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# The UN Framework Convention on Climate Change (FCCC)

## INTRODUCTION

Climate change is caused by greenhouse gases,<sup>1</sup> known as such because they trap heat in the earth's atmosphere. This makes the planet some 30°C warmer than it would otherwise be, thereby habitable for human beings. These gas concentrations form a kind of blanket around the earth and prevent radiation escaping from the planet's surface into space. This is much like the effect of glass panes in a greenhouse, which trap heat and allow tropical plants to grow in temperate climates.

Over the last hundred years, these gases have become much more concentrated in the atmosphere because of greater industrial and agricultural production. Greater use of oil, coal, natural gas has caused dramatic increases in the emission of greenhouse gases. As a result, the greenhouse is in danger of becoming warmer, endangering the delicately balanced temperature that makes human life as we know it possible.

Scientists predict that these higher temperatures—with potential increases of 2-5°C over the next century—will have many consequences. Although popularized by the Western media as 'global warming,' the effects will more likely mean greater variations in both temperature and weather patterns as polar ice caps melt, ocean levels rise, and low-lying land is swamped. The rates of change predicted are unprecedented in the past 10,000 years.

The most important greenhouse gases for climate change are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O) and ozone (O<sub>3</sub>). Carbon dioxide has been increasing the atmosphere for two reasons: the burning of fossil fuels such as oil and natural gas, and the destruction of forests, which act as natural 'sinks' for CO<sub>2</sub>. Plants absorb CO<sub>2</sub> and use it to produce the sugars and carbohydrates they need to grow. Octane are also a sink for CO<sub>2</sub>. The significant reduction of forest cover on earth have undermined the earth's natural capacity to reprocess CO<sub>2</sub>.

Ozone and nitrous oxide are both byproducts of burning fossil fuels. Ozone is an essential gas in the upper stratosphere, where it is decreasing. Yet it is actually increasing in the lower atmosphere, trapping waste gases and contributing to smog and other kinds of urban pollution. In the upper atmosphere ozone filters much of the sun's damaging ultra-violet radiation. The appearance of the

so-called Antarctic ozone hole in the upper atmosphere led to the Montreal Protocol on Substances that Deplete the Ozone Layer, a 1987 international agreement which also phases out CFCs, common in aerosol sprays and refrigeration systems. Methane, which also contributes to climate change, occurs when food and other organic matter decompose.

Much is unknown in the area of climate change. Scientists do not yet fully understand the carbon cycle, and cannot account for all the CO<sub>2</sub> in the atmosphere. But what changes can be measured, as well as the threat that damage done so far may be irreversible, have made action on climate change urgent. Still, lack of science and differences in potential effects of the various gases have stalled intergovernmental negotiations, leaving the convention, signed in 1992, with many issues to resolve.

## BACKGROUND

Climate change first came to the world's attention in 1979 at the First World Climate Conference, a scientific event whose main sponsor was the World Meteorological Organization (WMO) and a number of other international organizations. The conference focused on the predicted effects on climate of different gas emissions levels. These collective effects are known as climate change.

As climate change gained credibility and visibility as a major environmental threat during the 1980s, it was the subject of many international conferences. An important scientific conference was held from 9-15 October 1985 in Villach (Austria) at the initiative of the United Nations Environment Programme (UNEP), WMO and the International Council on Scientific Unions (ICSU). The meeting urged further research into the causes and effects of climate change and led to two follow-up workshops in 1987, one for scientists and one for policymakers. Both recommended limits on greenhouse gas emissions to mitigate the impact of sea level rise. New institutions were also established to address the question.

In 1998, UNEP and WMO set up the Intergovernmental Panel on Climate Change (IPCC) as an independent scientific and technical body to assess knowledge on climate change, examine the environmental, economic, and social impacts of climate change, and formulate responses and

strategies. Each task was taken up by one of the IPCC's three working groups: the Science Working Group, the Impact Working Group, and the Response Strategies Working Group. The Science Working Group confirmed the scientific basis for global warming; the Impact Working Group concluded that climate change could have highly destabilizing effects on human society; and the Response Strategies Working Group proposed specific measures. A special committee on developing country participation highlighted the Third World's need for financial and technical assistance. The IPCC has also been compiling the latest findings on climate change. It produced its first assessment report in 1990, with the second due at the end of 1995.

Later that year, in December 1988, the UN General Assembly (GA) adopted resolution 43/53 recognizing climate change as a common concern of humankind and urging the world community to deal with it as an urgent priority.

The year after the IPCC was established, the Tata Conference was held in New Delhi. Cosponsored by UNEP and the World Resources Institute on 21-23 February 1989, it was the first international climate change meeting dedicated to the special concerns of developing countries. It reminded industrialized countries that they were mostly responsible for causing climate change, and therefore had an obligation to help developing countries find appropriate answers and finance responses.

This principle known as 'common but differentiated responsibility,' has been reiterated numerous times. The conference's final statement, which looked at the impact of climate change on developing countries in detail, said that while developing countries should be part of the international response to climate change, this should not be at the expense of their economic development. These two principles—the greater responsibility of developed countries and the priority for developing countries to meet their economic development needs—are the keystones of international negotiations on climate change.

The next important meeting was the Noordwijk Ministerial Conference on Climate Change in November 1989. Its declaration set a milestone by calling for international emission targets for CO<sub>2</sub>. This recognized the need to stabilize CO<sub>2</sub> emissions and other greenhouse gases not covered by the 1987 Montreal Protocol. Participants agreed a number of key principles including the concept of climate change as a common concern of humankind and the differentiated responsibilities of states.

Also in 1989, climate change became an item of its own at the United Nations GA, which approved UNEP and WMO's initiatives to set up the IPCC and to convene national and international conferences on climate change. The GA also instructed its 45th session (1990) to make recommendations on negotiating a climate change framework convention as quickly as possible. This was the same session which decided to convene the United Nations Conference on Environment and Development (UNCED), at which climate change would be a priority.

In May 1990, Norway and the UN Economic Commission for Europe convened the Bergen Conference on Sustainable Development, which was attended by 34 environment ministers and the European Commission. The Bergen Declaration set out concrete measures to combat climate change. The conference was one of a series of regional meetings held prior to the June 1992 Earth Summit in Rio de Janeiro. Similar meetings were held in Nairobi, Sao Paulo and Bangkok. Other conferences which addressed the special

concerns of developing countries and made contributions to the international debate on climate change included the 1989 Tokyo Conference, the 1989 Langkawi Conference, and the 1991 Beijing Conference.

The second World Climate Change Conference (SWCC) was a crucial step towards a binding global legal instrument on climate change. It was sponsored by WMO, UNEP and other international organizations and took place in Geneva from 29 October -7 November 1990. The conference was held right after the IPCC had completed its first assessment report and, in turn, was to provide input to the first session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC/FCCC), a committee requested by the UN General Assembly.

The conference reviewed the UNEP/WMO World Climate Programme and recommended policy actions. Discussions took place at ministerial and scientific levels and were interdisciplinary, with specialists representing such diverse fields as oceanography, climatology, agriculture, sociology and economics. A total of 747 scientists and technology experts took part in non-governmental scientific sessions, and 18 task forces and expert panels on water, agriculture, food, oceans, fisheries and other matters were set up. They issued a strong statement highlighting the risk of climate change.

The conference issued a ministerial declaration—138 countries took part in the post-conference ministerial talks—after hard bargaining over a number of difficult issues. These included whether to set emission targets, and whether to refer specifically to carbon dioxide as a source of the problem. The final declaration did not specify internationally agreed targets, and many participants and observers were disappointed by the low level of commitment they felt was apparent in the ministerial declaration. Still, a number of starting principles were agreed, including common but differentiated responsibility, equity between countries, sustainable development as an objective, and the precautionary principle, increasingly common in other environmental debates (see below). The SWCC ended with a call for a framework treaty on climate change, to be completed in time for adoption at UNCED.

#### **THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE (INC)**

The INC's role was to negotiate an international climate change convention in time for signature at the Earth Summit in June 1992. Supported by UNEP and WMO, it was accountable to the UN General Assembly, with an ad hoc secretariat in the United Nations Office in Geneva. Membership was open to any state wishing to participate.

The INC held five negotiating sessions between February 1991 and May 1992, in which some 150 states and many governmental and non-governmental organizations took part.

Two working groups prepared the draft treaty: Working Group I focused on commitments and financial resources, and Working Group II dealt with legal and institutional mechanisms. A plenary decided the final outcomes.

Representatives of 101 states, 11 UN offices, 7 international organizations and 70-100 NGOs attended the INC's first meeting in Washington D.C. in February 1991. General principles and guidelines for negotiating the framework treaty were set and major issues identified. By the time of the

fourth session—held in Geneva from 9-20 December 1991—a first draft was ready. A total of five drafting meetings took place, and the draft treaty was ready by 8 May 1992.

The process was not simple. Negotiators had to decide whether the convention should contain specific implementation mechanisms and commitments limiting emissions, or only basic obligations and general principles. The debate was particularly heated on whether the convention should contain emission targets for greenhouse gases, especially CO<sub>2</sub>. The final text says it is desirable for developed countries to return to earlier emission levels but does not specify a firm target.

Agreement was reached on the need for financial and technological assistance to developing countries and possible financial mechanism. The negotiators had to decide which organization would operate the mechanism. Developing countries were concerned that the main candidate, the Global Environment Facility (GEF), lacked administrative transparency and democracy. But some industrialized countries argued that a new institution would generate additional and unnecessary bureaucracy. It was finally agreed that the GEF would handle the mechanism on an interim basis, and be accountable to the COP.

By compromising on all contentious issues, the INC negotiators were able to adopt the Framework Convention on Climate Change (FCCC) on 9 May 1992, less than a month before the Earth Summit deadline. The convention was opened for signature at UNCED, and signed by 154 states and the EC, demonstrating wide acceptance of the INC text. By the time the convention closed on 19 June 1993, it had been signed by 165 states and the European Community. By October 1995, 145 countries had acceded to or ratified the convention.

The number of countries having ratified the climate change convention hit 50 on 21 December 1993, bringing the FCCC into force 90 days later on 21 March 1994. Parties thus became legally bound by the terms of the treaty.

Both Agenda 21 and article 21 of the convention called for interim measures until the first COP was held. A number of these were taken, including a secretariat and the GEF arrangement. Preparations for the first COP—eventually held in Berlin in April 1995—also began.

The INC met four more times before the first session of the COP: in Geneva on 7-10 December 1992; in New York on 15-20 March 1993; in Geneva again on 16-27 August 1993; and in Geneva on 7-18 February 1994. Much of their meetings were dedicated to preparing for the COP.

Also in preparation for the COP, the IPCC restructured and set up a three-year work plan designed to improve efficiency. It enabled the three reorganized working groups to help governments meet the requirements of both Agenda 21 and of the convention. Working Group I continued to concentrate on science, Working Group II dealt with impact and response options, and Working Group III focused on economics.

## THE CONVENTION

The convention's ultimate objective is to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous man-made interference with the climate system (article 2 of the convention). This level should be

*Two other international environmental treaties address climate change indirectly: The Montreal Protocol on Substances that Deplete the Ozone Layer, with amendments. Parties are under the obligation to phase out chlorofluorocarbons (CFCs) by the year 1996. Although inspired by concern over the destruction of the ozone layer, this protocol is significant also for climate change since CFCs are greenhouse gases.*

*Similarly, the 1979 Geneva Convention on Long Range Transboundary Air Pollution and its protocols regulate the emission of noxious gases, some of which are precursors of*

reached quickly enough to allow ecosystems to adapt naturally to climate change. To achieve this objective, the convention sets out a series of commitments, which are to be regularly reviewed in light of the treaty's objective, new scientific findings, and the effectiveness of national climate change programmes.

Rather than drafting a treaty with specific rules and targets agreed by a few countries, negotiators sought as broad a consensus as possible. The resulting convention is a framework within which governments can implement national strategies, set their own national or regional priorities and work together, leaving more specific obligations to future legal instruments, either at the national or at the international level.

### Key Principles of the Convention

To achieve the convention's objective is to implement its provisions at all levels, parties to the convention are to be guided by certain key principles set out in article 3.

The first principle is one of intergenerational equity which says the climate system should be protected for the benefit of present and future generations. In other words, limiting human interference with the climate system is in everyone's interest.

Since climate change is not imposed by one state upon another, as is the case for transboundary pollution, it cannot be tackled by legal action based on one state's interests against another. The solution to the problem of climate change requires collective action.

The first principle also puts forth the idea of common but differentiated responsibility. All states must fight any further deterioration of the atmosphere, but their responsibility is directly proportional to their contribution to the original degradation. Developed countries bear a special responsibility to take action, since they are the largest source of the problem. This is a widely recognized principle, also incorporated into the Montreal Protocol, and underlies the dual standard of commitments for developed and developing countries established by the convention.

The second principle highlights the particular needs and circumstances of developing countries, especially those particularly vulnerable to the effects of climate change and those which would bear a disproportionate burden under the convention.

The third principle is the so-called precautionary principle. It calls on parties to take precautionary measures to "anticipate, prevent or minimize" the causes of climate change. It specifically says that lack of conclusive scientific evidence should not block efforts to act against causes of climate change. This is based on the understanding that to wait for final proof may be too late. The precautionary principle has been steadily gaining ground in different environmental battles

fought to avoid irreversible damage to ecosystems. The principle also says actions to counter climate change should be as cost-effective as possible, allowing action on any part of the problem (whether sources or sinks). Collective action among parties is specifically sanctioned.

The fourth principle outlines the parties' rights and obligations to promote sustainable development.

In its fifth, and final, principle, the convention specifies that economic initiatives, such as cooperation to promote an open international economic system, should not be prejudiced by the convention. This is to make sure parties do not use the document to disguise protectionist trade measures or in other ways block the development of less developed countries.

#### ***Commitments and Obligations***

The convention contains a number of general commitments which apply to both developed and developing countries: parties must adopt national update programmes to mitigate climate change; develop adaptation strategies; promote sustainable management and conservation; develop and make available inventories of greenhouse gas sinks, such as forests; take climate change into account when setting relevant social, economic and environmental policies with a view to minimizing its adverse effects; cooperate in technical, scientific, and educational matters; and promote scientific research and exchange of information (article 4, paragraph 1).

The convention also sets out specific obligations for particular categories of states. It has two annexes. Annex I lists countries in transition to a market economy (Eastern European countries) and member states of the Organisation for Economic Co-operation and Development (OECD), excluding Mexico, which joined the OECD in 1994. Annex II is a subset of Annex I, listing OECD members (bar Mexico) only. Developing countries are not annexed. The convention requires OECD countries to take the strongest measures, while countries in transition to a market economy are allowed some flexibility.

The convention also recognizes that compliance by developing countries will depend on financial and technical assistance from developed countries. This is a landmark illustration of the principle of particular responsibility by developed countries, of full consideration of special conditions of developing countries, and of the collective effort to preserve the climate system.

In addition, least developed countries and those particularly vulnerable to climate change for geographical reasons are given special consideration. These countries make up a long list that includes small island countries, countries with low-lying coastal areas, areas prone to natural disasters, and areas with high urban atmospheric pollution. It also includes countries whose economies are highly dependent on income generated by production, processing and export, and/or consumption of fossil fuels and associated energy-intensive products (article 4, paragraphs 2-7).

Under the convention, developed countries commit themselves to adopting policies that limit man-made emissions of greenhouse gases and enhance greenhouse sinks and reservoirs. Within six months of the convention's entering into force, countries committed themselves to communicating detailed information on the policies and measures they had undertaken to reduce emissions individually or jointly to 1990 levels. It is now up to individual countries to decide which approach suits them best, reducing levels of

individual greenhouse gases, or reducing the overall level of climate changing emissions.

OECD countries must facilitate the transfer of technology and provide financial resources to developing countries to help them implement the convention. Under the convention, OECD countries finance the reports prepared by developing countries and their greenhouse gas emissions and measures for implementing the treaty. They must also pay for the transfer of technology needed by developing countries to meet the agreed full incremental costs of implementing their obligations under the convention. This financial assistance is to be new and additional, rather than redirected from existing development aid funds. In addition, OECD countries are to provide financial resources for other convention-related projects agreed by both a developing country and the convention's financial mechanism.

The convention also contains provisions referring to communication of information, resolution of questions regarding implementation, settlement of disputes, and various legal aspects of the convention. The convention establishes institutions to support efforts to carry out commitments and to monitor compliance.

#### **STRUCTURE**

The convention's secretariat, which will move from Geneva to Bonn (Germany) in 1996, provides administrative support and ensures the flow of information among the parties (article 8). These services were provided by the INC/FCCC secretariat on an interim basis until the COP's first meeting.

The convention's supreme body is the Conference of the Parties, in which all parties (states or regional economic integration organizations that have ratified the convention) are represented and exercise their right to vote in accordance with article 18 (one state-one vote). After its first meeting no later than one year after the convention's entry into force, it is to meet yearly. The COP promotes and reviews implementation of the convention and compliance with its obligations. It adopts, if appropriate, amendments, annexes and protocols (articles 7 and 15).

Parties to the convention must regularly provide information on their performance to the COP, which is assisted by two subsidiary bodies, one for scientific and technical advice (SBSTA) and the other for implementation (SBI, articles 9 and 10). The COP may also set up additional subsidiary bodies as necessary.

Hence, all parties know if one state is not meeting its commitments. This may provide a state with the incentive to comply with its obligations to avoid harming its international reputation, or on the contrary trigger its withdrawal to escape this institutional supervision. This method of monitoring compliance is becoming an increasingly important mechanism and is particularly well suited to issues where a country's failure to meet its obligations affects not one other state but the entire international community.

Any party can raise questions about whether another party has complied with its commitments under the convention. This should first be done through negotiation or other non-confrontational means, perhaps through a multilateral non-compliance procedure to settle the dispute amicably. Alternatively, the parties may use more traditional methods of dispute settlement, including conciliation, arbitration, and adjudication. The parties could agree to bring their dispute

to the International Court of Justice or any other agreed forum, whose decision would be equally binding on them. The decision of the court or arbitrator may oblige a state to honour its commitments, restore the damaged part of the environment, or pay compensation. A traditional drawback of this approach is that all states involved in a dispute must have previously accepted the jurisdiction of the arbitrator or court.

Since the convention was designed as a framework to reach broad consensus, article 24 forbids reservations to it. As a result, all parties are bound by the same provisions. A party may, however, withdraw from the convention at any time three years after its entry into force.

The convention is a first attempt to find an international answer to the delicate, complex and entangled issues of climate change. It is therefore seen only as a first step towards handling a long-term but urgent problem. But even with this proviso, many developed and developing countries have expressed disappointment that the convention does not contain clear binding commitments by industrialized countries to limit or stabilize their greenhouse gas emissions. Still, there seems to be agreement that the text was the best possible available at the time of signing, and that an effective follow-up process would be key.

Throughout the drafting and negotiating processes, comments were heard from countries likely to be greatly affected by climate change. For instance, Bangladesh said global warming might cause greater flooding, yet the text did not adequately address compensation to countries suffering as a result of another's gas emissions. Other countries praised the convention for providing a workable strategy to combat climate change, arguing that the treaty's great strength lay in its ability to offer well-defined process for step-by-step agreement to specific actions.

### **COP I.: THE FIRST CONFERENCE OF THE PARTIES**

The first session of the Conference of the Parties took place on 28 March-7 April 1995 in Berlin. It may have disappointed participants who were hoping to turn the ideals of the convention into hard commitments. Still, most of those involved judged the meeting at least a qualified success. Some 879 delegates from 170 countries—including two prime ministers, nearly 80 ministers, almost 1000 NGOs, and 2000 media representatives—took part. The meeting made 11 recommendations, including a decision to move the convention secretariat from Geneva to Bonn, and decisions on institutional and financial arrangements for the convention's implementation.

The key outcome was the decision to review and strengthen the commitments made in the convention, and to develop policies beyond the year 2000. Decision 1 says the convention's commitments to reduce greenhouse gas emissions are too weak and calls for specific limits and reduction target dates beyond the year 2000. This is to be framed as a protocol or 'another legal instrument'. It also specifies that no new commitments for non-Annex 1 parties will be passed and reaffirms the existing commitment to take measures aimed at stabilizing emissions at 1990 levels by the year 2000.

Decisions 2 and 3 deal with national communications and elaborate procedures for national reports and their in-depth review. Decision 4 addresses methodology, including acceptable standards for assessment in making evaluations.

Decision 5 addresses activities implemented jointly under the pilot phase. Joint implementation was one of the most contested issues during the INC negotiations. It covers projects implemented among countries. For instance, Canada might provide the technology that enables Bhutan to build a hydroelectric dam rather than a coal-burning power plant, significantly reducing the expected output of greenhouse gases.

The differences of opinion concerned what kind of credit, if any, should be available to parties cooperating in this manner. Environmental NGOs and some developing countries fear that Annex 2 (OECD) parties would avoid expensive adjustments in their own economies by funding cheaper programmes elsewhere. If these were counted towards meeting their emission targets, they would face less pressure to make much-needed changes at home.

On the other hand, there is clearly a case for such cooperation, especially if it can ensure technology transfer, a critical need in developing countries. The key is to get the criteria right in order to avoid abuses and to take advantage of the undeniable opportunities.

COP 1 called for a pilot phase, lasting no later than end 1999, during which activities implemented jointly would not be seen as fulfilling the current commitments of Annex 1 parties to reduce global warming gas emissions (non-Annex 1 parties have no commitments, under the principle of common but differentiated responsibility). Such initiatives will, however, be considered as meeting the commitment to assist non-Annex 1 parties to develop appropriate know-how to meet the convention's objectives. These activities should be financed by additional, not existing, funds.

The COP also confirmed the GEF would continue as the operator of the convention's funding mechanism on an interim basis. A Memorandum of Understanding with the GEF secretariat will be submitted to COP 2 for final approval.

### **AD HOC GROUP ON THE BERLIN MANDATE (AGBM)**

Given the COP's inability to resolve a number of outstanding issues, member governments set up an Ad Hoc Group on the Berlin Mandate (AGBM). The group will address the question of commitments beyond the year 2000 (about which the convention itself is silent), including strengthening existing commitments. The AGBM's mandate is specific: there will be no new commitments for non-Annex 1 parties (developing countries). The protocol proposed last year by

#### **REFERENCES**

Climate Change Dossier, *published by the Information Unit on Climate Change (IUCC). Last revised 1 May 1993. This dossier contains among other things a wide bibliography on all aspects of climate change, from scientific, technical, legal economic and political perspectives.*

Climate Change Bulletin, *vol. 1, issue 1, 3rd quarter 1993, issue 2, 4th quarter 1993, issue 3, 2nd quarter 1994, Published by the interim secretariat for the UN Climate Change Convention, the Secretariat of the UNEP/WMO Intergovernmental Panel in Climate Change (IPCC), and the UNEP/WMO IUCC.*

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the Alliance of Small Island States (AOSIS) is still on the table for discussion.

The AGBM will report to the second COP towards the end of 1996 and complete its work early 1997. The AGBM's mandate underlines the urgency of taking further steps to reduce greenhouse gas emissions but its first session shows there is still much ground to cover to reach consensus. The session was to organize the AGBM's work but even this was a problem as questions such as the size and composition of the bureau remained unresolved. As a result, the COP bureau is still temporary. Regional balance usually determines a bureau's composition but Saudi Arabia and several others are arguing against this approach due to their 'special' interests. Countries heavily dependent on petroleum exports feel threatened by attempts to curb emissions by restricting oil consumption, and identify themselves as a special interest group.

Another contentious point is how to tackle the AGBM's agenda. The group's mandate calls for analysis and assessment of possible policies and measures to help Annex 1 countries reach their convention targets. Countries generally resisting the convention's objectives insist that such analysis must precede any negotiations for a further protocol or other legal instrument to address emissions after the year 2000. Those more anxious to make progress want parallel negotiations to avoid wasting time in getting to the actual commitments. The question has divided Annex 1 parties. The EU wants to begin negotiations immediately while the USA, Australia and others want to see more assessment first. Many developing country governments were absent as they lacked financial support to participate.

The AGM's schedule is as follows:

- n second session, 30 October-3 November 1995
- n third session, 4-8 March 1996
- n fifth session, immediately prior to COP2 (to be decided) October 1996
- n sixth session, 10-14 March 1997

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#### SUBSIDIARY BODIES

The two subsidiary bodies, the Subsidiary Body for Scientific and Technical Advice (SBSTA) and the Subsidiary Body for Implementation (SBI), met after the AGBM. The two bodies share responsibility on five issues: communications from Annex 1 parties (much like national reports), joint implementation, technology transfer, communications from non-Annex 1 parties, and emissions from bunker fuels. SBSTA will focus on technical issues and SBI, as the policy body, will consider strategies and policies recommended by SBSTA. For example, under the item on technology transfer, SBSTA will identify and assess technologies, while SBI elaborates possible terms for the transfers.

Both have other agenda items specific to their mandates. SBI will advise the COP on the financial mechanism, including relations with the GEF. Working closely with the IPCC and other scientific bodies, SBSTA will make scientific assessments and determine methodological questions, such as reporting frameworks.

Meetings of the subsidiary bodies are provisionally scheduled as follows:

- n 26 February-1 March 1996 —8-12 July 1996
- n immediately prior to COP2 (to be decided) October 1996
- n 3-7 March 1997
- n immediately prior to COP3

#### NGO PARTICIPATION

Many NGOs attended INC meetings during the negotiating process. Broadly speaking, they belonged to two camps: industry and the environment movement. Development NGOs have so far shown little direct interest in the convention, although they are becoming involved in some particular issues, such as joint implementation.

Throughout negotiations, environment NGOs pushed for stronger commitments by industrialized countries on cutting greenhouse gas emissions, insisting that progress in negotiations was too slow.

Some NGOs were unhappy with the final document; 30 of them issued a communique at the last INC sessions before the convention was signed, expressing disappointment at the level of commitment in the draft document. They said the draft was a retreat from the commitments called for by the SWCC. Environment NGOs also pledged to continue monitoring the legal development and future implementation of the convention, to work towards local and global solutions, and to make efforts to maximize the positive opportunities that lie ahead.

Prior to the first COP, at the sixth INC, the representatives of the Climate Action Network (CAN, an international NGO consortium of national and international organizations dealing with climate change issues) had called for negotiations on a protocol to reduce CO2 emissions, the publication of national plans elaborated with public opinion in each country, aid payments to developing countries, and an independent evaluation of the GEF.