

**OPENING STATEMENT  
OF THE  
GROUP OF 77 AND CHINA  
TO  
THE SIXTH SESSION OF THE CONFERENCE OF THE PARTIES TO  
THE UNITED NATIONS FRAMEWORK CONVENTION  
ON CLIMATE CHANGE**

**BY**

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Mr. President, Distinguished Representatives of the Parties and Observers to the Convention, Honoured Guests, and Ladies and Gentlemen:

It is with great pleasure that I extend to you, Mr. President, the sincere congratulations of the Group of 77 and China upon your election as President of the sixth session of the Conference of the Parties. Each of the previous five sessions has been a significant milestone on the road to The Hague, and we have full confidence you will make every reasonable effort to have this sixth session achieve our common objectives. In that regard, Mr. President, you can count on the full cooperation of the Group of 77 and China, as did your predecessors.

We have convened in The Hague, thanks to the gracious invitation of the Government of the Netherlands. On behalf of the Group, I wish to express our appreciation for the hospitality of your government and people.

In contemplation of coming here, many of us have asked how we would define "success" for COP 6. I shortly shall return to a

couple of ideas that have been proposed by others. However, I was struck the other day by recollection that The Hague is the seat of the International Court of Justice. This prompted me to conclude that perhaps the best definition of a "successful" COP 6 will be a session that, when it concludes next week, will have achieved justice above all else.

What is justice? The simple answer is that justice is equity. But what does that mean in the context of the international effort to deal with potential climate change? In practice, have we achieved justice, or equity, within the contemplation of the Convention we adopted more than eight years ago? What must we do to assure that, in the years ahead, COP 6 will provide for justice, or equity, under both the Convention and the Kyoto Protocol?

We developing countries say the answer must be found in the basic principles we agreed upon in our Climate Change Convention. We insisted on incorporating a statement of principles in our charter document because we realised that, during the course of our endeavours, we would need principles to serve as a bright beacon to light the way for us through the darkness created by uncertainties, complexities, and contention.

In striving to do justice here in The Hague, we begin by recalling that the very first principle stated in our Convention commands that efforts to protect the climate system must be on the basis of equity and in accordance with the Parties' common but differentiated responsibilities and respective capabilities. Accordingly, the community of nations declared in the Convention that the developed country Parties should take the lead in combating climate change and the adverse effects thereof. Mr. President, as far as the Group of 77 and China is concerned, those statements of principles establish the guidance for determining whether our efforts under the Convention so far are resulting in justice, or equity. They also will guide us to assure we unmistakably are headed in the direction of justice and equity as we leave The Hague.

**Looking at where we stand today, the Group must say to our negotiating partners in the North that we do not believe that, on balance, they have performed their responsibilities under the Convention, and we question whether they have the determination to meet their commitments under the Kyoto Protocol.**

We all know about the commitments of the Annex I Parties in Articles 4.2(a) and (b) of the Convention. It is true that some of them have met or exceeded the specified "aim" of returning their greenhouse gas emissions to 1990 levels by the end of the last decade. However, they accomplished that feat not because of a conscious effort to honour their Convention commitment. Rather, with only two exceptions, it was because they unintentionally suffered the hardship of serious economic decline, and in no instance does it appear that climate change mitigation efforts were the principal force behind such emissions reductions as may have occurred. As for the rest of the Annex I Parties, their inventories submitted to the Secretariat show a significant increase in greenhouse gas emissions during the period 1990 through 1998, or through earlier years for those developed Parties who had not reported their greenhouse gas emissions through 1998 by the COP-established deadline of earlier this year.

For those developed countries whose economies are not in transition, the trend of the emissions for all but one or two of them is not encouraging, either. Many of us have read media accounts of statements by present or former officials of many of those countries who question whether they will achieve their Protocol targets, unless they dramatically veer away from their ever-rising emissions growth paths.

Our Convention also set forth the commitment of the Annex II Parties to "finance, as appropriate," the transfer of technologies to developing countries to enable them to implement the Convention. In June, the Group reminded the developed countries that transfers of technology from them to developing countries will not occur in substantial amounts unless financing is available to us. The amounts made available for that purpose since the Convention was adopted eight years ago are the proverbial drop in the bucket.

Mr. President, the record of the performance of the developed country Parties under the Convention does not conform to the principles to which I earlier referred. On balance, their aim in reaching the emission-reduction target specified for them in the Convention is not very good, and they have fallen far short of the mark in providing the financing necessary for technology transfer and capacity building. That record does not measure up to what one reasonably would expect of countries which are supposed to take the lead in combating climate change.

With that sorry state of affairs, we are perplexed by those who, when discussing what would constitute "success" at COP 6, have placed so much emphasis on our taking decisions here that might make it easier for developed countries to ratify the Kyoto Protocol by giving them what they say they need. To be sure, we understand the importance of a package of decisions that will motivate ratification by the developed countries. However, **we developing countries wonder whether anybody understands or cares that we have needs, also,** and that perhaps the focus should shift to what we need.

In June, the Group of 77 and China stated at the 12th session of the Subsidiary Bodies for all to hear that "by COP 6, the governments of the Annex II Parties should commit to specific amounts of financial resources – on an ongoing basis – to make technology transfer a reality, rather than a mere hope." There was no response from the Annex II Parties. In the high-level consultation held later in June under the guidance of the President of COP 5, and again at the September session of the Subsidiary Bodies, we proposed a process to deal with the issue. We said, in essence, let us agree to the principle that Annex II Parties will do something concrete about fulfilling their commitment under Article 4.5 of the Convention, and then we can negotiate at COP 6 on the amounts of financing and the mechanism for it. The silence of the Annex II Parties was, as they say, deafening.

Well, Mr. President, that was true until about two weeks ago. At that time various developing country Parties received a communication from a key Annex I Party, which seeks to link "ways to expand the participation of developing countries" – which obviously means



new commitments in one form or another – with developed countries' obligations in Article 4.5 of the Convention, concerning financing of technology transfer to developing countries and for their capacity building. **The Group of 77 and China categorically rejects that approach, which is totally inconsistent with the Convention, the Berlin Mandate, the Kyoto Protocol, and the Buenos Aires Plan of Action.**

We have said it before, Mr. President, and we say it again in the hope it will sink in: **"Nothing has happened to modify in any respect the 'no new commitments' pledge in the Berlin Mandate."** If the developed countries truly share our hope that COP 6 will be a success, none of them should try to tamper with one of the basic pillars of our common effort.

Let us, instead, focus on issues that require attention in the short time available between now and the conclusion of this session. The importance of this session cannot be overstated, for it will determine whether, and how, the COP will complete the ambitious agenda the Parties set in the Buenos Aires Plan of Action in 1998.

It is not possible this afternoon for the Group to address all of the very large number of issues that must be resolved while we are in The Hague. However, a few general points will provide a good idea as to our thinking.

First, we still are committed to the principle that the decisions implementing the Buenos Aires Plan of Action, which are adopted here, must be in a single, comprehensive, and balanced package. Not leaving developing countries wanting on the issues of financing technology transfer and real, concrete, and enforceable commitments concerning Articles 4.8 and 4.9 of the Convention, Articles 2.3 and 3.14 of the Protocol, and capacity building is essential – I will repeat, is essential – to the concept of balance.

Although it is not our purpose in this opening statement to delve into the details of the substantive issues, I should convey the strong opinion of the Group on one aspect of the issue of funding for

technology transfer and for any of the other objectives of funding that are sought by developing countries to implement the Buenos Aires Plan of Action. The funding that will be provided by COP 6 on all such matters should not be done through the Global Environment Facility. We should pursue one or more entirely separate financial mechanisms for the funding that is necessary to achieve the balanced package of decisions that will undergird "success" in The Hague.

Second, the package of decisions concerning the Kyoto mechanisms, compliance, and LULUCF issues are not the prerogative of any group of Parties. The developing countries have a very real interest in how those important aspects of implementation of the Protocol will be fashioned. We fully understand the desire of developed countries to keep their costs of complying with their emission limitation and reduction commitments as low as possible. They should understand that we will not suffer erosion of the environmental integrity of the Protocol and that paying lip service to that principle is not sufficient.

Similarly, the developed countries should understand that we are serious about our insistence that the decisions on the Kyoto mechanisms and on compliance must incorporate specific statements of principles on which they are based. The developing countries recognise that our Convention and Protocol deal with many new concepts, some of which could have implications we little understand or can anticipate.

Third, I feel the need to convey to the full Conference of the Parties, as we have stated before, the seriousness of our distress that there is no indication of Annex I Parties' intention to implement their commitments in Articles 4.8 and 4.9 of the Convention and Articles 2.3 and 3.14 of the Protocol in ways that meet the legitimate expectations of the concerned developing countries. As one aspect of that, I will mention that we were astonished when several Annex I Parties took the extreme position that their Article 3.14 commitments should not be subject to the enforcement procedures of the compliance system.

Now, Mr. President, I must turn to some issues of process, which are of great interest to the Group.

So, fourthly, we must repeat our conviction – our moral conviction – that the rights and views of every single Party must be respected in the negotiating process. **This means that attempting to delete from a negotiating text any proposal made or desired by any Party, over that Party's objection, is not permissible.** We recognise that elimination of duplications is helpful, and we appreciate the efforts of the Chairmen of the Contact Groups to reduce the magnitude of the paper with which we must contend.

However, we must state very clearly that the Group of 77 and China will stand up for the rights of every single developing country and will support our colleagues against attempts to strip from negotiating texts any provisions over the objection of the Party that had proposed them. It is one thing for Chairmen to facilitate our negotiations, but that does not include the authority to delete proposals desired by sovereign governments.

Fifth, the requirement of transparency and openness in our work is critical. At the twelfth session of the Subsidiary Bodies, the Group stated, and we repeat now: "Consultations must not be converted into negotiations that involve only a select number of Parties. The Group of 77 and China consists of 133 sovereign nations. On behalf of all of them, I must insist on a reservation for each of them at the negotiating table, which is properly set in the meeting rooms of the SBI and the SBSTA, and the COP itself."

Finally, with respect to the negotiating process, we must reiterate the Group's rejection of what we have called "the seductive trap of piecemeal decisions on the elements of the package of decisions that will emerge in The Hague." Many Parties have come to the realisation that we are faced with a huge number of issues at COP-6, but, in their haste to get it done, right or wrong, some have let it be known that they want to defer consideration of some issues until later.

We cannot be proud of the result of our efforts in The Hague if we take the easy way out by leaving difficult issues for another day.

We have stressed these procedural issues because it is important that we have a process for our negotiations that leads to the best possible decisions at COP-6 and will neither set nor hide traps to ensnare any of our countries. If we get the process right, we will have a much better chance, we believe, to deal with the substantive issues on an equitable and constructive basis that enables the Parties to achieve their goals. Therefore, we seek a process, including one embodying the points we have raised today, that enables us to put our right foot forward in our march towards success here in The Hague.

That is our goal, Mr. President: "success." We wish you well in leading us there.

Thank you very much.