

## The United Nations Framework Convention on Climate Change

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### Introduction

The United Nations Framework Convention on Climate Change (UNFCCC) is the multilateral environmental agreement designed to deal with the global problem of climate change. The UNFCCC was adopted in 1992 at the Rio "Earth Summit" and now enjoys almost universal membership (exceptions include Afghanistan, Iraq and Timor Leste), with 187 governments having ratified the Convention (as of 17 February 2003).

The Convention's ultimate objective is "the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system" (Article 2). The Convention tries to do two basic things: 1) reduce emissions of greenhouse gases, 2) assist developing countries to prepare for the negative effects of climate change. In terms of these:

- 1) The UNFCCC seeks to control emissions of greenhouse gases. This is called *mitigation*, and it has been the principal focus of the UNFCCC thus far. The Convention requires only the developed countries to reduce emissions of greenhouse gas emissions. It does not require, but aims to assist, Least Developed Countries (LDC's) like Timor Leste to develop non-polluting forms of energy. Emissions reduction targets for developed countries and economies-in-transition are specified in the Kyoto Protocol.
- 2) The Convention also asks developed countries to consider supporting Least Developed Countries (LDCs) like Timor Leste to begin activities related to adaptation. As a result of the Marrakesh accords arising out of the seventh Conference of Parties (COP) to the UNFCCC, there will in the future be increasing effort put into adaptation activities in LDCs. Importantly, these adaptation activities can involve activities that help with *existing* climate problems such as drought and flood.

In these ways the UNFCCC makes no compulsory demands of Timor Leste, but it can assist in sustainable development. The cost to Timor Leste of one year's membership of the UNFCCC in 2004 is assessed to be no more than US\$171. The

Secretariat of the UNFCCC pays for at least one person from each Least developed Country to attend the annual Conference of Parties, which is a key diplomatic event. A Portuguese version of the UNFCCC can be found at [www.mct.gov.br/clima/convencao/texto.htm](http://www.mct.gov.br/clima/convencao/texto.htm).

Another important consideration for Timor Leste is possible membership of the Alliance of Small Island States (AOSIS). AOSIS is a group of small island countries that has developed to act collectively on environment and development issues at the UNFCCC and also in the larger United Nations System. It is an important voting bloc because it comprises ~ 20% of all votes in the United Nations General Assembly. East Timor would be eligible to become a member of AOSIS. So membership of the UNFCCC can bring some potentially important diplomatic gains to Timor Leste as well as increasing opportunities for assistance for sustainable development.

### Opportunities for Funding and Support

Once a member of the UNFCCC Timor Leste is eligible for immediate funding. The financial mechanism of the UNFCCC is called the Global Environment Facility (GEF). GEF funds are disbursed by one of three agencies, the United Nations Development Program, the World Bank, or the United Nations Environment Program. Between 1991 and 1999 the GEF funded 227 climate change projects, allocating \$884 million which was matched by more than \$4.7 billion in co-financing from donors, the private sector, and / or host countries.

### How to Join the UNFCCC

If East Timor wants to become a Party to the UNFCCC it needs to ratify the UNFCCC through its national legislation. The instrument of ratification should be sent to the UN depositary at:

Chief, Treaty Section  
Office of Legal Affairs  
United Nations Headquarters  
New York, New York 10017  
United States of America

It is best if the instrument is submitted through the office of the Permanent Mission to the United Nations in New York. Ninety days later the Convention will enter into force for Timor Leste. After entry into force the Government will receive

an information note from the Secretariat of the Convention that includes information regarding the function of the national focal point, which the government will have to appoint.

As a Party to the UNFCCC, Timor Leste will have full powers, including voting, at sessions of the Conference of the Parties (COPs; the UNFCCC decision-making body).

The Alliance of Small Island States receives legal advice from the Foundation for International Environmental Law and Development. They suggest adding the following declaration when signing the instrument of ratification:

"The Government of Timor Leste declares its understanding that signature of the Convention shall in no way constitute a renunciation of any rights under international law concerning state responsibility for the adverse effects of climate change, and that no provisions in the Convention can be interpreted as derogating from the principles of general international law."