariat, transmitting proposals for further elements of a protocol to the Convention

Note by the interim secretariat

Addendum

1. Document A/AC.237/L.23 contains the text of a proposed protocol to the Convention as submitted by Trinidad and Tobago, on behalf of the States Parties to the Convention that are members of the Alliance of Small Island States.
2. The Government of Germany has transmitted to the interim secretariat proposals for further elements of such a protocol. These proposals were sent on 27 September 1994 with a note verbale to all Permanent Missions to the United Nations in New York and at Geneva.
3. The Committee is invited to consider these proposals from Germany in addition to the proposals from Trinidad and Tobago at its eleventh session, in preparation for the first session of the Conference of the Parties, to be held in Berlin from 28 March to 7 April 1995.

GE.94-64646

Letter dated 22 September 1994 from the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of Germany to the Executive Secretary of the interim secretariat, transmitting proposals for further elements of a protocol to the Convention

Germany very much welcomes that the Alliance of Small Island States has taken the initiative in proposing a "Draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction".

In order to further stimulate substantial consideration of this central political issue to be decided upon at COP 1 in Berlin, we ask you to kindly circulate the paper enclosed among the Parties to the Convention before 28 September 1994.

(Signed)

Cornelia Quennet-Thielen
Head of Division
International Co-operation
Environment and Development, International Legal Affairs

ELEMENTS FOR A COMPREHENSIVE PROTOCOL TO THE FCCC

Reviewing the adequacy of commitments under the Framework Convention on Climate Change (FCCC) will be a central policy issue at the first Conference of Parties (COP). Assuming that COP 1 will conclude that the commitments of Annex I Parties under Article 4.2(a) and (b) of the FCCC are inadequate, it is essential that the commitments are further elaborated as soon as possible.

It is noted with interest that Trinidad and Tobago on behalf of the AOSIS have tabled a Draft protocol to the FCCC on 21 September 1994.

In this paper, Germany presents proposals for further elements of such a protocol, in particular in the field of policies and measures. The proposals are, in general, based on the German position paper presented at INC 10.

General Considerations

In order to reach the ultimate objective of the FCCC, it is necessary not only to regulate CO₂ but also to limit or reduce other relevant greenhouse gases. Therefore a comprehensive protocol for greenhouse gases and their sources and sinks, as well as for all sectors, should be negotiated without delay, flexible enough to allow the gradual incorporation of relevant substances in line with the progress of scientific knowledge, and combining targets and timetables for the limitation and/or reduction commitments with coordinated policies and measures to be implemented.

The commitments relating to greenhouse gases laid down in the protocol should be reviewed at regular intervals to be determined and, if need be, further developed in the light of the ultimate objective enshrined in Article 2 of the FCCC, taking into account the best available scientific information and assessments on climate change and its impacts, as well as relevant technical, social and economic information.

In setting new, farther reaching commitments, attention must be paid to ensuring the principles in Art. 3 FCCC guiding the Parties in their endeavour to protect the climate system, including the principle of a balanced burden sharing in line with the common but differentiated responsibilities of Parties as well as their capabilities and possibilities.

We should continue to work towards balanced commitments on the part of industrialized and developing countries, for example by means of further reporting commitments for non-Annex I Parties and commitments to limit the rise in emissions in the case of certain more advanced developing countries.

Carbon dioxide

I. Basic commitments

1. The Annex I Parties shall commit themselves to stabilising their CO₂ emissions - individually or jointly - by the year 2000 at 1990 levels, i.e., to return their emissions to 1990 levels until 2000 and maintain them thereafter.
2.
 - a) Moreover it is necessary to undertake ambitious CO₂ reduction in the period after 2000. Therefore, specific targets and timetables for the reduction of CO₂ emissions of Annex I Parties will have to be agreed upon in the protocol. *
 - b) The protocol should stipulate the launching of negotiations on additional reduction steps in the light of the ultimate objective laid down in Art. 2 of the FCCC.
3. Emission reduction should basically be carried out within each Party's own territory. With regard to the reduction commitments listed in No. 2a above a certain portion yet to be determined may be met by joint implementation¹, whereby a significant part of the commitments must be met through measures within each Party's own territory.

II. Further policies and measures

1. Energy (energy supply, building-related issues, industry)
 - 1.1 Annex I Parties shall adopt national² policies and take corresponding measures to improve the efficiency of large scale combustion plants taking account of Annex (...).
 - 1.2 The Annex I Parties shall adopt national² policies and take corresponding measures to improve the efficiency of facilities providing low-temperature heat (e.g. heating boilers etc.) and other small scale combustion plants, taking account of Annex (...), as well as for the regular control of these installations, in principle.
 - 1.3 The Annex I Parties shall adopt national² policies and take corresponding measures to improve the efficiency of certain products and/or to provide energy efficiency standards and labelling giving information on energy consumption; this applies particularly to:
 - household appliances,
 - appliances in entertainment and communication technology,
 - air conditioning systems and refrigeration facilities,
 - the insulation properties of certain materials.

* In this context it is noted that the Draft Protocol tabled by Trinidad and Tobago proposes in its Art. 3 (1) that each of the Annex I Parties shall reduce its 1990 level of anthropogenic emissions of CO₂ by at least 20% by the year 2005.

1.4 The Annex I Parties shall adopt national² policies and take corresponding measures

- to reduce energy loss during distribution,
- to use waste heat from large industrial plants,
- to improve heating and insulation in buildings,
- to ensure consumption based accounting of costs for heating, air conditioning and hot water,
- to implement energy diagnostic assessments of areas of industry which consume in large quantities and in the field of building,
- to step up the replacement of fuels with high CO₂ emissions with those which are low in CO₂ or CO₂-free,
- to utilize least-cost planning,
- to increase the use of contracting (planning, implementation, financing and operation of energy supply by third parties).

2. Renewable energies

The Annex I Parties shall adopt national² policies and take corresponding measures for the development, generation and increased use of renewable energies.

3. Traffic and transport

3.1 The Annex I Parties shall adopt national² policies and take corresponding measures to avoid and reduce unnecessary traffic and transport.

3.2 The Annex I Parties shall adopt national² policies and take corresponding measures to shift to more environmentally sound means of transport.

3.3 The Annex I Parties shall adopt national² policies and take corresponding measures to reduce gradually the average fuel consumption of newly licensed cars to 5 l/100 km, as far as possible, and increase the efficiency of other means of transport.

3.4 The Annex I Parties shall commit themselves within the framework of international negotiations to work towards dismantling tax reliefs for air traffic, in particular

- the petrol tax exemption for aircraft fuel,
- the value added tax exemption for cross-border traffic.

4. Forests

4.1 The Annex I Parties shall adopt national policies and take corresponding measures with regard to management, conservation and sustainable development of forests in order to conserve and enhance, as appropriate, sinks and reservoirs.

4.2 The Annex I Parties shall work towards ensuring that internationally agreed criteria are determined and applied for the management, conservation and sustainable development of forests.

Methane

In order to limit CH₄ emissions, the Annex I Parties shall adopt national policies and take corresponding measures to

1. reduce CH₄ emissions in the extraction, transport and use of crude oil and natural gas,
2. reduce emissions of pit gas from hard-coal mining (use of pit gas as energy),
3. avoid and/or utilize landfill gas,
4. reduce and utilize sewage gas,
5. utilize biogas.

Nitrous oxide

The Annex I Parties shall adopt national² policies and take corresponding measures to reduce N₂O emissions

1. from industrial installations,
2. from agriculture, in particular by means of fertilization adapted to plant needs and site-related, and by improving fertilization dosage,
3. in the field of animal husbandry and the storage of animal waste products.

Fluorocarbons

1. The Annex I Parties shall commit themselves to reporting on the production and consumption of FCs and HFCs.
2. The Annex I Parties shall adopt national² policies and take corresponding measures
 - 2.1 to deal with commercial and industrial refrigeration equipment and air conditioning equipment in such a way that such used substances may be recovered or disposed of in an environmentally sound way, as possible,
 - 2.2 to limit by precautionary measures the leakage of these substances
 - * during manufacture, installation, operation and servicing of commercial and industrial refrigeration and air conditioning equipment,
 - * when such substances are used as feedstocks in the manufacture of other chemicals and
 - * when such substances are inadvertently produced by the manufacture of other chemicals.

General policies and measures

1. The Annex I Parties shall in the aforementioned areas promote the increased use of economic instruments, for example charges such as taxes, fees, contributions and special levies, including a CO₂/energy tax, promotional measures, tradeable permits, bubble of offset policies including joint implementation, advantages to those who act in an environmentally sound way, and voluntary agreements, product markings and the environmental label.
2. The Annex I Parties shall in principle dismantle fiscal and other benefits which promote conduct contrary to the objective of the protocol.
3. The Annex I Parties shall develop and implement education and training programmes in the aforementioned areas.
4. The Annex I Parties shall intensify research, if possible in the framework of international and intergovernmental programmes, extend scientific co-operation and ensure the processing, evaluation and transmission of scientific knowledge.
5. The Annex I Parties shall develop and implement information and advice programmes in the aforementioned areas.
6. The protocol should provide for further development of the commitments under the Convention entered into by Annex II Parties (Art. 4, para. 5) as to promote, facilitate and finance, as appropriate, the transfer of, or access to, environmentally sound technologies and know how to other Parties, in particular non Annex I Parties.

Notes

¹ This in principle also applies to possible commitments regarding other greenhouse gases.

² This also includes the policies and measures adopted by regional economic integration organizations.

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