



INTERGOVERNMENTAL PANEL
ON CLIMATE CHANGE

THIRTIETH SESSION
Antalya, 21-23 April 2009

IPCC-XXX/Doc.6
(23.III.2009)

Agenda item: 10
ENGLISH ONLY

IPCC OBSERVER ORGANIZATIONS

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

(Submitted by the Secretariat)

IPCC OBSERVER ORGANIZATIONS

Special Observer Status of the European Community As Regional Economic Integration Organization

At the 29th Session, the European Community (EC) presented a proposal (under IPCC-XXIX/Doc.5, attached for convenience as Annex I), to grant special observer status to Regional Economic Integration Organisations that are Parties to the UNFCCC and the Kyoto Protocol, status which is already existing in favour of the EC in other international fora.

At the Session, a contact group, co-chaired by Mr Andrej Kranjc (Slovenia) and Mr Hiroshi Ono (Japan), took into account a number of comments on this proposal and advised to allow for some further reflection from Members before a final decision is taken. The Plenary invited the task group to produce a preliminary report (attached as Annex II) and to undertake further consultations in order to enable a consensus to be reached at 30th Session.

The consultation was done by the Secretariat and the present document collates comments received from Governments (Annex III). Those comments have been conveyed to the Co-Chairs of the contact group to complement its views and prepare a proposal for consideration of the Panel at P-30.



WMO

INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE



UNEP

ANNEX I

INTERGOVERNMENTAL PANEL
ON CLIMATE CHANGE

TWENTY-NINTH SESSION
Geneva, 31 August - 4 September 2008

IPCC-XXIX/Doc.5
(1.VIII.2008)

Agenda item: 7
ENGLISH ONLY

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

Brussels, 8 July 2008
I.5/LM/aoa D(2008) 554560

IPCC Secretariat c/o WMO
7bis, Avenue de la Paix
P.O. Box 2300
CH-1211 Geneva 2
SWITZERLAND

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.

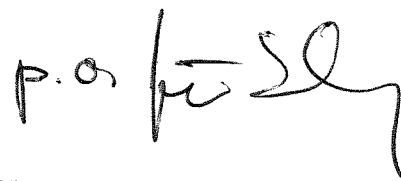
In Budapest a number of questions were raised by other participants. We are happy to respond to this in the form of the attached Q&A paper (Annex 2). We think that sharing this note and its attachments with all participants could facilitate an informed discussion on this issue at the next session in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



Elisabeth Lipiatou
Head of Unit
Climate Change and Environmental Risks
Environment Directorate
European Commission
DG Research



Artur Runge Metzger
Head of Unit
Climate strategy, international negotiation
and monitoring of EU action
European Commission
DG Environment

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

**PROPOSAL TO GRANT SPECIAL OBSERVER STATUS TO “REGIONAL ECONOMIC
INTEGRATION ORGANISATIONS” THAT ARE PARTIES TO THE UNFCCC AND
THE KYOTO PROTOCOL**

Report on the work of the Contact Group dealing with the request by the EC - by Co-Chairs:
Mr. Hiroshi Ono, Japan, Mr. Andrej Kranjc, Slovenia

A contact group met twice to discuss the EC proposal on an enhanced observer status for the EC under the IPCC. The discussion was conducted in a constructive spirit and the delegate of the EC was given an opportunity to address a number of queries that Members' delegates had on the EC proposal. He clarified that the EC is not seeking to become a Member of the IPCC but rather to ensure that it can fully participate in the work of the IPCC by being given the chance of taking the floor, making proposals and amendments. The EC is not seeking the right to vote nor to stand for elections or participate to bureau meetings. He also mentioned that the EU Lisbon Treaty would not have a substantive impact on the status of the EC under the IPCC when it enters into force. Upon requests from delegates, he pointed to other UN fora under which the EC has been given a full participant status, which include the Commission on Sustainable Development (CSD), the United Nations Forum on Forest (UNFF), the Rio Conference on Environment and Development (UNCED), etc.

During the discussions, several delegates supported the EC proposal as put forward while some others didn't. The delegates from US, Venezuela and Russia put forward alternative proposals in writing to address the EC status. They will all be submitted to the Secretariat for the record and possible future reference. The new texts put forward all contain useful elements addressing some of the interests raised by Members in the discussion while trying to accommodate the EC proposal. However, the new texts also differ substantially from one another. In particular, an important issue to address is the balance between opening up an enhanced observer status also to other regional integration organizations and the need to avoid the IPCC being flooded with an unlimited number of special observers.

The group discussed the opportunity to engage in a drafting exercise to try to develop a compromise text but the general feeling was that this might be premature at this stage since more Members than those present at the contact group would need to be involved in the discussion in order to come to an agreement. Besides, several delegates are not ready to adequately deal with this issue in this session because of their diversified views and engagement in the election process.

On this basis, the group felt it would be appropriate for the Co-Chairs to report to the Plenary on the substance of the discussions that took place and suggested that the Panel continue its discussion on this issue at the next session and invite Member countries to provide their views, comments, questions on the EC proposal in due time ahead of the next IPCC plenary. This would inform the discussions at our next meeting and allow for a more in depth consideration of the issue with a view to coming to a decision on it.

We ask the secretariat to include this report in the report of the session.

COLLATED COMMENTS FROM GOVERNMENTS



**MINISTRY OF FOREIGN AFFAIRS
P. O. Box N 3746
NASSAU, THE BAHAMAS**

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Email: MOFA@BAHAMAS.GOV.BS

MFA/233/2/2
IN REPLY PLEASE
QUOTE THIS NUMBER

20 February 2009

Dear Dr. Christ

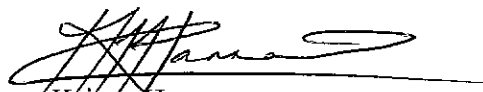
**Re: Special Observer Stat the Regional Economic Integration
Organizations (REIO) posed by the European Community**

I have been directed to forward for your attention and appropriate action, comments from Mr. Arthur Rolle of the Department of Meteorology, on the proposal put forth by the European Community on special observer status to the Regional Economic Integration Organizations that are Parties to the United Nations Framework Convention on Climate Change (UNFCCC).

Copies of the same are enclosed for onward transmission to the contact group co-chairs, Mr. Andrej Kranjc, and Mr. Hiroshi Ono.

The Ministry thanks you for your attention to this matter.

Sincerely,


Krissy Hanna
(for) Permanent Secretary

REC'D REGISTRY (4)	- 3 MARS 2009	
15 SST-09/PC		
SG	DSG	
Passed to		
Annexes <input checked="" type="checkbox"/>	Filed	

MEMORANDUM**DEPARTMENT OF METEOROLOGY**

To: Permanent Secretary
Ministry of Foreign Affairs
Goodman's Bay Corporate Centre
Nassau, Bahamas

Your reference:

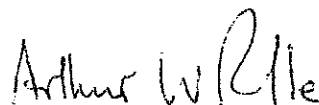
Our reference: MET/4.1.8

Date: 5 February, 2009

**Re: Special Observer Status to the Regional Economic Integration
Organizations (REIO) Proposed by the European Community**

The Government of The Bahamas is grateful to the Secretary of the IPCC for being allowed to comment on the captioned proposal by the European Community. We note that the Principles Governing the work of the IPCC does not provide for the admittance of Observers and that the IPCC's parent organizations, the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) has already established criteria for observer participation. These criteria are that they are either credited NGO's or have some expertise in the area of interest and appear to be satisfied by REIO.

The Bahamas is of the view that the enhanced observer status for REIO should be on all fours with the rules and practice established under the United Nations Framework Convention on Convention on Climate Change (UNFCCC) on the admission of Observers. The idea of "full participants", as suggested by the EC should only be considered in the light of REIO being permitted to attend meetings of open-ended contact groups and workshops, as long as it is agreed by IPCC Members. The Bahamas should not support REIO participating in the negotiation of texts or financial matters of the IPCC.


Arthur W. Rolle

National Focal Point of IPCC

BULGARIA

Dear Mrs. Christ,

Refer to your letter (No: 4958-09/IPCC/OBS) , dated 14 of January allow me, in my capacity as IPCC National Focal Point, to express my point of view on the proposal by EC, the IPCC to recognizes a special observer status of the EC REIOs.

I support such decision to be taken by the IPCC Plenary and I think that such status will bring mutual benefits of the EC and IPCC because:

- The EC already gained essential and varied experience on all aspects of the combat against the climate change, because the EC climate change legislation, policy and environment initiatives are developed, apply and monitor both at the Community level and at the level of the Member States, any of them with own national peculiarities;
- The EC funding a lot of studies, analysis, scoping meetings, seminars and other similar initiatives, related with climate change issues;
- The EC has unique experience on how is possible commitments on emission limitation and reduction under the Kyoto Protocol to be implemented jointly by several Parties to the Kyoto Protocol (Article 4 of the Kyoto Protocol); I think that such experience probably will be very useful after the first committed period under Kyoto Protocol, when new agreements have to be implemented from both Annex I and Non-annex I countries and some of them would prefer to fulfill their commitments jointly.
- The EC is a Party to the UNFCCC/Kyoto Protocol, has own rights on that agreements and using beneficial this status, when on international level different decisions in terms of climate change policy have to be taken.

Taking into account that mentioned above, I think that the opinion of EC REIOs, expressed as full participant at all activities of the Panel, would be very useful for IPCC work.

Yours sincerely,

Teodor Ivanov

IPCC National Focal Point, Bulgaria

24.02.2009

Sofia



FEB 26 2009

Dr. Renate Christ
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Dear Dr. Christ,

In response to your letter of January 14th, I would like to thank you for the opportunity to submit comments on the proposal by the European Commission (EC) to obtain special observer status as a Regional Economic Integration Organizations (REIOs).

Upon reviewing the proposal, it is noted the arguments in favour of, and against, as expressed at the 29th Session and in the Contact Group's report. I take this opportunity to raise the main questions and concerns I have with regards to the EC's proposal. My comments are of a technical nature only and do not question the merits of the EC's important contribution to the IPCC.

To start, I noted during the discussion on this matter at the 29th Session that there is a considerable divergence of views. A number of countries have either voiced strong opposition to the EC proposal or, as the report of the Contact Group co-chairs states, put forward "alternative proposals" that "differ substantially from one another." I am concerned that the pursuit of a consensus will take away from the very important work the Panel needs to address at the 30th Session.

I am uncertain as to what further action would be required if the EC proposal was accepted. For example, it appears that the EC's proposal is not in line with Principle 7, as stated in the "Principles Governing IPCC Work." The EC's request for "*full participant*" status appears problematic since this Principle states that "*participation* in the work of the IPCC is open to all UNEP and WMO Member countries." The EC is not a member of the WMO or of the UNEP.

.../2



In addition, I question the necessity of changing the EC's status to that of "full participant" at IPCC meetings. Annex 1 to the EC's letter, dated July 8, 2008, specifies that the EC is seeking the "right to speak and the right of reply, as well as the right to introduce proposals and amendments." However, as the EC has been allowed to move the current proposal, speak to it, and reply to questions, it would appear that the EC's current status already enables it to achieve what it seeks. Moreover, Principles 8 and 9 already allow for full participation by an observer, such as the EC, in cases where its expertise and contribution to IPCC work warrant it.

For these reasons, Canada questions whether the value-added of granting a special status to the EC is such as to justify the time and energy devoted to achieving consensus on not only the spirit of the EC's proposal, but also the possible amendments that would be required to the Principles and the Policy on observers.

Finally, Canada is concerned about the equity of modifying the status of one governmental organization and not others. Annex 2 to the EC's letter states that the proposal "aims at further enriching the scientific debate in the IPCC." Canada is concerned that granting special observer or "full participant" status to the EC would go against this goal by elevating the EC, a governmental organization, above other organizations that also have considerable scientific expertise and make valuable contribution to the work of the IPCC.

Thank you in advance for considering these questions and concerns in the preparation of your proposal at the 30th Session.

Yours truly,



Brian T. Gray
Canadian Focal Point

Cc: Mr. Andrej Kranjc
Mr. Hiroshi Ono



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Web: <http://www.nre.gov.my>



Our Reference: NRE(S) 62.140.010.001/006
Jld.4

Date: 2 March 2009

BY MAIL/FAX

Secretary of the IPCC,
World Meteorological Organization,
P.O. Box 2300,
7bis Avenue de la Paix,
CH-1211 Geneva 2,
SWITZERLAND

Fax: +41 22 730 8025/8013

Dear Sir,

**View on Proposal Presented at the 29th Session of the IPCC by
the European Community (EC)**

~~~~~  
I refer to your letter dated 14 January 2009 with reference No. 4958-09/IPCC/OBS regarding the above matter.

2. Enclosed please find the comments on the proposal by EC, to grant special observer status to Regional Economic Integration Organisations that are parties to UNFCCC and Kyoto Protocol, for further consideration.

Thank you.

Yours sincerely,

**(DR. LIAN KOK FEI)**  
Conservation and Environmental Management Division  
for Secretary General  
Ministry of Natural Resources and Environment Malaysia

**Comments on the EC's Proposal to Grant Special Observer Status to Regional Economic Integration that Are Parties to the UNFCCC and the Kyoto Protocol**

Malaysia has no objection to the European Community (EC)'s proposal to be granted special or enhanced observer status to the IPCC as long as this is in line with the IPCC Principles. We understand that as a regional economic integration organization (REIO) and a party to the UNFCCC and the Kyoto Protocol, the EC would like to be considered as an observer with "full participant" status, and to be able to fully participate in discussions at the IPCC meetings.

However, our concern is whether or not the proposal is fully in line with the Principles Governing IPCC Work, approved at the 14<sup>th</sup> Session (Vienna, 1-3 October 1998), amended at the 21<sup>st</sup> Session (Vienna, 3 and 6-7 November 2003) and at the 25<sup>th</sup> Session (Mauritius, 26-28 April 2006). Principle (7) states:

*"7. Participation in the work of the IPCC is open to all UNEP and WMO Member countries."*

In this regards, our concern is whether the EC can be considered part of an intergovernmental panel. We need to clarify whether or not the EC can be defined as a member country of the UNEP and WMO, in order for the Organization to participate in the work of the IPCC.

The IPCC Principle (8) states:

*"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."*

The notion of "other bodies" in the Principle (8) can only be considered as the basis for the admission of normal observer organizations to Sessions of the IPCC and any of its Working Groups, but not the basis for granting any special or enhanced observer status that can fully participate in discussions at the IPCC meetings similar to a Member of the IPCC.



MINISTRY OF ECOLOGY AND NATURAL RESOURCES

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Republic of Moldova

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No: 11/ 260

Date: 05/02/2009

To: Renate CHRIST, Secretary of the IPCC,

Cc: Mr Andrej Kranjc (Slovenia)

Mr Hiroshi Ono (Japan)

Fax: + 373 22 77 35 29

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**Dear Mr. Renate CHRIST**

Regarding your letter No: 4958-09/IPCC/OBS

Republic of Moldova considers that this is a great moment to grant the status of the special observer for the Regional Economic Integration Organizations of the European Community, that are Parties to the UNFCCC and the Kyoto protocol, due to the positive effect that this change will have on the Intergovernmental Panel on Climate Change( IPCC ) and its activities.

The State Hydrometeorological Service takes this opportunity to renew to the IPCC Secretariat the assurance of its highest consideration.

Valeriu CAZAC

A handwritten signature in blue ink, appearing to read 'Valeriu', written over a blue diagonal line.

**Director,  
IPCC Contact Point in Moldova**

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Copy to: Mr. Kranjc and Mr. Ono

Dear Ms. R. Christ,

We would like refer to IPCC letter # 4958-09/IPCC/OBS dated 14 January 2009 concerning the proposal from European Community (EC) to grant special observer status to Regional Economic Integration Organization that are Parties of the UNFCCC and Kyoto Protocol.

We considered the Procedural matters under IPCC-XXIX/Doc.5 and Preliminary report produced by the task group on this case and would like provide our view about EC proposal as following:

We take into attention that the European Community has legal personality and is Party in its own right to the UNFCCC and the Kyoto Protocol, that EC is as an active supporter and major player in the global fight against climate change, that the EC is a significant sponsor of the Panel, and also, that the EC is recognized as full participant in many UN bodies.

In these concern, we support the proposal of EC to get a status of full participant in the IPCC through Regional Economic Integration Organizations that are Parties of the UNFCC and Kyoto Protocol.

Thank you for your kind cooperation.

Best regards,

Prof. V. E. Chub  
IPCC Focal Point in Uzbekistan,  
Minister,  
General Director of Uzhydromet,  
National Focal Point  
on climate change in Uzbekistan