



ASSEMBLY — 37TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 17: Environmental protection

DEVELOPMENTS IN OTHER UNITED NATIONS BODIES

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

This paper reports on progress made since the 36th Session of the Assembly related to aviation environmental protection in other United Nations (UN) bodies. It contains information on developments emanating from the United Nations Framework Convention on Climate Change (UNFCCC) process, the International Maritime Organization (IMO), and the Intergovernmental Panel on Climate Change (IPCC).

Information related to ICAO's cooperation with United Nations Environmental Management Group (EMG) on the UN Climate Neutral Initiative is provided in a separate Assembly working paper (A37-WP/22, *United Nations Climate Neutral Initiative*).

Action: The Assembly is invited to:

- a) acknowledge the progress by the organization in strengthening its cooperation with other UN bodies, in particular in the field of international aviation and climate change, as requested in Assembly Resolution A36-22, Appendix I and Appendix J;
- b) support the continued cooperation of the organization with other UN bodies; and
- c) consider the information in this paper for the update of Assembly Resolution A36-22.

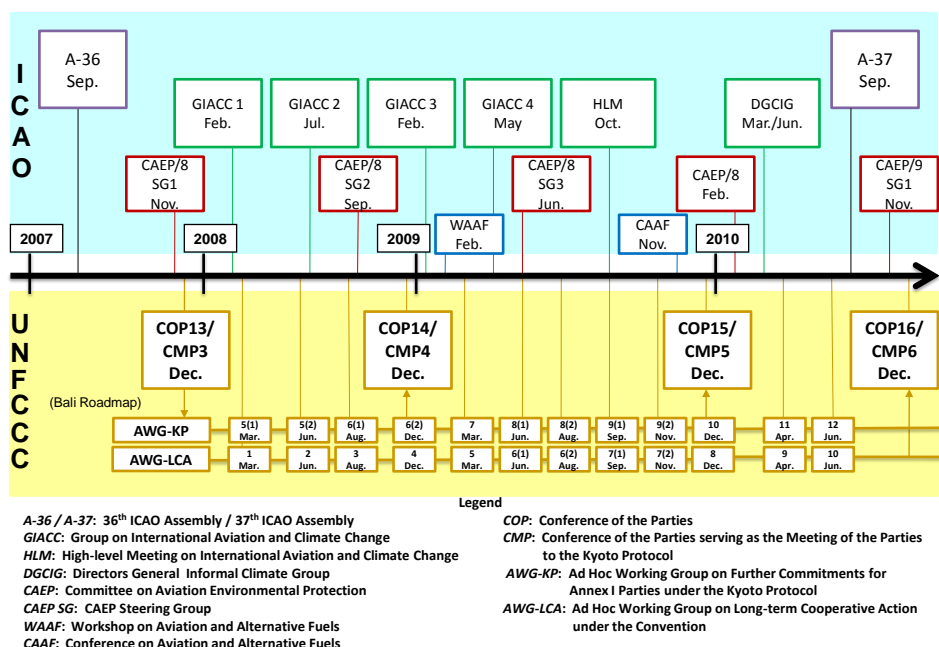
<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective C, <i>Environmental Protection - Minimize the adverse effect of global civil aviation on the environment.</i>
<i>Financial implications:</i>	Decisions arising from other UN bodies may have consequential financial implications for ICAO which will be funded under the Regular Programme or by voluntary contributions.
<i>References:</i>	A37-WP/22, <i>United Nations Climate Neutral Initiative</i> A37-WP/23, <i>Aviation and Alternative Fuels</i> A37-WP/25, <i>Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change</i>

1. DEVELOPMENTS IN UNFCCC PROCESS

1.1 Bali Roadmap

1.1.1 At the thirteenth session of the United Nations Climate Change Conference (COP13) that was held in December 2007 in Bali, Indonesia, Parties to the UNFCCC launched a comprehensive programme (commonly referred to as “The Bali Roadmap¹”) to enable the development of a future climate change agreement at COP15 in December 2009.

Figure 1. Climate Change Negotiation Process



1.1.2 Figure 1 illustrates the UNFCCC process that encompasses the annual COP and CMP with their subsidiary bodies, as well as the ICAO process on international aviation and climate change since the last Assembly. The AWG-KP is a subsidiary body under the CMP that has been established to consider Annex I Parties’ commitments beyond the Kyoto Protocol’s first commitment period (2008-2012). The AWG-LCA is a subsidiary body under the COP with the task to enable the full, effective and sustained implementation of the Convention through long-term cooperative action up to and beyond 2012 (the Bali Action Plan (BAP)). The BAP focuses on five key elements: a shared vision for long-term cooperative action, mitigation efforts by both developed and developing countries, adaptation efforts, investment and financial needs, and development, deployment, dissemination and transfer of technology.

1.2 Discussions on “Bunker Fuels” prior to Copenhagen

1.2.1 The term “international bunker fuels” refers to fuels used by the international aviation and maritime sectors. The issue of how to address greenhouse gas (GHG) emissions from bunker fuels has been on the agenda of the UNFCCC negotiation process both under the AWG-KP and AWG-LCA.

¹ This encompasses the Bali Action Plan (developed to address climate change under the Convention) and the continuation of the negotiating process on further commitments for Annex I Parties under the Kyoto Protocol.

1.2.2 During the negotiations, Parties debated how to reconcile the principle of non-discrimination under the Chicago Convention with the principles of common but differentiated responsibilities and respective capabilities (CBDR) under the UNFCCC and the Kyoto Protocol. In relation to emissions reduction targets for these sectors, some Parties favoured a negotiating process under the UNFCCC while others supported the coordination of all aspects of the work on bunker fuels by ICAO and IMO. An associated issue is related to which Parties (all or only Annex I Parties) should be committed to meeting the targets.

1.2.3 In relation to means of implementation, the negotiations had revolved around: the possible use of cooperative sectoral approaches and sector specific actions for the international aviation sector; and the possible development of instruments for financing mitigation and adaptation activities using funds collected through fiscal policies (e.g. levies) for international aviation.

1.3 Copenhagen Climate Change Conference

1.3.1 COP15 took place in conjunction with CMP5 and their subsidiary bodies in December 2009 in Copenhagen, Denmark. Most debates were focused on further commitments of developed countries and the role of developing countries in a future climate change agreement, as well as on financing for adaptation activities, with limited discussions on actions for mitigation.

1.3.2 Questions concerning transparency and the need to ensure a democratic process arose particularly during the second week of the Conference. Most Parties urged that only texts developed by the AWG-KP and AWG-LCA should be the basis for further discussions, while others believed that the progress could be achieved in smaller political drafting groups. Informal high-level negotiations at the final stage resulted in a political agreement entitled the “Copenhagen Accord” (Decision 2/CP.15: Appendix A to this paper), and the closing plenary of the Conference agreed to “take note” of the Accord.

1.3.3 ICAO provided the Conference with statements on its achievements through the High-level Meeting on International Aviation and Climate Change (see A37-WP/25) and the Conference on Aviation and Alternative Fuels (see A37-WP/23).

1.3.4 Under the AWG-LCA8, an informal group undertook the drafting work on “COP15 decision” on bunker fuels. The majority of Parties expressed their support for global actions under ICAO and IMO. While some Parties requested the inclusion of unambiguous text on CBDR, other Parties requested the inclusion of specific emissions reduction targets for these sectors.

1.3.5 Due to the complex situation and the need to move overall negotiations forward, no informal group on bunker fuels was convened at the final stage of the Conference. Parties requested AWG-KP and AWG-LCA to continue their work for consideration by COP16 and CMP6 in December 2010 in Mexico. The draft text prepared by the informal group on bunker fuels was reproduced by the UNFCCC Secretariat (FCCC/CP/2010/2: Appendix B to this paper) to assist the work of AWG-LCA to COP16. No substantial progress was made on bunker fuels at the Climate Change Talks in April and June 2010, and two additional Sessions are scheduled in 2010, prior to COP16 and CMP6.

1.3.6 As part of the ongoing work within the UN system on climate change, the UN Secretary General established a High-level Advisory Group on Climate Change Financing (AGF) to respond to the Copenhagen Accord by studying the contribution of potential sources of revenue “including alternative sources of finance,” to meet the goals of mobilizing USD 100 billion a year by 2020, with a view to contributing to an appropriate decision at COP16. It should be noted that the AGF is considering options related to fiscal instruments that could apply to international aviation.

2. DEVELOPMENTS IN IMO

2.1 International Maritime Organization (IMO), through its Marine Environment Protection Committee (MEPC), has also been working on its comprehensive mitigation strategy, consisting of technical, operational and market-based measures to address GHG emissions from international shipping.

2.2 MEPC 59 in July 2009 finalized a package of technical and operational measures to reduce GHG emissions from international shipping, which includes: interim guidelines on the method of calculation and voluntary verification of the Energy Efficiency Design Index for new ships, and guidance on the development of a Ship Energy Efficiency Management Plan as well as guidelines for voluntary use of the Energy Efficiency Operational Indicator for new and existing ships. These measures are currently implemented on a voluntary basis.

2.3 MEPC 59 recognized that the technical and operational measures would not be sufficient to satisfactorily reduce the amount of GHG emissions from international shipping and a market-based measure was needed as part of a comprehensive package of mitigation measures. An in-depth discussion on market-based measures was held and the Committee agreed on a work plan culminating in 2011.

2.4 In March 2010, MEPC60 concluded that, for technical and operational measures, more work needed to be done before it would complete its consideration of their mandatory application. It also agreed to establish an Expert Group to undertake a feasibility study and impact assessment of proposed market-based measures for international shipping, for consideration of MEPC61 in September 2010. Proposed market-based measures under consideration by the Expert Group include: an international fund for GHG emissions from international shipping, a global emissions trading system and credit trading linked to the energy efficiency standards.

3. DEVELOPMENTS IN IPCC

3.1 The Intergovernmental Panel on Climate Change (IPCC) initiated the preparation of the Fifth Assessment Report (AR5), which is scheduled to be completed in 2014.

3.2 ICAO participated in the IPCC process to ensure that issues related to aviation and climate change are covered in the AR5. ICAO particularly requested that the AR5 further explore the effects of non-CO₂ aviation emissions, update the trends of aviation GHG emissions, include the latest ICAO work on mitigation measures, and address life-cycle analysis of the environmental benefits on the use of alternative fuels for aviation taking into account cross-sectoral issues.

4. CONCLUSION

4.1 Since the last Assembly, liaison has continued with other UN bodies, with a view to obtaining a better scientific understanding of aviation's impact on the environment as well as exploring cooperation and synergy in policy-making to limit or reduce aviation emissions. These developments are reflected in a separate Assembly working paper (see A37-WP/25).

4.2 The fact that no specific decision was taken on how to address emissions from international aviation during COP15, provides ICAO with an opportunity to make further progress on the recommendations of its High-level Meeting and Alternative Fuels Conference, which will enable it to provide meaningful contribution with the negotiation process on a future climate change agreement.

APPENDIX A

DECISION 2/CP.15 COPENHAGEN ACCORD (Excerpt from FCCC/CP/2009/11/Add.1 dated 30 March 2010)

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The Conference of the Parties,

Takes note of the Copenhagen Accord of 18 December 2009.

Copenhagen Accord

The Heads of State, Heads of Government, Ministers, and other heads of the following delegations present at the United Nations Climate Change Conference 2009 in Copenhagen: Albania, Algeria, Armenia, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Eritrea, Estonia, Ethiopia, European Union, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kiribati, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Mongolia, Montenegro, Morocco, Namibia, Nepal, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay and Zambia,

In pursuit of the ultimate objective of the Convention as stated in its Article 2,

Being guided by the principles and provisions of the Convention,

Noting the results of work done by the two Ad hoc Working Groups,

Endorsing decision 1/CP.15 on the Ad hoc Working Group on Long-term Cooperative Action and decision 1/CMP.5 that requests the Ad hoc Working Group on Further Commitments of Annex I Parties under the Kyoto Protocol to continue its work,

Have agreed on this Copenhagen Accord which is operational immediately.

1. We underline that climate change is one of the greatest challenges of our time. We emphasise our strong political will to urgently combat climate change in accordance with the principle of common but differentiated responsibilities and respective capabilities. To achieve the ultimate objective

² French, Spanish, Russian, Arabic and Chinese translation was made available by the United Nations Framework Convention on Climate Change (UNFCCC).

of the Convention to stabilize greenhouse gas concentration in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, we shall, recognizing the scientific view that the increase in global temperature should be below 2 degrees Celsius, on the basis of equity and in the context of sustainable development, enhance our long-term cooperative action to combat climate change. We recognize the critical impacts of climate change and the potential impacts of response measures on countries particularly vulnerable to its adverse effects and stress the need to establish a comprehensive adaptation programme including international support.

2. We agree that deep cuts in global emissions are required according to science, and as documented by the IPCC Fourth Assessment Report with a view to reduce global emissions so as to hold the increase in global temperature below 2 degrees Celsius, and take action to meet this objective consistent with science and on the basis of equity. We should cooperate in achieving the peaking of global and national emissions as soon as possible, recognizing that the time frame for peaking will be longer in developing countries and bearing in mind that social and economic development and poverty eradication are the first and overriding priorities of developing countries and that a low-emission development strategy is indispensable to sustainable development.

3. Adaptation to the adverse effects of climate change and the potential impacts of response measures is a challenge faced by all countries. Enhanced action and international cooperation on adaptation is urgently required to ensure the implementation of the Convention by enabling and supporting the implementation of adaptation actions aimed at reducing vulnerability and building resilience in developing countries, especially in those that are particularly vulnerable, especially least developed countries, small island developing States and Africa. We agree that developed countries shall provide adequate, predictable and sustainable financial resources, technology and capacity-building to support the implementation of adaptation action in developing countries.

4. Annex I Parties commit to implement individually or jointly the quantified economy-wide emissions targets for 2020, to be submitted in the format given in Appendix I by Annex I Parties to the secretariat by 31 January 2010 for compilation in an INF document. Annex I Parties that are Party to the Kyoto Protocol will thereby further strengthen the emissions reductions initiated by the Kyoto Protocol. Delivery of reductions and financing by developed countries will be measured, reported and verified in accordance with existing and any further guidelines adopted by the Conference of the Parties, and will ensure that accounting of such targets and finance is rigorous, robust and transparent.

5. Non-Annex I Parties to the Convention will implement mitigation actions, including those to be submitted to the secretariat by non-Annex I Parties in the format given in Appendix II by 31 January 2010, for compilation in an INF document, consistent with Article 4.1 and Article 4.7 and in the context of sustainable development. Least developed countries and small island developing States may undertake actions voluntarily and on the basis of support. Mitigation actions subsequently taken and envisaged by Non-Annex I Parties, including national inventory reports, shall be communicated through national communications consistent with Article 12.1(b) every two years on the basis of guidelines to be adopted by the Conference of the Parties. Those mitigation actions in national communications or otherwise communicated to the Secretariat will be added to the list in appendix II. Mitigation actions taken by Non-Annex I Parties will be subject to their domestic measurement, reporting and verification the result of which will be reported through their national communications every two years. Non-Annex I Parties will communicate information on the implementation of their actions through National Communications, with provisions for international consultations and analysis under clearly defined guidelines that will ensure that national sovereignty is respected. Nationally appropriate mitigation actions seeking international support will be recorded in a registry along with relevant technology, finance and capacity building support. Those actions supported will be added to the list in appendix II. These supported nationally appropriate mitigation actions will be subject to international measurement,

reporting and verification in accordance with guidelines adopted by the Conference of the Parties.

6. We recognize the crucial role of reducing emission from deforestation and forest degradation and the need to enhance removals of greenhouse gas emission by forests and agree on the need to provide positive incentives to such actions through the immediate establishment of a mechanism including REDD-plus, to enable the mobilization of financial resources from developed countries.

7. We decide to pursue various approaches, including opportunities to use markets, to enhance the cost-effectiveness of, and to promote mitigation actions. Developing countries, especially those with low emitting economies should be provided incentives to continue to develop on a low emission pathway.

8. Scaled up, new and additional, predictable and adequate funding as well as improved access shall be provided to developing countries, in accordance with the relevant provisions of the Convention, to enable and support enhanced action on mitigation, including substantial finance to reduce emissions from deforestation and forest degradation (REDD-plus), adaptation, technology development and transfer and capacity-building, for enhanced implementation of the Convention. The collective commitment by developed countries is to provide new and additional resources, including forestry and investments through international institutions, approaching USD 30 billion for the period 2010 - 2012 with balanced allocation between adaptation and mitigation. Funding for adaptation will be prioritized for the most vulnerable developing countries, such as the least developed countries, small island developing States and Africa. In the context of meaningful mitigation actions and transparency on implementation, developed countries commit to a goal of mobilizing jointly USD 100 billion dollars a year by 2020 to address the needs of developing countries. This funding will come from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources of finance. New multilateral funding for adaptation will be delivered through effective and efficient fund arrangements, with a governance structure providing for equal representation of developed and developing countries. A significant portion of such funding should flow through the Copenhagen Green Climate Fund.

9. To this end, a High Level Panel will be established under the guidance of and accountable to the Conference of the Parties to study the contribution of the potential sources of revenue, including alternative sources of finance, towards meeting this goal.

10. We decide that the Copenhagen Green Climate Fund shall be established as an operating entity of the financial mechanism of the Convention to support projects, programme, policies and other activities in developing countries related to mitigation including REDD-plus, adaptation, capacity-building, technology development and transfer.

11. In order to enhance action on development and transfer of technology we decide to establish a Technology Mechanism to accelerate technology development and transfer in support of action on adaptation and mitigation that will be guided by a country-driven approach and be based on national circumstances and priorities.

12. We call for an assessment of the implementation of this Accord to be completed by 2015, including in light of the Convention's ultimate objective. This would include consideration of strengthening the long-term goal referencing various matters presented by the science, including in relation to temperature rises of 1.5 degrees Celsius.

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APPENDIX B

**Work undertaken by the Conference of the Parties at its fifteenth session
on the basis of the report of the Ad Hoc Working Group
on Long-term Cooperative Action under the Convention
(Excerpt from FCCC/CP/2010/2 dated 11 February 2010)**

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Annex I

Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

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C. Policy approaches and measures to limit and reduce greenhouse gas emissions from aviation and marine bunker fuels (revised paragraph 32 of the text contained in annex I A to document FCCC/AWGLCA/2009/17)

This text was prepared by the co-facilitators of the informal consultations in the context of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, and was distributed to Parties at a meeting of the contact group on long-term cooperative action on 17 December 2009.

[Agrees

32. That the limitation and reduction of emissions of greenhouse gases not controlled by the Montreal Protocol from aviation and marine bunker fuels should be pursued working through the International Civil Aviation Organization and the International Maritime Organization, respectively, [taking into account the principles and provisions of the Convention,][on a scale consistent with the long term global goal defined in the Shared Vision outlined in Article XX][, taking into account Appendix xx.]

To invite these Organizations to report to the Conference of the Parties, at its seventeenth session, and to its subsidiary bodies as appropriate, and at regular intervals thereafter, on relevant activities, policy approaches and measures established and under development, emission estimates and achievements in this respect.]

Proposal for an appendix referred to in paragraph 32 above:

[The Conference of the Parties.

1. *Encourages* the International Civil Aviation Organization and the International Maritime Organization to continue their activities for the development of policy approaches and technical and operational measures to address greenhouse gas emissions, and specifically:

³ French, Spanish, Russian, Arabic and Chinese translation was made available by the United Nations Framework Convention on Climate Change (UNFCCC).

- a) To establish sufficiently ambitious mid-term and long-term [global goals] for the mitigation of greenhouse gas emissions from aviation and marine bunker fuels to be achieved through the application of their policy approaches and measures, [of 10 per cent and 20 per cent, respectively, below 2005 levels by 2020;]
- b) To take fully into consideration all the relevant principles and provisions of the Convention, in particular the principle of common but differentiated responsibility and respective capabilities and the promotion of a supportive and open international economic system, and the special economic, geographical and social conditions of developing countries, recognizing that such policy approaches and technical and operational measures should be taken on the basis of mutual consent of all Parties involved and should not constitute a means of arbitrary and unjustifiable discrimination or a disguised restriction on international trade;
- c) To ensure that such policy approaches and measures to do not lead to competitive distortions or carbon leakage;
- d) To ensure that revenue from the implementation of such policy approaches and measures shall be made available to support climate change adaptation and mitigation in developing countries;
- e) To promote the cooperation in the research, development, application and diffusion, including transfer of technologies, practices, processes, and methodologies in international aviation and maritime transport.]

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— END —