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COP 10 of the UNFCCC at Buenos Aires

PANEL 1 "The Convention After Ten Years: accomplishments and future challenges": Opening Statement of Mr. A. Raja, Honorable Minister of Environment and Forests, India

Mr. Chairman, Excellencies, Ladies and Gentlemen,

At the outset let me express my gratitude to the Government of Argentina for their warm hospitality and for making excellent arrangements for hosting this session of the Conference of Parties to the UNFCCC in this beautiful city of Buenos Aires.

Ten years after the entry into force of the Convention, we see a mixed picture in front of us. On the positive side, the Convention has succeeded in focusing global attention on one of the most serious environmental challenges of our times. Climate change is now accorded high priority on the international agenda and there is wide public and corporate awareness of the risks and challenges it poses to mankind. On the other hand, the implementation of the Convention thus far has been rather disappointing particularly on the following counts:

- In not meeting the overall emission reduction targets by Annex I Parties; and just as importantly,
- Largely unfulfilled commitments related to providing financial resources and transfer of technology to non-Annex I countries.

Some have claimed that the Annex I Parties have complied with the Convention's aim of returning greenhouse gas emissions of these Parties individually or jointly to their 1990 levels by the year 2000. Unfortunately, this is an incorrect assessment. It ignores the significance of the phrase "individually or jointly", which means through individual or joint programmes of action. The facts show that emissions from most Annex I Parties were higher in 2000 than they were at the beginning of the decade. If the aggregate figure was lower in 2000, it was not because of "individual or joint" implementation but because of a severe, temporary and unsought economic downturn in a few Annex I "economies in transition". This cannot be equated with "individual or joint" fulfillment of commitments under the Convention. Moreover, since 2000, the aggregated emissions of the Annex I Parties has resumed an upward trend. In respect of Parties which have GHG reduction targets under the Kyoto Protocol, there is little evidence to suggest that they are on track to meet their respective targets.

Mr. Chairman,

Our aggregate GHG emissions are but 3 percent of global GHG emissions. In per capita terms, our emissions are still just 23 percent of the global average. India has also undertaken a large number of initiatives and policy measures at the national level to address our sustainable development concerns, which have major positive implications for climate change. The international community has to understand that economic and social development is the first and overriding priority for us, as indeed explicitly recognized in the Convention. As we gear up to meet the challenges of poverty alleviation and improving basic living standards of our people, emission of green house gases is bound to increase in India and other developing countries. Despite this, no one doubts that, in the coming decades, our per capita emissions will remain a small fraction of Annex I levels, and indeed, well below the global average

What should we do to accelerate implementation of the Convention? In this connection, I believe it is important to get our priorities and timing right, and I suggest the following course of action:

- We applaud the ratification of the Protocol by the Russian Federation. The immediate priority must be to put the Kyoto mechanisms fully into operation at the soonest possible. It is also important to ensure that inflows to the new funds are commensurate with their purposes, and predictable.
- The next step is the consideration of commitments of the Annex I Parties (I repeat, for the Annex I Parties) for the second commitment period. The Kyoto Protocol requires that this step should be initiated next year at COP-11/MOP-1.
- Transfer of environmentally sound technologies to developing countries remains a major concern. I, therefore, reiterate our suggestion made at CoP 9, that technologies for addressing climate change concerns, both with respect to mitigation of GHGs and adaptation to the impacts of climate change, be placed in the limited public domain for use by developing countries. I am aware of the arguments made by some countries that IPRs for such technologies are legally assigned to private companies. This argument overlooks the basic premise of all IPRs regimes; that they represent a social contract in which the societal good and private benefits are balanced. Is there any higher societal good than addressing climate change? This issue was successfully resolved in respect of IPRs on pharmaceuticals for use by developing countries at the WTO, and has had a dramatic impact on control of epidemics such as HIV/AIDS. Surely, a similar arrangement is eminently feasible in the climate change context. The point has been repeatedly made by various researchers from Annex I countries, that in the near future, very large

investments in the energy and other infrastructure sectors will be made in developing countries; and these investments would imply an unalterable pattern of GHG emissions during their economic lifespan. Placing the necessary GHG abatement technologies in the limited public domain in developing countries, and ensuring that in financial terms they are competitive with the conventional technologies, may enable such investments to be less GHGs intensive. Similar arguments hold on the Adaptation side. A further, but not alternative, possibility is R&D in climate change relevant technologies being publicly funded by Annex I Parties, to be placed in the public domain.

- Finally, all proposals for future action should be fully consistent with the Convention. Proposals calling for categorization of states Parties on a new basis, or proposing new types of commitments for an existing category, are in conflict with the Framework Convention. Far from advancing the international response to climate change, such proposals would have the effect of undermining the Convention, which remains the only international agreement on climate change that has won universal acceptance.

Thank you for your attention.

Draft Statement by India at the high-level segment on impacts of climate change, adaptation measures and sustainable development

All parties are vulnerable to the adverse effects of climate change, and developing countries such as India are particularly vulnerable, as has been brought out in the Third Assessment Report of the IPCC.

While Article 2 of the Convention defines the framework for the issue of stabilization of greenhouse gas concentrations; adaptation to climate change is, and will be required in any case.

Adaptation needs are both immediate and short-term, and medium and long-term. Immediate adaptation needs include the creation of scientific, policy and institutional capacities; and an effective learning-by-doing process of actual, on the ground interventions. Technology transfer and suitable financing mechanisms are critical for addressing these needs.

In this regard, India welcomes the operationalizing of the Strategic Priority on Adaptation (SPA) by the GEF, and urges the GEF and its implementing agencies to take up actions under the SPA in support of adaptation without any delay. At the same time we note that Article 4.4 of the Convention enjoins the developed country parties and other developed parties in Annex II of the Convention to assist developing country parties in meeting costs of adaptation to the adverse effects of climate change; and notes that such assistance may include full-cost funding of adaptation; and the mobilization of new and additional resources for the same.

We would like to emphasize that assistance for meeting costs of adaptation is a specific obligation under the Convention. In this regard, we would like to emphasize the principle of automaticity of contributions that serves as the basis for the Adaptation Fund created under the Kyoto Protocol, and would encourage this principle to be adopted for the other funds such as the Special Climate Change Fund.

Convention.
In this regard, we note that concepts such as "mainstreaming" need to be considered carefully, so that they do not become diversionary in nature. While it is indeed important, at the operational level, to integrate adaptation to climate change into the "mainstream" of development activities; adaptation to climate change flows from specific obligations under the UNFCCC, and it is very important that there is no dilution with regard to supporting adaptation to climate change, and that this support should flow through the financial mechanism of the convention; and should reflect new and additional funding.