



MARINE ENVIRONMENT PROTECTION
COMMITTEE
58th session
Agenda item 4

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PREVENTION OF AIR POLLUTION FROM SHIPS

IMO Action on GHG Emissions from Ships

Submitted by Brazil

SUMMARY

<i>Executive summary:</i>	This document comments on the report of the first Intersessional Meeting of the Working Group on Greenhouse Gas Emissions from Ships and addresses the role of IMO in the search for global mechanisms to reduce CO ₂ emissions and fight climate change, in cooperation with the UNFCCC and the Kyoto Protocol
<i>Strategic direction:</i>	7.3
<i>High-level action:</i>	7.3.1
<i>Planned output:</i>	7.3.1.1
<i>Action to be taken:</i>	Paragraph 14
<i>Related documents:</i>	MEPC 57/21 and MEPC 58/4

1 This document is submitted in accordance with the provisions of paragraph 4.10.5 of the Guidelines on the organization and method of work of MSC and MEPC and their subsidiary bodies (MSC-MEPC.1/Circ.2), and comments on the report on the outcome of the first Intersessional Meeting of the Working Group on Greenhouse Gas Emissions from Ships, document MEPC 58/4. It also aims to respond to the invitation by the Committee at its fifty-seventh session for Member States to submit views on the fundamental principles guiding the future regulation on reduction of greenhouse gas emissions from ships.

2 Brazil believes that IMO should play a constructive role in the mitigation of climate change by facilitating national actions for mitigating greenhouse gas emissions from bunker fuels used in international maritime transport. As indicated by IMO Assembly resolution A.963(23), these actions should be taken in cooperation with the UNFCCC and the Kyoto Protocol, which are the appropriate fora for decisions on internationally-binding and global actions for reducing emissions. Brazil recalls that the UNFCCC and the Bali Action Plan are clear regarding the global nature of the climate change challenge and the obligation to act effectively that this creates for all countries. The nature of such actions obeys the principle of common but differentiated

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responsibilities and respective capabilities, an essential foundation of the international climate regime, which must be reflected in all international mitigation discussions and decisions.

3 Actions supported by IMO should be undertaken in coordination with the UNFCCC and the Kyoto Protocol, taking adequately into account the discussions and decisions in those fora, in particular the negotiations on the Second Commitment Period of the Kyoto Protocol and on the Bali Action Plan under the UNFCCC, while also adequately matching the technical-legal requirements of the international maritime regime and those of the climate change regime, especially the provisions on common but differentiated responsibilities and respective capabilities.

4 The *Ad Hoc* Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) is currently working on the analysis of the means that may be available to Annex I Parties to reach their emission reduction targets and on ways to enhance their effectiveness and their contribution to sustainable development. Part of this work is to consider, with due attention to improving the environmental integrity of the Kyoto Protocol, “how approaches to limit or reduce emissions of GHGs not controlled by the Montreal Protocol from aviation and marine bunker fuels could be used by Annex I Parties as a means to reach their emission reduction targets, taking into account Article 2, paragraph 2, of the Kyoto Protocol.”

5 IMO assistance to national actions for reducing GHG emissions from international transport should reflect the multilateral framework on climate change and the different responsibilities and capacities of developing countries *vis-à-vis* developed countries. Developed countries have an obligation, under Article 2, paragraph 2, of the Kyoto Protocol, to pursue limitation or reduction of emissions from international bunker fuels working through IMO. The means of mitigation established through IMO would represent, therefore, an obligation for developed countries. For developing countries, on the other hand, they would serve as recommendations, which such countries would seek to apply on the basis of financial and technological support, received from developed countries in favourable conditions

6 At MEPC 57, Brazil expressed serious concerns and registered a reservation with regard to the principle, included in the Terms of Reference of the Working Group, that measures to reduce GHG emissions from ships should be “*binding and equally applicable to all Flag States in order to avoid evasion*” and stressed that such measures should represent an obligation for Annex I countries and a recommendation for non-Annex I countries. This distinction is necessary to ensure compatibility between IMO negotiations and the international climate change regime, thus guaranteeing that all will contribute to the common effort in an equitable manner. As mentioned, the extent of such a common effort will depend on the financial and technological support to be offered by developed countries to developing countries, as this directly effects the capacity of the latter. In this manner, concrete conditions would be generated for mitigation action by all.

7 With regard to the First Intersessional Meeting of the Greenhouse Gas Working Group, held in Oslo, Norway, from 23 to 27 June 2008, and its report for MEPC (MEPC 58/4), Brazil commends the efforts by all participants in attempting to further develop the complex technical issues under each agenda item, with a view to informing the debate at MEPC 58. In this respect, Brazil puts forward its views with regard to specific agenda items that were discussed during the intersessional meeting in Oslo, for consideration at this session.

Development of a CO₂ Design Index for new ships and Review of the CO₂ Operational Index

8 Despite recognizing the views expressed by several parties that new ships' CO₂ design index should represent a recommendation until such time as the methodology of calculation is properly tested and verified, a draft regulatory text for a mandatory new ship CO₂ design index has been forwarded to the Committee for consideration. In this respect, Brazil believes that, according to the principle of common but differentiated responsibilities, non-Annex I countries should seek to implement such an index as a technical recommendation, with full financial and technological support from Annex I countries.

9 Moreover, several other points were raised in Oslo that indicated the need for in-depth consideration, such as insufficient transparency, due to lack of reliable data, reporting and verification, among others.

Development of a CO₂ baseline methodology

10 Prior to discussing a possible methodology for establishing a sector-wide baseline for CO₂ in terms of efficiency, IMO should focus on further improving existing methodologies to estimate GHG emissions from maritime transport, taking into account the work of the IPCC and the UNFCCC. The IPCC, for instance, assesses the challenges related to reporting greenhouse gas emission from international maritime transport. The high costs and complexity of developing an emission profile for each ship voyage should also be taken fully into account. Brazil believes that a mandatory reporting scheme would be impractical and supports further studies on the need for financial and technological support for developing countries as a basis for an informed decision in this respect.

Development of reduction mechanisms, including their implementation

11 Binding obligations resulting from discussions on emissions reduction mechanisms for international shipping should apply only to Annex I countries, in line with their requirement under the Kyoto Protocol to reduce GHG emissions from international shipping working through IMO. Any binding limitation or reduction mechanism applicable to all countries would pose serious technical and legal constraints, since they would conflict with the normative system established by the UNFCCC and the Kyoto Protocol. IMO should also take into account Parties' common but differentiated responsibilities and their specific national and regional development priorities, objectives and circumstances, thus taking measures to facilitate access to cleaner and more efficient energy technologies and also to promote local fleet modernization. IMO should support ongoing discussions under the UNFCCC and the Kyoto Protocol on reduction mechanisms, in a manner that is coherent and consistent with the principles of the international climate regime and that ensures benefits to the climate system.

Level of reduction and other GHG matters

12 The discussions on a level of reductions that can be achieved in the international maritime transport sector are closely related to the discussions on the level of reductions for Annex I Parties under the Kyoto Protocol. IMO could engage in this debate through invitation by the appropriate UNFCCC and Kyoto Protocol bodies.

Proposals

13 The Committee is invited to consider the following proposals:

- .1 Take action, in cooperation and coordination with the UNFCCC, to improve the understanding of the technical needs and constraints associated with the possible development of CO₂ indexes pointed out by the IPCC and the UNFCCC/SBI. Consideration of such needs and constraints should address particularly the situation of developing countries;
- .2 Support efforts to further improve and harmonize methodologies to estimate GHG emissions from maritime transport, in coordination with the IPCC and the UNFCCC.
- .3 Recognize that IMO discussions on GHG emissions in the international maritime transport sector should be consistent with the principles and provisions established in the UNFCCC and its Kyoto Protocol.
- .4 Recommend that IMO inform the UNFCCC on its discussions with a view to ensuring their consistency with the general multilateral negotiations on climate change.
- .5 Recognize that the UNFCCC and the Kyoto Protocol remain the appropriate fora for general decisions on internationally-binding, global actions for reducing GHG emissions.

Action requested of the Committee

14 The Committee is invited to consider the comments provided and in particular the proposals set out in paragraph 13 above and take action as appropriate.
