

## UNFCCC principles must guide work of IMO and ICAO –say developing countries

Bonn, June 5 (Hilary Chiew) – Developing countries called for the work of the International Civil Aviation Organisation (ICAO) and International Maritime Organisation (IMO) to be guided by the principles and provisions of the UNFCCC in dealing with aviation and maritime transport emissions.

This was expressed by developing countries at the 38<sup>th</sup> session of the Subsidiary Body for Scientific and Technological Advice (SBSTA), when it considered an agenda item on “Emissions from fuel used for international aviation and maritime transport” [item 10(e)] on June 3.

Several developing countries noted the progress made at the IMO’s 65th Session of the Marine Environment Protection Committee (MEPC) in May 2013 on the resolution on ‘*Promotion of Technical Co-operation and Transfer of Technology relating to the Improvement of Energy Efficiency of Ships*’ which gave recognition to the UNFCCC principles, in particular the principle of common but differentiated responsibilities (CBDR).

They also said that by adopting CBDR in its resolution recently, the IMO has sent a message to the world community that CBDR is not a hindrance to addressing issues of climate change.

**Cuba**, speaking also for **Algeria, Argentina, Bolivia, Brazil, China, Ecuador, Egypt, El Salvador, Malaysia, Nicaragua, Philippines, Saudi Arabia, Venezuela, Thailand, India, Uruguay, Sierra Leone, Paraguay and Pakistan**, reaffirmed the importance it attached to multilateralism in addressing climate change in accordance with the principles and provisions of the Convention, in opposition to unilateral measures in the international maritime and aviation transport. It reiterated that in the

context of multilateral discussions, the following elements should guide the ICAO and IMO when addressing climate change:

- Article 2.2 of the Kyoto Protocol, by which Annex I Parties shall pursue limitation or reduction of emissions of greenhouse gases of international maritime and aviation working through the ICAO and IMO;

- Full respect be given to the principles and provisions of the Convention and its Kyoto Protocol, in particular the principles of CBDR, and that the measures taken should not constitute disguised restrictions on international trade;

- Explicit recognition of the legal distinction of obligations between developed and developing countries while addressing climate change;

- Comprehensive assessment of the possible (direct and indirect) social, economic and environmental implications of the measures under discussion for developing countries, taking into account that international aviation and maritime transport play a vital role in the facilitation of world trade, and therefore on social and economic development in developing countries;

- Respect given to the consensus rule, and to the promotion of an inclusive and transparent process and

- Promotion of transfer of financial, technological and capacity-building support from developed countries to developing countries, in accordance with the developed countries obligations under the Convention

In relation to the specific work of IMO, it noted the progress made in the IMO’s 65th Session of the MEPC of May 2013 with the recognition in

resolution on *Promotion of Technical Co-operation and Transfer of Technology relating to the Improvement of Energy Efficiency of Ships* to the UNFCCC principles, in particular the principle of common but differentiated responsibilities (CBDR). Such recognition, from the IMO sends a clear signal that the organisation respects the principles and provisions of the UNFCCC in its work related to climate change.

Cuba said that ICAO should send a similar message in this regard.

It said the IMO resolution must also provide a platform for transfer of technologies related to energy efficiency of ships from developed to developing countries, in accordance with multilaterally agreed rules.

With respect to the ICAO report and communication, Cuba welcomed multilateral discussions on how to address climate change in aviation. However, it recalled that several ICAO members, both from developed and developing countries, presented reservations to some paragraphs of Resolution A37-19, and it trusts that this will be taken into account in ICAO's work and in its future presentations in SBSTA.

Cuba said that on the work of the ICAO, referring to States action plans, for developing countries, these plans must be understood as voluntary actions that take into account the specific national contexts, and not as part of a global goal in the international transport, and it welcomed the expressions by ICAO in its submission that there is a need to facilitate the provision of technical and financial assistance, as well as facilitate access to existing and new financial resources, technology transfer and capacity building to developing countries. This would be necessary in the context of developing countries undertaking specific action plans in the aviation sector, it added.

It is important that when framework for market-based measures (MBMs) is discussed in ICAO, this should be done with mutual consent and should have a voluntary basis. Unilateral measures should be eschewed completely and any measures discussed multilaterally should not be turned into financing measures related to MBM but have a clear focus on addressing climate change in the international civil aviation sector, in accordance with the principles of the UNFCCC, said Cuba.

Cuba expressed concerns at proposals to include, among the alternative sources of finance for climate change, possible revenues from market-based measures applied to international maritime and aviation transport, due to their negative potential implications in terms of imposing an additional cost to air and maritime freights, and therefore on international trade.

In this sense, it echoed the views expressed by the ICAO in their submission that the ICAO Council in March 2013 agreed that ICAO and its member states need to express a clear concern, in particular through the UNFCCC process, to ensure that international aviation would not be targeted as a source of revenue for long-term climate finance. It hoped that ICAO and IMO will take these matters under consideration in their work and in their reports and communications in future SBSTA sessions.

In an earlier intervention, **Thailand** speaking at the opening plenary of SBSTA **for the Like-minded Developing Countries (LMDC)** referred to developments on climate change matters in the ICAO and expressed concerns. The move to forge MBMs in disregard of the positions of a large number of developing countries and without regard to CBDR and equity is an unfortunate development. On emissions from the international aviation and maritime sectors, it called for guidance to be provided to ICAO and the IMO to ensure that they respect and adhere to the principles of the Convention, in particular, CBDR. Any MBM adopted, including a framework for MBMs, should be voluntary and with mutual consent of participating countries. By adopting CBDR in its resolution recently, the IMO has sent a message to the world community that CBDR is not a hindrance to addressing issues of climate change.

**China**, in echoing Cuba, stressed the significance of the recognition of the CBDR principle by the IMO member states for the first time in its resolution, demonstrating the wider recognition of the principle. It said the IMO has showed a spirit of compromise. It said Parties should give instructions to the ICAO to embody the principles of UNFCCC, especially CBDR and any market-based actions should be based on mutual consent and on a voluntary basis and not jeopardise developing countries.

**Japan** asserted that with regard to the resolution on technology transfer adopted at the IMO's 65<sup>th</sup> MEPC, the adoption of the preamble paragraph,

which addressed CBDR should not limit the activities of the IMO. It stressed that its reiteration of this point was recorded in the meeting (65<sup>th</sup> MEPC) report. It also reiterated that in the field of maritime and aviation transport, it will be inappropriate to apply the principle of CBDR regardless of the country of operation and registration due to the complex operation of these sectors. It further said that issues related to international transportation should continue to be addressed by the IMO and ICAO, and member states are already taking steps to address emissions.

**South Korea** strongly supported that ICAO and IMO address greenhouse gas emissions from aviation and maritime sectors as they had been taking the lead ahead of other sectors. Therefore, the UNFCCC needs to respect the achievement

of these two organisations. It warned that the imposition of excessive burden or duties on these two sectors could undermine international cooperation.

**Singapore** said it supported the global MBM scheme. It said the ICAO and IMO had demonstrated progress in their work with expertise and they remain the most competent bodies to limit emissions and support the growth of these sectors.

**The United States** also supported the on-going work of the ICAO and the IMO as they are governed by non-discrimination treatment.

**Australia** said it had passed domestic law in support of the IMO energy efficient ships and continued to have confidence on both agencies.