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Value of Knowledge Project

Inter-Linkages Between the Ozone and Climate Change Conventions

*Part I: Inter-linkages between the
Kyoto and Montreal Protocols*



Inter-Linkages

Synergies and Coordination among Multilateral Environmental Agreements

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Inter-linkages between the Ozone and Climate Change Conventions

Part I - Inter-linkages between the Montreal and Kyoto Protocols

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Introduction

In May 2000, delegates at the 8th Meeting of the Commission on Sustainable Development agreed on a draft decision on “Preparations for the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development (UNCED)” (E/CN.17/2000/L.7 of 4 May 2000).

This decision identifies the ten-year review as an opportunity to mobilize political support for the further implementation of Agenda 21, the action plan that was agreed on at UNCED in 1992. It also argues that Agenda 21 should not be re-negotiated but constitute the framework within which other outcomes of UNCED can be reviewed, assessed, and implemented. The document clearly indicates the international community’s commitment to support coordinated international actions through the range of agreements reached at UNCED, known as the Rio Accords.

The ten-year review of UNCED (known as the World Summit for Sustainable Development, or WSSD) is an important milestone as we enter the twenty-first century; it calls for new and creative modes for supporting the progress achieved so far in transitions toward sustainability and effective environmental management.

Seizing this opportunity to contribute to the WSSD, the United Nations University (UNU) and United Nations Environment Programme (UNEP), working with the Massachusetts Institute of Technology’s (MIT) Program on Global Accords and the Alliance for Global Sustainability / Value of Knowledge Project, proposed a set of initiatives to develop coherent and robust measures for supporting progress during the implementation of international conventions. The approach envisioned is designed to bridge the gaps between science, technological knowledge, and policy.

Focusing initially on two major multilateral environmental conventions, this initiative is motivated by the conviction that knowledge-driven strategies must be accompanied by effective on-the-ground measures, and that the interests of states and all other stakeholders involved must be taken into account.

Starting with an expert workshop, the initiative was designed to provide a framework and guidelines for its overall efforts well as its specific contributions to the WSSD. Central to the success of this first step were (a) a robust conceptual tone, (b) informative background papers, and (c) the active participation of experts who are recognized as leaders in their fields. The expert workshop was held 2-3 November 2000 at the Massachusetts Institute of Technology in Cambridge, MA. It was jointly hosted by MIT’s Global Accords Program and the Alliance for Global Sustainability / Value of Knowledge Project.

Initial approach and proposed methodology

The UN Secretary-General's 1997 report, *Renewing the United Nations: A Programme for Reform*, identified the concept of "issue management" as a useful means of addressing the needs for coordination of activities that require an integrated, systematic approach to issues under the responsibility of different UN governing bodies. The approach is also aimed at involving inter-governmental and non-governmental organizations, and brings stakeholders together to address problems that have been identified and to jointly develop solutions.

This broad approach is relevant to a wide range of UN initiatives. Our purpose here is both to "test" the effectiveness of the approach in the context of UN multilateral environmental conventions, and to identify its practical as well as strategic implications. In this context, we propose to examine the inter-linkages between two major global conventions: the Vienna Convention for the Protection of the Ozone Layer and the UN Framework Convention on Climate Change.

The WSSD and its preparations provide an important opportunity and target for this work. They do not focus only on past performance, but also serve as an important venue for examining the need and potential for greater coordination during the implementation of multilateral environmental agreements (MEAs). The lessons learned from achieving coherence during the implementation of MEAs — specifically, through this case study of the conventions on ozone and climate change — should also be relevant to other areas covered by MEAs, such as biosafety and land degradation.

The participation of experts from the academic community allows for neutral assessments of possible solutions and for dialogue between stakeholders in the context of issue management.

Criteria for selection of the case study

Recognizing that the overall objectives are designed to address matters of interface among the major global environmental accords, the selection of the conventions for the ozone layer and climate change as the first "test" case was based on, and met, several key criteria pertaining to relevance:

- * **Feasibility:** The issue must be results-oriented and a feasible outcome must be envisioned.
- * **Knowledge:** The issue must be able to incorporate advances in knowledge, science, and technology.
- * **Opportunity:** The opportunity must exist to create synergies through collaboration among the relevant players.
- * **Mandate:** The intergovernmental bodies that have mandates to deal with the particular issue must be willing to work with the initiative.
- * **Timing:** The issue must be relevant and "ripe" for action.

Rather than assuming, a priori, a particular pattern of connectivity (if one exists at all), or positing the necessity for linkages, expert views and perspectives were sought that could help guide the international community in taking effective steps with inter-linkages.

The selected test case: two global conventions

The Ozone and Climate Change Conventions

It is generally appreciated that the Vienna Convention for the Protection of the Ozone Layer of 1985 and its Montreal Protocol on Substances that Deplete the Ozone Layer of 1987 have been a great source of inspiration throughout the negotiations on the United Nations Framework Convention on Climate Change (FCCC) of 1992 and its Kyoto Protocol of 1997.

The Montreal Protocol is widely considered to be one of the most successful cases of international cooperation on environmental issues. In comparison to the mature regime that has been formed to address the problem of ozone depletion, international cooperation for the protection of the Earth's climate is still at an early stage.

Connectivity and linkages

At first glance a number of key linkages appear between the issues of stratospheric ozone depletion and global climate change. These connections have not yet been fully explored, nor are their implications widely understood, but the potential impacts of both issues at international and national levels are significant. Nonetheless, some common features have influenced these two sets of international responses to global challenges.

- * *First*, causes and effects of both environmental problems intersect in various ways, only some of which are well understood; most still require concerted research at all levels.
- * *Second*, the example of the Montreal Protocol has served as an important model for the design of the international regime on climate change in many respects, and it will probably continue to do so in the future. Lessons from the Montreal Protocol raise companion issues for the Kyoto Protocol such as institutional effectiveness, national capacity, and the need to incorporate "learning" into the regime as scientific advances are made in understanding the issue.
- * *Third*, signs that appear as "tension-signals" have emerged between the two regimes since the signing of the Kyoto Protocol, due to the invariable connections between that Protocol and its impacts in the "real world." This tension is illustrated by fluorinated GHGs: reductions in their emissions are sought under the Kyoto Protocol as part of the solution to climate change, while on the other hand they are seen as a desirable alternative to ozone depleting substances.
- * *Fourth*, the role of knowledge is fundamental to understanding the issues. The scientific foundations for both conventions are well developed and new technological responses are widely considered to be essential for their implementation.

When all factors are considered, the legal and institutional boundaries between the two conventions may not be fully congruent, due to the complexities at either the "cause" or the "effect" sides of climate change and ozone depletion. However, effective management of both conventions requires understanding of

the potential inter-linkages and a clear definition of responsibilities, at both international and national levels. These are basic facts of life, so to speak; yet they need not detract from the efforts to find greater coherence and connectivity between the two regimes.

Moving toward the WSSD

The potential for learning from the Montreal Protocol is an important opportunity that should not be missed, given the overall thrust of the WSSD. While the treaties and the treaty processes have made some progress towards managing linkages, attempts to actively create synergies between both regimes have received less attention. The case of the fluorinated GHGs points to an important opportunity, namely, to address the need for, and modes of, closer cooperation.

The international community as a whole and the WSSD process in particular, will be well served if these matters are addressed in impartial, intellectually robust, and pragmatic ways.

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