

December 19, 2007

**Oral Testimony of Christiana Figueres  
Before the Select Committee on Energy Independence and Global Warming  
U.S. House of Representatives  
Rayburn House Office Building  
Washington D.C.**

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Honorable Members of the Select Committee,

I speak to you as a citizen of Costa Rica, a country that has set a goal to be carbon neutral by 2021. While we recognize that meeting this goal would not affect global emission trajectories, it is our firm belief that it is the moral obligation of every country, small or large, to do its utmost to address global climate change. I have had the honor of representing Costa Rica in the international climate negotiations since 1994, and I currently represent Latin America and the Caribbean on the Executive Board of the Clean Development Mechanism.

You have asked me to address the Bali meeting from the perspective of developing countries. I venture to predict that the Bali meeting, one of the toughest negotiation rounds of the Climate Convention, will be recognized as the first step of a remarkable turning point in the participation of developing countries. I would like to highlight three main points contained in my written testimony:

1- **Willingness.** Developing countries are already taking action to moderate their greenhouse gas emissions (the reductions below “business as usual” achieved by China and India alone are greater than the reductions that will be achieved by the industrialized countries participating in the Kyoto Protocol). I believe the most important message from Bali is that developing countries are prepared to go beyond their current efforts, contributing more strongly to the global climate effort. In a major departure from their traditional stand of “no new commitments”, developing countries took a critical step forward by agreeing for the first time in the history of the climate regime to “measurable, reportable and verifiable mitigation actions”, supported by measurable technology and finance from developed countries. Industrialized countries will consider taking “measurable, reportable and verifiable mitigation commitments or actions”, which could include but is not limited to, emission targets. Developing countries recognize that this is a major step with respect to the position that the United States has held over the last few years, but it is a much weaker commitment than the E.U. announcement prior to Bali. On this score, developing countries actually put much on the table whilst industrialized countries as a group, offered comparatively less.

2- **Form.** The form of developing countries’ further contributions still needs to be defined, but in any case they are not likely to be binding economy-wide emissions targets. Considering their lesser cumulative emissions, lower GHG emissions per capita, and much lower GDP per capita, developing countries are interested in exploring a range of commitment types. In this sense, one of the major tasks of the upcoming process is to examine the broad meaning of the concept of “commitments”. The Bali decision to launch a new negotiation process is not a mandate in the sense of the 1995 Berlin Mandate, in which industrialized countries undertook to negotiate the legally binding “quantified limitation and reduction objectives” later specified in the Kyoto Protocol. The Bali text binds no party to any particular outcome; it allows the next two years of deliberations to decide on both the form and the level of any future commitments, which are likely to abandon the simplicity of setting exclusively fixed national targets, and move in the direction of a basket of commitment types, where each country could assume the type and level most appropriate to its circumstances.

**3- Contingency.** Finally, the further action of developing countries is clearly predicated on the leadership of industrialized countries as a group, and particularly on the role of the United States, the largest historic emitter. Although the U.S. arrived in Bali with a willingness to consider concrete future mitigation actions, it was clear that these were intended to be achieved at the national level, with no international commitments, and with no substantial differentiation between industrialized and developing countries. This approach runs contrary to the very essence of the UN Framework Convention on Climate Change, which is built on the principle of “common but differentiated responsibilities and respective capabilities”, and which clearly distinguishes between industrialized and developing countries, due to both their different historic responsibilities and contrasting economic development levels. Other than the U.S., all countries were resolute on retaining the structure of the UNFCCC. Furthermore, developing countries made it clear that the nature and level of their further contributions is directly dependent on the nature of the efforts of industrialized countries, in particular those of the US. A higher level of ambition on the part of the US. encourages a correspondingly stronger contribution (albeit in a differentiated manner) from developing countries. A weaker commitment on the part of the U.S. elicits a correspondingly lower contribution from developing countries.

To conclude, let me note that the new engagement of developing countries represents an unprecedented opportunity to rethink the structure, the logic and the potential of the future global climate regime. In this process, timing is the detonator of leadership. The new agreement is scheduled to be reached by December 2009. Barring a change in policy, it appears unlikely that the outgoing U.S. administration will have a major impact on the process over the next 12 months. The new administration will realistically not be ready to engage until the spring of 2009. What the U.S. is able to bring to the table at that time will depend heavily on the progress made on domestic climate change legislation in these chambers. We are encouraged by the strong momentum toward mandatory legislation to reduce U.S. emissions. It is in your hands to ensure that, together, we live up to the science of what is needed, while staying within the art of what is possible.