

Congress of the United States

Washington, DC 20515



European
Parliament

May 23, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

The Honorable Ursula von der Leyen
President of the European Commission
European Commission
Rue de la Loi 200
1040 Brussels
Belgium

The Honorable António Guterres
Secretary General
United Nations
760 United Nations Plaza
New York, NY 10017

Mr. Simon Stiell
Executive Secretary
United Nations Framework Convention
on Climate Change
P.O. Box 260124
D-53153 Bonn
Germany

Dear President Biden, President von der Leyen, Secretary General Guterres, and Executive Secretary Stiell:

We, the undersigned Members of the United States Congress and Members of the European Parliament, write to urge you to address our profound concern that current rules governing the United Nations Framework Convention on Climate Change (UNFCCC) permit private sector polluters to exert undue influence on UNFCCC processes. We address this letter to the executive leaders from the jurisdictions in which our respective bodies function and to UNFCCC leadership, who can work collectively to enact the requested reforms.

Ahead of the annual Conference of the Parties (COP28) climate negotiations, enacting policies that expose the influence of corporate polluters in UNFCCC meetings will help ensure that climate science takes precedence over climate delay and greenwashing. To that end, we urge you (i) to engage in diplomatic efforts to secure the withdrawal of the President-designate of COP28; and (ii) to take immediate steps to limit the influence of polluting industries, particularly major fossil fuel industry players whose business strategies lie at clear odds with the central goals of the Paris Agreement, at gatherings of the UNFCCC.

Last year, many of us attended or followed COP27 in Sharm-al-Sheikh, Egypt. While we applaud the United Nations for bringing tens of thousands of delegates together, leading to a historic agreement that will help developing countries deal with losses and damages from the

impacts of climate change, the conference ultimately failed to secure consensus from Parties to cut greenhouse gases in line with the agreed global goals.¹

It did not escape our attention that at least 636 lobbyists from the oil and gas industries registered to attend last year's COP—an increase of more than 25% over the previous year. When the number of attendees representing polluting corporate actors, which have a vested financial interest in maintaining the status quo, is larger than the delegations of nearly every country in attendance, it is easy to see how their presence could obstruct climate action.²

As you know, there is no time to waste in sharply cutting carbon pollution on a global scale. The latest Intergovernmental Panel on Climate Change (IPCC) Report states that, to limit warming to 1.5 °C, global emissions must halve by 2030.³ The planet has already warmed over 1.2°C, and our ability to reach the 1.5 °C goal is moving fast out of reach, with the IPCC pegging the current probability at just 38%.⁴ Maintaining the status quo would lead to a catastrophic 2.8°C temperature rise by the end of the century.⁵

In this moment of great urgency, we must unblock the barriers that have kept us from advancing strong global collaboration to address climate change. One of the largest barriers to strong climate action has been and remains the political influence and obstruction of the fossil fuel industry and other major polluting industries. We have seen their negative influence in our home institutions; oil companies and their industry cheerleaders have spent billions of dollars lobbying both the European Parliament, other European institutions and Member States, and the U.S. Congress in order to obstruct or water down climate policy for years.⁶ While we acknowledge that engaging with industry can play a role, we must consider this particular industry's track record on climate. Since at least the 1960s, the fossil fuel industry has known about the dangers of climate change posed by its products and, rather than supporting a transition to a clean energy

¹ United Nations Framework on Climate Change. 2022. "COP27 Reaches Breakthrough Agreement on New 'Loss and Damage' Fund for Vulnerable Countries." 2022. <https://unfccc.int/news/cop27-reaches-breakthrough-agreement-on-new-loss-and-damage-fund-for-vulnerable-countries>.

² Michaelson, Ruth. 2022. "'Explosion' in Number of Fossil Fuel Lobbyists at Cop27 Climate Summit." The Guardian. November 10, 2022. <https://www.theguardian.com/environment/2022/nov/10/big-rise-in-number-of-fossil-fuel-lobbyists-at-cop27-climate-summit>.

³ Intergovernmental Panel on Climate Change. 2022. "The Evidence Is Clear: The Time for Action Is Now. We Can Halve Emissions by 2030." 2022. <https://www.ipcc.ch/2022/04/04/ipcc-ar6-wgiii-pressrelease/>.

⁴ Intergovernmental Panel on Climate Change. 2022a. "Mitigation of Climate Change Summary for Policymakers Climate Change." www.ipcc.ch.

⁵ United Nations Environment Programme. 2022. "Emissions Gap Report 2022." <https://www.unep.org/resources/emissions-gap-report-2022>.

⁶ Laville, Sandra. 2019. "Fossil Fuel Big Five 'spent €251m Lobbying EU' since 2010." The Guardian. <https://www.theguardian.com/business/2019/oct/24/fossil-fuel-big-five-spent-251m-lobbying-european-union-2010-climate-crisis>; InfluenceMap. 2022. "EU Green Deal at Risk from Pro-Gas Lobbying." 2022. <https://influencemap.org/pressrelease/EU-Green-Deal-at-Risk-from-Pro-Gas-Lobbying-17523>; InfluenceMap. 2022a. "Big Oil's Real Agenda on Climate Change 2022." <https://influencemap.org/report/Big-Oil-s-Agenda-on-Climate-Change-2022-19585>; Sayki, Inci and Cloutier, Jimmy. 2023. "Oil and Gas Industry Spent \$124.4 Million on Federal Lobbying Amid Record Profits in 2022." Open Secrets. <https://www.opensecrets.org/news/2023/02/oil-and-gas-industry-spent-124-4-million-on-federal-lobbying-amid-record-profits-in-2022/>.

future, has instead chosen to promote climate denial and spend millions of dollars to spread disinformation.⁷

Over a half century later, not one of 39 major global oil and gas companies, with collective market capitalization of \$3.7 trillion, has adopted a business strategy that would limit warming to safe levels.⁸ Several independent analyses agree that the sector is still not taking meaningful action to avoid the worst impacts of the crisis.⁹

Even more outrageous, the global oil and gas industry is expanding amid blockbuster profits to the tune of \$4 trillion last year.¹⁰ The sector has poured \$160 billion into exploration for new fossil reserves since 2020, even as the IEA has stated that no new fossil fuel projects are compatible with limiting warming to 1.5°C.¹¹ In short, in the words of UN Secretary General Antonio Guterres, “We seem trapped in a world where fossil fuel producers and financiers have humanity by the throat.”¹² It is time to alter this dangerous course.

In June, world governments will gather in Bonn for the UN Climate Change Conference, a critical opportunity to advance progress towards implementation of the Paris Agreement, in anticipation of COP28. It is essential that we seize the opportunity to take actionable steps to address and protect climate policy from polluting interference by adopting concrete rules that

⁷ Hall, Shannon. 2015. “Exxon Knew about Climate Change Almost 40 Years Ago.” *Scientific American*, 2015. <https://www.scientificamerican.com/article/exxon-knew-about-climate-change-almost-40-years-ago/>; Center for Climate Integrity. 2019. “Documentary Evidence of Oil and Gas Companies’ Knowledge of Their Products’ Role in Causing Climate Change and Their Subsequent Deception Campaign.” https://climateintegrity.org/uploads/media/DeceptionBinder_September2019.pdf; Paddison, Laura. 2023. “Exxon Accurately Predicted Global Warming from 1970s but Still Cast Doubt on Climate Science, New Report Finds.” *CNN*, 2023. <https://www.cnn.com/2023/01/12/business/exxon-climate-models-global-warming/index.html>; McGreal, Chris. 2021. “How a Powerful US Lobby Group Helps Big Oil to Block Climate Action.” *The Guardian*, 2021. <https://www.theguardian.com/environment/2021/jul/19/big-oil-climate-crisis-lobby-group-api>; “Big Oil vs the World Tells the 40 Year Story of How the Oil Industry Delayed Action on Climate Change.” 2022. *BBC*. 2022. <https://www.bbc.com/mediacentre/2022/big-oil-vs-the-world>; McMullen, Jane, Gesbeen Mohammad, and Robin Barnwell. 2022. “The Power of Big Oil .” *PBS Frontline*. <https://www.pbs.org/wgbh/frontline/documentary/the-power-of-big-oil/>.

⁸ Climate Action 100+. 2022. “Net Zero Company Benchmark.” Climate Action 100+. September 2022. https://www.climateaction100.org/whos-involved/companies/?search_companies&company_sector=oil-and-gas.

⁹ “Implied Temperature Rise - MSCI.” 2023. MSCI. 2023. <https://www.msci.com/our-solutions/climate-investing/implied-temperature-rise>. Tong, David, and Kelly Trout. 2022. “Big Oil Reality Check: Updated Assessment of Oil and Gas Company Climate Plans.” Washington, D.C. www.priceofoil.org; Oxford Net Zero, NewClimate Institute, Data-Driven EnviroLab (DDL), and Energy & Climate Intelligence Unit (ECIU). 2021. “Net Zero Tracker.” September 28, 2021. <https://zerotracker.net/#companies-table>.

¹⁰ Adomaitis, Nerijus. 2023. “Oil and Gas Industry Earned \$4 Trillion Last Year, Says IEA Chief.” *Reuters*, 2023. <https://www.reuters.com/business/energy/oil-gas-industry-earned-4-trillion-last-year-says-iea-chief-2023-02-14/>.

¹¹ <https://www.iea.org/reports/net-zero-by-2050>; Carrington, Damian. 2022. “Oil and Gas Firms Planning ‘Frightening’ Fossil Fuels Growth, Report Finds.” *The Guardian*, 2022. <https://www.theguardian.com/environment/2022/nov/10/oil-and-gas-firms-planning-cop27-climate-crisis-frightening-fossil-fuels-growth-report-finds>.

¹² Freedman, Andrew. 2022. “UN Secretary-General António Guterres Warns on Climate Action.” *Axios*. <https://www.axios.com/2022/06/17/un-secretary-general-guterres-climate-white-house>.

limit the influence of the fossil fuel industry and its lobbyists in the UNFCCC decision-making process.

First, we urge you to advocate for the United Arab Emirates to withdraw the appointment of Sultan Al Jaber, head of the Abu Dhabi National Oil Company, as President-designate of COP-28. The decision to name as president of COP28 the chief executive of one of the world's largest oil and gas companies—a company that has recently announced plans to add 7.6 billion barrels of oil to its production in the coming years, representing the fifth largest increase in the world—risks undermining the negotiations. With commonsense reforms to help restore public faith in the COP process severely jeopardized by having an oil company executive at the helm, we respectfully submit that different leadership is necessary to help ensure that COP28 is a serious and productive climate summit.

Second, as some of us have already urged, we request that you institute new policies for corporate participation at COPs and UNFCCC processes more broadly, including requiring participating companies to submit an audited corporate political influencing statement that discloses climate-related lobbying, campaign contributions, and funding of trade associations and organizations active on energy and climate issues. These statements should be reviewed, publicly disclosed, and scrutinized prior to any engagement in UNFCCC climate policymaking processes. The UNFCCC should also consider additional measures to establish a robust accountability framework to protect against undue influence of corporate actors with proven vested interests that contradict the goals of the Paris Agreement; such a framework was proposed last year with broad-based international support from over 450 organizations around the world and five UNFCCC constituencies representing thousands of organizations and millions of people.¹³ These reforms would bring much-needed transparency to corporate climate-related political influencing activities around the world, and would help restore public faith that the COP process is not being abused by companies as an opportunity to greenwash.

Thank you for your attention to this important issue and for your ongoing dedication to building global support for reducing carbon pollution and combatting climate change. We welcome further engagement with you on this topic, and the lead co-signers are available to meet with you at a mutually agreeable time prior to the UN Climate Change Conference in June.

Sincerely,

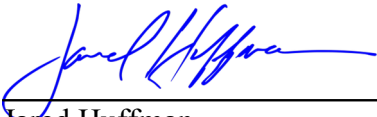
¹³ See, e.g., Corporate Accountability. 2022. “Joint Civil Society Submission on Establishing a UNFCCC Accountability Framework to Protect Against Undue Influence of Polluting Interests.” https://corporateaccountability.org/wp-content/uploads/2022/08/Joint-civil-society-submission-on-COI-Aug-17-2022_.pdf; Corporate Accountability. “Who We Are.” Kick Big Polluters Out. Accessed May 9, 2023. <https://kickbigpollutersout.org/who-we-are>.



Sheldon Whitehouse
United States Senator



Manon Aubry
Member of the European Parliament
The Left



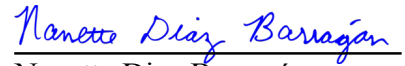
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Kathy Castor
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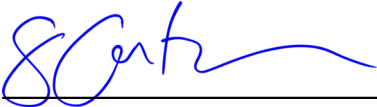
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Member of Congress



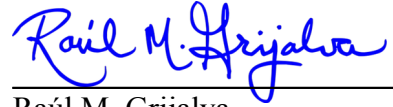
Jamie Raskin
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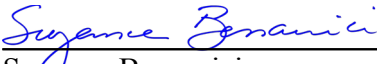
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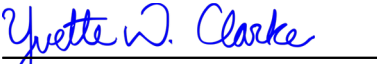
JM Tokuda
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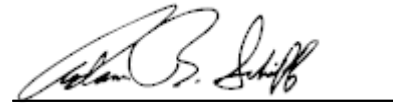
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Member of Congress



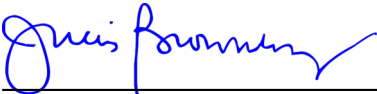
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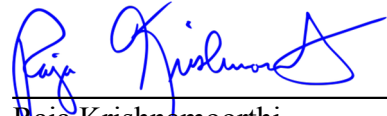
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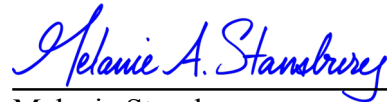
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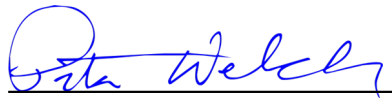
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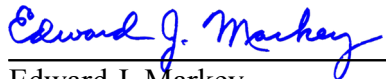
Katie Porter
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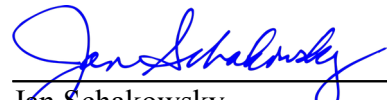
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cc: The Honorable John Kerry
Special Presidential Envoy for Climate
United States Department of State

The Honorable Charles Michel
President of the European Council

The Honorable Frans Timmermans
Executive Vice President for the European Green Deal
European Commission

Parties to the UNFCC