

Oaxaca, October 13, 1995

COUNCIL RESOLUTION: #95-6

**Statement of Intent to Cooperate on Climate Change and Joint Implementation**

WHEREAS, the Government of Canada, through the Department of Environment, the Government of the United Mexican States, through the Secretariat of the Environment, Natural Resources and Fisheries, and the Government of the United States of America, through the Environmental Protection Agency, (the “Parties”), recognize that enhancing environmental protection, and, in particular, controlling greenhouse gas emissions to limit potential adverse climate change effects, would be mutually beneficial;

WHEREAS, the Parties recognize that limiting the adverse effects of climate change requires global actions, to which the Parties can make significant contribution, and the Parties have a mutual interest in working together in this area;

WHEREAS, the Parties recognize that Article 2 of the *United Nations Framework Convention on Climate Change* (the “Convention”), which the Parties all ratified, states that the ultimate objective of the Convention is to achieve stabilization of greenhouse gas<sup>1</sup> concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, and that Article 4 of the same Convention defines the nature of commitments agreed to by the Parties to that Convention, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives and circumstances;

WHEREAS, the Parties will benefit from the diffusion and use of sustainable energy and greenhouse gas emission reduction and sequestration technologies and practices;

WHEREAS, the Parties recognize the potential for additional investment in environmentally, socially and economically sound development through private sector participation;

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<sup>1</sup> The *United Nations Framework Convention on Climate Change* and this document are limited to those greenhouse gasses that are not covered by the *Montreal Protocol on Substances that Deplete the Ozone Layer*.

WHEREAS, the Parties recognize that many practices and technologies that limit greenhouse gas emissions also contribute to the control of local and regional environmental problems and that verifiable, cost-effective, world-wide net greenhouse gas emission reductions may be achieved by encouraging such reductions in countries where responsive solutions are available through investment and possible financial and technical assistance from individuals and organizations in industrialized countries;

WHEREAS, the Parties have created the Commission for Environmental Cooperation (CEC) to facilitate cooperation among them on a wide range of environmental issues;

WHEREAS, the Parties recognize the decisions that were taken by the Conference of the Parties to the Convention at their meeting in Berlin, March 28 - April 7, 1995; and

WHEREAS, the Parties recognize the existence of national programs and the role of these programs in endorsing joint implementation projects based on national criteria.

**The Council declares the following:**

- I. The Parties hereby intend to facilitate cooperation on issues of mutual interest in the areas of climate change, including joint implementation by encouraging: market-oriented diffusion of greenhouse gas mitigation technologies, including energy efficiency and renewable energy technologies; education, training and information exchange programs; the reduction of greenhouse gas emissions; restoration and enhancement of carbon sinks from forests, agriculture, grazing and other lands; and environmentally sound, economic and social development.
- II. The Parties further direct the Secretariat of the CEC to facilitate cooperation among the Parties on issues of mutual interest in the area of climate change.
- III. The Parties intend that the forms of cooperation under this Statement may include the following:
  - A. Promotion of internationally recognized methodologies for national inventories and forecasts of anthropogenic emissions by sources and removals by sinks of all greenhouse gases;
  - B. Exchange of information on actions to reduce net greenhouse gas emissions;
  - C. Promotion, application and diffusion of technologies, practices and processes that mitigate net greenhouse gas emissions;
  - D. Conservation and enhancement of sinks and reservoirs, including oceans, forests and other biomass;
  - E. Adaptation to the effects of climate change;

- F. Consideration of, where appropriate, climate change factors in social, economic and environmental policies and actions;
  - G. Exchange of research and other relevant information related to the global and regional climate system with a view to reducing uncertainties regarding the intensity, rate, causes and effects of climate change, and the economic, social and environmental consequences of various response strategies;
  - H. Promotion of education, training and public awareness programs related to climate change, and encouragement of the widest possible participation in this process, including participation by non-governmental organizations.
- IV. The Parties recognize that activities implemented jointly could represent a particularly effective means to address climate change. Hence, the Parties further direct the Secretariat of the CEC to facilitate cooperation among the Parties on joint implementation under the Convention.
- V. The Parties intend that forms of cooperation on joint implementation under this Statement may include:
- A. Facilitation of inter-action among the national climate change program offices of each country;
  - B. Exchange of information on criteria for joint implementation projects, while recognizing the primary role of the national programs in establishing criteria;
  - C. Exchange of information on methodologies and mechanisms to establish procedures for determination of baselines, monitoring and external verification of net greenhouse gas emission reductions, and the tracking and attributions of such reductions, consistent with the criteria for project selection being developed by established, national joint implementation pilot programs;
  - D. Promotion of joint implementation and other sustainable development activities among the private and public sectors and non-governmental organizations, including dissemination of information about the national criteria of the Parties for joint implementation projects, and supporting technical assistance resources through workshops, conferences, and information networks;
  - E. Supporting, at international fora, the international pilot phase for joint implementation;
  - F. Designing activities and projects to be implemented in accordance with this Statement, for the purposes of:
    1. encouraging increased private sector involvement in efforts to reduce net greenhouse gas emissions, especially sustainable development and joint implementation projects;
    2. facilitating the exchange of information among governments and the private sector on joint implementation, including information on potential sources of project funding and policy frameworks needed to facilitate access to such funding sources.

- VI. The Parties intend to include appropriate patent and other intellectual property rights provisions, as well as provisions to protect confidential business information, in any cooperative activities under this Statement of Intent. In particular, in the event that any activity involves access to and the sharing or transfer of technology subject to patents and other intellectual property rights, such access and sharing or transfer will be provided on terms which recognize and are consistent with the adequate and effective protection of intellectual property rights.

APPROVED BY THE COUNCIL

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