

Charter for the Asia-Pacific Partnership on Clean Development and Climate

We, the representatives of the national governments of Australia, China, India, Japan, the Republic of Korea, and the United States of America (collectively referred to as the “Partners”), meeting in Sydney, Australia on 12 January 2006:

Guided by our Vision Statement for a New Asia-Pacific Partnership on Clean Development and Climate of 28 July 2005 (Annex I), which is an integral part of this Charter;

Bearing in mind that the purposes of the Partnership are consistent with the principles of the United Nations Framework Convention on Climate Change and other relevant international instruments, and are intended to complement but not replace the Kyoto Protocol;

Decide to create the Asia-Pacific Partnership on Clean Development and Climate (referred to as the “Partnership”) and set forth the following non-legally binding Charter for the Partnership. This Partnership will serve as a framework for supporting agile, constructive, and productive international cooperation among the Partners to meet our development, energy, environment, and climate change objectives.

1 Shared Vision

1.1 The Partners have come together voluntarily to advance clean development and climate objectives, recognizing that development and poverty eradication are urgent and overriding goals internationally. By building on the foundation of existing bilateral and multilateral initiatives, the Partners will enhance cooperation to meet both our increased energy needs and associated challenges, including those related to air pollution, energy security, and greenhouse gas intensities, in accordance with national circumstances. The Partners recognize that national efforts will also be important in meeting the Partnership's shared vision.

2 Purposes

2.1 The purposes of the Partnership are to:

2.1.1 Create a voluntary, non-legally binding framework for international cooperation to facilitate the development, diffusion, deployment, and transfer of existing, emerging and longer term cost- effective, cleaner, more efficient technologies and practices among the Partners through concrete and substantial cooperation so as to achieve practical results;

2.1.2 Promote and create enabling environments to assist in such efforts;

2.1.3 Facilitate attainment of our respective national pollution reduction, energy security and climate change objectives; and

2.1.4 Provide a forum for exploring the Partners' respective policy approaches relevant to addressing interlinked development, energy, environment, and climate change issues within the context of clean development goals, and for sharing experiences in developing and implementing respective national development and energy strategies.

3 Functions

3.1 Through this Partnership, the Partners are to cooperate to:

3.1.1 Exchange information on Partners' respective policy approaches relevant to addressing interlinked development, energy, environment, and climate change issues within the context of clean development, including any gaps and overlaps in national policy approaches, as well as other areas of mutual interest;

3.1.2 Share experiences and exchange information about developing and implementing national clean development strategies and efforts to reduce greenhouse gas intensities;

3.1.3 Identify, assess, and address barriers to the promotion and creation of an enabling environment for development, diffusion, deployment, and transfer of existing, emerging and longer term cost-effective, cleaner, more efficient, and transformational technologies and practices in accordance with the Partners' priorities;

3.1.4 Identify and implement bilateral and multilateral cooperative activities among Partners for the development, deployment, diffusion, and transfer of existing, emerging and longer term cost-effective, cleaner, more efficient, and transformational technologies, in accordance with the Partners' priorities;

3.1.5 Facilitate collaboration among existing bilateral and multilateral initiatives and promote information-sharing on climate-related technologies of respective Partners;

3.1.6 Incorporate human and institutional capacity-building elements, as appropriate, into activities as a means to strengthen cooperative efforts;

3.1.7 Engage the private sector as an integral part of the cooperative activities of the Partnership, as well as development banks, research institutions, and other relevant governmental, intergovernmental, and non-governmental organizations, as appropriate;

3.1.8 Develop and implement work programs decided by the Partners; and

3.1.9 Assess regularly the progress of the Partnership to ensure its effectiveness.

3.2 Each Partner will undertake activities contemplated by this Charter in accordance with the laws, regulations, and policies under which it operates and applicable international instruments to which it is a party.

4 Organization

4.1 A Policy and Implementation Committee and an Administrative Support Group will be formed to facilitate implementation of the Partnership.

4.2 The Policy and Implementation Committee will govern the overall framework, policies, and procedures of the Partnership, periodically review progress of collaboration, and provide direction to the Administrative Support Group. It will be responsible for management of the implementation of the cooperative activities of the Partnership, and for engaging representatives of the private sector, as well as representatives of development banks, research institutions, and other relevant governmental, intergovernmental, and non-governmental organizations, as appropriate. It will undertake activities in the promotion and creation of enabling environments within Partners and in support of Partners' efforts to meet relevant national-level clean development objectives. The Policy and Implementation Committee may form appropriate task forces and other subgroups to assist it in its work. The Policy and Implementation Committee should meet as often as is determined necessary by its members to accomplish its work, and may focus its agenda on policy issues or technical issues, or both, as appropriate. Policy and Implementation Committee decisions are to be made by consensus of the Partners on the Committee.

4.3 The Administrative Support Group, which serves as the principal coordinator of the Partnership's communications and activities, will be responsible for: (1) organizing meetings of the Partnership; (2) arranging special activities, such as teleconferences and workshops; (3) coordinating and communicating information regarding actions of the Partnership; (4) serving as a clearinghouse of information regarding the Partnership; (5) maintaining procedures and responsibilities for key functions that are approved by the Policy and Implementation Committee; and (6) performing such other tasks as the Policy and Implementation Committee directs. The Administrative Support Group's function will be administrative in nature, and will not include matters of substance except as specifically instructed by the Policy and Implementation Committee.

4.4 The Policy and Implementation Committee comprises representatives from Partners. Each Partner included in Annex II may designate up to three representatives to meetings of the Policy and Implementation Committee.

4.5 The Policy and Implementation Committee may, at its discretion, permit other experts to attend its meetings.

4.6 The United States Government is to serve initially as the Partnership's Administrative Support Group. This arrangement will be reviewed at two year intervals and may be changed by decision of the Policy and Implementation Committee. Each Partner will designate an administrative liaison to serve as its principal point of contact for the Administrative Support Group.

4.7 The Administrative Support Group may, as required, utilize the services of personnel employed by the Partners and made available to the Administrative Support Group. Unless otherwise determined by the Partners, such personnel are to be remunerated by their respective employers and remain subject to their employers' conditions of employment.

4.8 Each Partner will individually determine the nature of its participation in Partnership activities.

5 Funding

5.1 Participation in the Partnership is on a voluntary basis. Each Partner may, at its discretion, contribute funds, personnel, and other resources to the Partnership subject to the laws, regulations, and policies of the Partner. Any costs arising from the activities contemplated in this Charter are to be borne by the Partner that incurs them, unless other arrangements are made.

6 Intellectual Property

6.1 All matters related to intellectual property and the treatment thereof arising from cooperative activities of the Partnership are to be addressed on a case-by-case basis within the specific context in which they appear, bearing in mind the purposes of the Partnership.

7 Amendments

7.1 The Policy and Implementation Committee may amend this Charter and its Annex II at any time by consensus of the Partners on the Committee.

8 Term of Charter

8.1 Cooperation under this Charter will commence on 12 January 2006. Any Partner may terminate its membership upon written notice 90 days prior to the anticipated termination.

We will develop a non-binding compact in which the elements of this shared vision, as well as the ways and means to implement it, will be further defined. In particular, we will consider establishing a framework for the partnership, including institutional and financial arrangements and ways to include other interested and like-minded countries.

The partnership will also help the partners build human and institutional capacity to strengthen cooperative efforts, and will seek opportunities to engage the private sector. We will review the partnership on a regular basis to ensure its effectiveness.

The partnership will be consistent with and contribute to our efforts under the UNFCCC and will complement, but not replace, the Kyoto Protocol.

Annex I

Vision Statement of Australia, China, India, Japan, the Republic of Korea, and the United States of America for a New Asia-Pacific Partnership on Clean Development and Climate

28 July 2005

Development and poverty eradication are urgent and overriding goals internationally. The World Summit on Sustainable Development made clear the need for increased access to affordable, reliable and cleaner energy and the international community agreed in the Delhi Declaration on Climate Change and Sustainable Development on the importance of the development agenda in considering any climate change approach.

We each have different natural resource endowments, and sustainable development and energy strategies, but we are already working together and will continue to work to achieve common goals. By building on the foundation of existing bilateral and multilateral initiatives, we will enhance cooperation to meet both our increased energy needs and associated challenges, including those related to air pollution, energy security, and greenhouse gas intensities.

To this end, we will work together, in accordance with our respective national circumstances, to create a new partnership to develop, deploy and transfer cleaner, more efficient technologies and to meet national pollution reduction, energy security and climate change concerns, consistent with the principles of the U.N. Framework Convention on Climate Change (UNFCCC).

The partnership will collaborate to promote and create an enabling environment for the development, diffusion, deployment and transfer of existing and emerging cost-effective, cleaner technologies and practices, through concrete and substantial cooperation so as to achieve practical results. Areas for collaboration may include, but not be limited to: energy efficiency, clean coal, integrated gasification combined cycle, liquefied natural gas, carbon capture and storage, combined heat and power, methane capture and use, civilian nuclear power, geothermal, rural/village energy systems, advanced transportation, building and home construction and operation, bioenergy, agriculture and forestry, hydropower, wind power, solar power, and other renewables.

The partnership will also cooperate on the development, diffusion, deployment and transfer of longer- term transformational energy technologies that will promote economic growth while enabling significant reductions in greenhouse gas intensities. Areas for mid- to long-term collaboration may include, but not be limited to: hydrogen, nanotechnologies, advanced biotechnologies, next-generation nuclear fission, and fusion energy.

The partnership will share experiences in developing and implementing our national sustainable development and energy strategies, and explore opportunities to reduce the greenhouse gas intensities of our economies.

Annex II

Australia

China

India

Japan

Republic of Korea

United States of America