



INTERGOVERNMENTAL PANEL
ON CLIMATE CHANGE

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Agenda item: 7
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PROCEDURAL MATTERS

SPECIAL OBSERVER STATUS OF THE EUROPEAN COMMUNITY AS REGIONAL ECONOMIC INTEGRATION ORGANIZATION

(Proposal received from the European Commission)



EUROPEAN COMMISSION
RESEARCH DIRECTORATE-GENERAL

Directorate I - Environment
Climate Change and Environmental Risks

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Subject: European Community in the IPCC
References: RTD D(2008) 550871 of 03/07/08
ENV D(08) 2207 of 11/02/08

Dear Prof. Pachauri, Dear Dr. Christ,

At the Panel session in April in Budapest the European Community had the opportunity to present its proposal to enhance the European Community observer status in the IPCC (see Annex 1). I am writing to you to provide further information and to respond to some questions raised in the meeting with a view to a possible decision on this matter in the next session in September. I would be grateful if you could make this note available to the focal points of all Members of IPCC in advance of the next session (1-4 September) in order to facilitate an informed decision of the Panel in Geneva.

The European Community's current status in the IPCC is very limited. We are observers as any NGO. However, we believe that this arrangement - which pre-dates the UNFCCC and the Kyoto Protocol - is obsolete today for several reasons:

First, the European Community has legal personality and is a Party in its own right to the UNFCCC and the Kyoto Protocol. It is as an active supporter and major player in the global fight against climate change.

Second, the EC has developed a significant expertise on the scientific, technical and socioeconomic aspects of human-induced climate change, its potential impacts and options for adaptation and mitigation.

Thirdly and most importantly the EC is one of the main actors that are funding and driving forward international climate research and the related international cooperation. The Community funding instrument, the Framework Programme, is not restricted to the European Community but open to participants from all countries and supports real global research cooperation. Many key results in the 4th assessment report are based on the scientific output from projects funded under the Framework Programmes of the European Community which facilitate in particular international cooperation with partners from all continents including many scientists and institutions from developing countries. Major examples include the projects EPICA, ENSEMBLES, DAMOCLES or PRUDENCE, on which you will find more details in the annex to this note.

Furthermore, the EC has been an active observer since the inception of the Panel and is a significant sponsor of the Panel including by means of voluntary contributions to the IPCC budget which make the EC one of the top 10 donors to the IPCC

For all these reasons, we suggested in the last session in Budapest that the Panel amend its policy on observers and recognise the special status of the EC Regional Economic Integration Organisations (REIOs) that are Parties to the UNFCCC and the Kyoto Protocol, such as the European Community, should be given enhanced observership and be considered "full participants" at the IPCC meetings in accordance with the current practice under a number of other UN bodies (see Annex 1). REIOs are organisations to which States have conferred part of their sovereign powers, including on matters related to climate change, and that enjoy international legal personality that allows them to become Parties to international treaties. Currently, only the European Community is in this situation. Therefore, there is no risk for this clause to be applied to any other organisation until other regions of the world embark in an integration process comparable to the one that began in Europe 55 years ago.

Conferring to the EC the status of full participant would not set a new precedent but rather follow the practice in other UN fora. There are many instances in which the EC is recognised as full participant, including the Commission on Sustainable Development (CSD), the United Nations Forum on Forest (UNFF), UN global conferences, such as the 1992 Rio Conference on Environment and Development (UNCED), the Johannesburg World Summit on Sustainable Development (WSSD), etc.

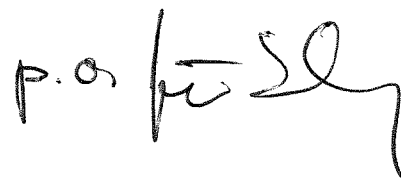
In Budapest a number of questions were raised by other participants. We are happy to respond to this in the form of the attached Q&A paper (Annex 2). We think that sharing this note and its attachments with all participants could facilitate an informed discussion on this issue at the next session in Geneva

We hope it will be possible to take this matter forward in September and to come to a positive solution so that the Panel would be able to benefit from the EC full participation to its activities.

Yours sincerely



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Annex 1:

European Community (EC): observer status of Regional Economic Integration Organisations (REIOs) in IPCC

The European Community (EC) is a Regional Economic Integration Organisation (REIO). This means it is an organisation to which European States have conferred powers, including on matters related to climate change. European climate change legislation, policy and science are developed both at the European level and at the level of the Member States of the EC.

The European Community is an active supporter of the Panel and contributes to driving forward the climate science by supporting a wealth of research activities in particular under the 5th, the 6th and the current 7th EC Framework Research Programme.

The EC is also a Party to the UNFCCC and the Kyoto Protocol. It is the only organisation in this situation. Despite this, the status of the EC in the IPCC is limited to observership.

In order to remedy this shortcoming, it is proposed that the Panel develop further its policy with regard to observers (see IPCC Policy and Process for Admitting Observer Organizations as adopted at the 25th Session in April 2006 - IPCC-XXV/Doc.7) by recognising the special character of the EC as a REIO. The European Community should be considered an observer with "full participant" status at the IPCC meetings, in accordance with the current practice under a number of other UN bodies.¹

The European Community, while not becoming a Member of the Panel, should be entitled to participate fully in the work of the Panel or any subsidiary body thereof. Such full participation should include the right to speak and the right of reply, as well as the right to introduce proposals and amendments but not the right to vote.

Against this background, the Panel could supplement its policy on observers by taking a decision along the following lines:

European Community (EC): observer status of Regional Economic Integration Organisations (REIOs) in IPCC

"The Panel decides that Regional Economic Integration Organisations (REIOs) that are Parties to the UNFCCC and the Kyoto Protocol take part to the IPCC works as 'full participants'. They are entitled to participate fully in the work of the Panel or any subsidiary body thereof. Such full participation includes the right to speak and the right of reply, as well as the right to introduce proposals and amendments but not the right to vote nor the right of being elected".

¹ There are many instances in which the EC is recognised as full participant, including the Commission on Sustainable Development (CSD), the United Nations Forum on Forest (UNFF), UN global conferences, such as the 1992 Rio Conference on Environment and Development (UNCED), the Johannesburg World Summit on Sustainable Development (WSSD), etc.

Annex 2

1) Would the proposed amendment to the Panel's policy on observers allow any other international organisation to seek full participation ? Why is a Regional Economic Integration Organisation (REIO) different?

The EC proposal seeks an enhanced observer status only for REIO and only when they are Parties to the UNFCCC and Kyoto Protocol. A REIO is an organisation to which States have conferred part of their sovereign powers, including on matters related to climate change, and that enjoys international legal personality that allows it to become a Party to international treaties. Currently, only the European Community is in this situation. Therefore, there is no risk for this clause to be applied to any other organisation until other regions of the world embark in an integration process comparable to the one that began in Europe 55 years ago.

2) What are the legal or procedural implications for the EC Member States of a full participation as observer for the European Community? Would the EC Member States no longer speak on their behalf but only the EC for them ? Would this imply coordinating scientific views?

There would be no change in the rights or obligations of any of the EC Member State before the Panel. The EC and its Member States do not generally speak with one voice before the Panel since we consider that it is important to preserve the pluralism of scientific voices in Europe. Coordination is only envisaged when policy decisions are to be taken and not when scientific views are expressed. Therefore, this proposal aims at further enriching the scientific debate in the IPCC by ensuring that the representative of the EC, a REIO that is very active in funding and promoting climate research and has a considerable expertise in this field, be able to properly and fully participate to the IPCC discussions. Moreover, the EC representative would NOT have a right to vote additional to the one of the EC Member States, in line with the approach reflected in the UNFCCC and in the Kyoto Protocol.

3) In which other UN bodies the EC has this specific status?

There are many instances in which the EC is recognised as full participant. Examples in the environmental field include the Commission on Sustainable Development (CSD), the United Nations Forum on Forest (UNFF), UN global conferences, such as the 1992 Rio Conference on Environment and Development (UNCED), the Johannesburg World Summit on Sustainable Development (WSSD).

4) Why is the EC not seeking membership of the Panel?

As explained in the answer to Q2 above, this initiative is not about gaining power before the panel but just about finding a mechanism that would allow the EC to be fully associated with the Panel's discussions. In order to become a Member of the Panel, the EC would first have to become a Member of the WMO or of UNEP. This route would require following long and rather cumbersome procedures both within the EC and before the WMO and UNEP while not offering added value compared to the EC objective presented here.

5) What is the legal basis of this change in the observer policy? Is this proposal really in line with the IPCC principles?

The proposal is perfectly in line with the IPCC principles and can be based, in particular, on Principle 8 which states that:

*"8. Invitations to participate in the sessions of the Panel and its Working Groups, Task Forces and IPCC workshops shall be extended to Governments **and other bodies** by the Chairman of the IPCC."*

This Principle is the basis for the admission of observers to the work of the IPCC. The exact modalities for the participation of observers are left to the Panel's discretion which was already exercised by developing the current Policy on observers. The EC clearly falls within the notion of 'other bodies' highlighted above.

6) What does the EC do to support the work of IPCC ?

In recent years the EC has supported the IPCC secretariat in 2006 with a 200000 € grant for the preparation of the 4th Assessment report. Another significant contribution of the EC to the finalisation of the AR4 of ca. 240.000€ was provided when the EC (co)-hosted the IPCC Working Group II meeting in Brussels in its premises from 2-6 April 2007 (the other co-host was the Belgium government).

7) What is the EC role in global EC climate relevant research?

The EC is a driver of climate change research at a global scale and the results of the projects supported under the EC Framework Programmes (FPs) have helped shaping IPCC reports. The importance the EC attaches to climate research is reflected in the funding of projects in the 5th and 6th EC research programme (FP5 and FP6) and continues in the current EC 7th Framework Research Programme, in which climate change remains a key element of the EC research funding (2007-2013). The programme continues to be open for participation and funding of developing country participants. The climate change component of the current FP7 has been defined and developed in a way that solid support to the IPCC process is ensured. Consequently, funding of climate research under FP6 and FP7 is linked closely with IPCC, providing appropriate support to relevant scientific activities.

Results from EC funded projects and actions help implementing international commitments, contribute to the IPCC assessment reports and address the research needs of existing and emerging policies. The research the EC supports addresses climate change observing systems, predictions, impacts, mitigation and adaptation measures and supports policy implementation.

8) Which concrete research relevant for IPCC projects has been funded?

The following projects address issues such as the identification of shortfalls between existing adaptation policy developments (ADAM²); better quantification and reduction of uncertainties in downscaling methods and increasing confidence in scenarios and related impacts (PRUDENCE³, ENSEMBLES⁴); the assessment of the impact of climate change on sectors like agriculture and water resources (CECILIA⁵, CLAVIER⁶, WATCH⁷); and the vulnerability of ecosystem services (ATEAM⁸). They also evaluate the consequences of climate change for the society and the economy of the populations (CIRCE⁹) at European and regional scales and assess health effects of extreme weather conditions (CCASHH¹⁰). EC funded research also pays considerable attention to the global dimension of Climate Change

² Adaptation and Mitigation Strategies: Supporting European climate policy

³ Prediction of Regional Scenarios and Uncertainties for Defining European Climate Change Risks and Effects

⁴ ENSEMBLE based predictions of climate changes and their impacts

⁵ Central and Eastern Europe Climate Change Impact and Vulnerability Assessment

⁶ Climate Change and Variability: Impact on Central and Eastern Europe

⁷ Water and Global Change: Analysis, quantification and prediction of the components of the current and future global water cycle and related water resources

⁸ Advanced Terrestrial Ecosystem Analysis and Modelling

⁹ Climate Change and Impact Research: the Mediterranean Environment

¹⁰ Climate Change and Adaptation Strategies for Human Health

and adaptation. Projects like AMMA¹¹ and GAINS-Asia¹² deal with aspects of adaptation outside Europe like the assessment of co-benefits, with economic impacts of concurrent reductions in air pollution and greenhouse gases for the Asian continent (GAINS-Asia); and with the impact of Climate Change as additional pressure on the vulnerability of agriculture systems in West Africa (AMMA). The importance given to research on improving management practices is reflected in the NeWater¹³ Project which addresses some of the present and future challenges of water management.

The DAMOCLES¹⁴ project assesses the current reduction in arctic ice cover, its consequences and possible adaptation measures. With the EPICA¹⁵ project two Antarctic deep ice cores could be completed and for the first time revealed atmospheric records of greenhouse gases like CO₂ and methane reaching 800,000 years back in time. The ACCENT¹⁶ Network of Excellence facilitates a common European strategy for research into atmospheric composition change. The MAP¹⁷, OOMPH¹⁸ and EUCAARI¹⁹ projects address one of the main uncertainties in climate forcing – the role of natural and man made aerosols. New upcoming projects will address key uncertainties identified by IPCC in a targeted way. For instance, the stability of the Thermohaline circulation will be addressed as well the dynamics of glaciers and ice sheets as a key component of sea level rise.

This list is by no means exhaustive since also research projects in, i.a., the fields of energy, agriculture and transport are increasing the knowledge which can be used for adaptation to climate change.

Further details on the EC funded research can be found here:

<http://ec.europa.eu/environment/climat/pdf/bali/research.pdf>

http://ec.europa.eu/research/environment/newsanddoc/other_pubs_en.htm

ftp://ftp.cordis.europa.eu/pub/sustdev/docs/environment/european_research_on_climate_change_eur21935.pdf

http://ec.europa.eu/research/environment/pdf/Polar_catalogue_final.pdf

¹¹ African Monsoon Multidisciplinary Analysis

¹² Greenhouse Gas and Air Pollution Interactions and Synergies

¹³ New Approaches to Adaptive Water Management under Uncertainty

¹⁴ Developing Arctic Modelling and Observing Capabilities for Long-Term Environmental Studies

¹⁵ New Paleoreconstructions from Antarctic Ice and Marine Records

¹⁶ An European Network on Atmospheric Composition Change

¹⁷ Secondary Marine Aerosol Production from Natural Sources

¹⁸ Organics over the Ocean Modifying Particles in both Hemispheres

¹⁹ Aerosol Cloud Climate and Air Quality Interactions