Shyam Saran Press Conference Part 3

The UNFCCC is a consensus document to which all countries of the world have put their signature and have ratified it. BAP is also a consensus document. Nobody raised any reservations about the BAP. The BAP mandate is very clear. What is India saying? What are developing countries saying? Let us stick to what is there in the terms of principles and provisions of the UNFCCC which has been reaffirmed by the BAP. Let us keep to the mandate of the BAP which does not talk about reviewing the distinction between developed and developing countries or to create a new category of developing countries which are more advanced than other countries, or to say that there has to be a new instrument in which the US has to be brought in.

To bring in the US into the fold does not mean that an instrument which has more than a 100 parties you set that aside in order to bring one person in.

However, this is also not a problem. Because even the BAP recognizes that there has to be a comparable effort by those who are outside the KP. There can be an implementing agreement which the US itself has talked about before, where its commitment in terms of quantitative reductions and some form of compliance can be made comparable to what has already been signed onto by the parties of the KP. It is not such a problem.

Q. By comparability I presume you mean that the state would have some sort of quantifiable CO2 reductions with a base year comparable to the 1990 levels that the others have.

A. Absolutely. As far as we are concerned there is no discretion in choosing the base year. The base year is 1990. Countries cannot say it is not convenient for us to have base year of 1990 so we will have 2000 or 2005.

Q. Is the current level of ambition that the US shows in the Senate and the other house, is that enough for India to permit a deal at Copenhagen?

A. It is not matter for India to stand up as a judge and referee as saying that this is permissible and this is not permissible. That is not the spirit in which we are working.

There is no doubt that the US as the largest economy in the world and the largest emitter in the world has to take the lead and if the US itself is saying that the US is back in the negotiations and that the US is going to play a leading role, then its not a matter of India is saying something. What the US is able to come up with is going to be judged against this standard. If we are going to have the US committing to 4% reduction compared to 1990 levels by 2020 then I don’t think anyone would say that this is an ambitious goal.

Of course the US’s argument that we may start off with a lower ambition but this will allow us to have a much higher ambition later stage. Our perspective on this is different. We say that unless you have very ambitious results by 2020, it is not very credible that you will be able to reach the very drastic reductions you are envisaging by 2050.
Q. India would rather have any agreement under UNFCCC – whether it is an addition to the KP, whether it’s a new agreement, as long as it comes under the framework of the UNFCCC.

A. We are not engaged in the negotiation of a new climate change treaty. This confusion keeps coming up. People should understand that what we are negotiating is not a new climate change treaty. The climate change treaty is already there in the UNFCCC. There is also a KP which is part and parcel of the convention. It is not an instrument which is outside the convention.

Q. What I meant was bringing the USA in.

A. The US is also part of the UNFCCC. The US is part of the BAP which was adopted under the auspices of the UNFCCC at the 13th COP to the Convention. We are not engaged in an exercise which is outside the convention. Even for the US it is within the convention. The very limited point here is that while the parties to the KP have a legal obligation to 1. Achieve the targets they had set out for themselves in the first commitment period. They have now a legal obligation to indicate the significant reductions they are willing to sign on to in the 2nd commitment period, which will begin in 2013.

This is important because people are talking about the KP expiring in 2012, or KP will be no longer valid after 2012 or that we are looking for a successor for KP. None of these propositions are true. KP remains valid until such time that the parties to the KP sit down and say we want to amend it, abrogate it, superseded by another instrument that we should negotiate. Those are laid down within the instrument itself. So what is the limited issue we are facing? The limited issue we are facing is that how do you compare the commitment which is going to be made by the countries which are outside the KP and if they do not wish to come into the KP- after all that is an option.

The US could very well have taken the decision that we have signed the KP and now we are going to ratify it but they themselves have not taken that option. That is a matter of choice for the US and no one has forced them to stay outside the KP. So the question of comparability comes in.

If the US has, under the BAP committed itself to join an international effort to bring about significant action, enhanced action on mitigation, then the US has to indicate to the international community what it is that it’s willing to do and its willingness to do something must be in a form that is comparable to the legal obligations which have been taken by the Kyoto participants. We are saying that can very easily be resolved through some kind of implementing agreement or some kind of legal instrument even if it is not joining the KP. The answer to that problem is not dumping the KP and coming up with a new instrument.

Q. So it is some sort of addition that would be added on with the US..
A. The US itself has put forward it could be an implementing agreement.

Q. What sense do you make of the public pronouncement of the… we have the chief negotiator of the US- Persher saying we commit that by 2050 we’ll reduce by 80%, the rest of the 20% will be taken by developing countries. And the EU position is also swaying now towards the US’s position. That’s what the EU negotiators have also indicated- they would want the developing countries to come on board and commit themselves to some cuts.

A. First of all getting developing countries on board is a very strange way of putting it. When were we not on board? To say that developing countries are not on board is simply not correct. We are on board. We have said that even without any kind of support there are a whole series of actions that we are taking and that we are committed to take even when those resources have to come from our national… And if you want to know what we are doing because there’s always this question raised but we need to have a context within which assistance technology can be transferred to developing countries.

So we have said in order to register, to acknowledge what developing countries are doing you don’t have to go very far you have an instrument already under the UNFCCC (which by the way is a legal obligation) that developing countries have to report their climate actions in the form of a national communication which we have done and are working on the second one.

These reports are not discretionary reports, following our own methods of reporting- there are norms and guidelines which are laid down by the IPCC which you have to follow in order to make those communications.

As far as India is concerned we have said we have no difficulty in providing a national communication which is more regular, more detailed. We have no difficulty because we are an open and transparent society. But this is also not something we can do alone. This is something that has to be agreed amongst the parties. We as India do not have any problem in making such information available. So saying you are not on board and aren’t prepared to share information for evaluation by the international community is simply not true.

But at the same time, I think it is simply not reasonable to say that if we have to do anything which is beyond our own resources- after all we do have only modest resources and we are doing quite a bit with those resources. If we have to do more then it is legitimate on our part to expect that you deliver on your commitments to provide financial resources.

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