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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Tenth session
Geneva, 22 August - 2 September 1994
Agenda item 9

ADOPTION OF THE REPORT OF THE COMMITTEE
ON ITS TENTH SESSION

Draft report

Rapporteur: Maciej SADOWSKI (Poland)

Addendum

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II. ORGANIZATIONAL MATTERS

F. Arrangements for the eleventh session of the Committee

1. Proceedings

After paragraph 20 add:

21. At its 6th plenary meeting, on 1 September, the Chairman recalled that the Committee, at its eighth session, had decided that its eleventh session should be scheduled for two weeks from 6 to 17 February 1995 at United Nations Headquarters in New York. This schedule has been included in the United Nations calendar of conferences. The Chairman sought guidance on the need to extend the eleventh session by a third week, as foreseen in decision 9/3 of the Committee (paragraph 5). Statements were made by representatives of 7 States. It was concluded that the duration of the session should remain at two weeks. The Chairman noted that it might be possible to advance the work of the session by organizing before it a meeting of the Bureau and other consultations.

Add following subparagraph (d) to paragraph 22:

(d) to confirm the schedule for its eleventh session, as set at its eighth session, and to request the interim secretariat to ensure the provision of all services necessary for the completion of its work.

III. GENERAL STATEMENTS

The following paragraph should be included in Section III.

- At the 6th plenary meeting, on 1 September, the representatives of Denmark and the Netherlands made brief presentations of their respective national reports submitted in accordance with Article 12 of the Convention. Copies of the National Report of the Danish Government - Climate Protection in Denmark were made available to members of the Committee as were highlights of the Netherlands Report.

VII. PROCEDURAL AND LEGAL MATTERS

1. Proceedings

After paragraph 54 add the following:

- The Committee considered sub-item 5 (a) further at its 7th plenary meeting on 1 September 1994.
- The Vice-Chairman, Mr. T. P. Sreenivasan reported to the Committee on the outcome of the informal consultations he had conducted on 29 and 31 August 1994. He introduced document A/AC.237/L.22, informing the Committee that the document reproduced only those draft rules of procedure containing revisions differing from document A/AC.237/WG.II/L.8 and emphasizing that the entire set of draft rules of procedure remained open for further discussion by the Committee.
- The Vice-Chairman expressed his confidence that the rules of procedure not produced in the present document enjoyed a degree of consensus and that Rule 42 on "Voting" was the major issue to be resolved. The Vice-Chairman read out two amendments to document A/AC.237/L.22 which would be included in a revised version of the document. He recommended continuing discussions on the draft rules of procedure at the eleventh session of the Committee in plenary and with interpretation.
- Statements were made by the representatives of three States, including one on behalf of the Group of 77 and China reserving the position of these states with regard to the entire text of the Draft Rules of Procedure. One representative requested that the text that his delegation submitted to the secretariat concerning Rule 4 on the "Dates of Sessions" be included in the revision of document A/AC.237/L.22.

2. Conclusions

- The Committee decided to continue its consideration of the Draft Rules of Procedure at its eleventh session. It further invited the Vice-Chairman of the Committee, Mr. T. P. Sreenivasan, to be available to conduct the consultations on this item at its eleventh session.

VIII. INSTITUTIONAL MATTERS

The following changes and additions should be inserted:

1. In paragraph 58, the first sentence should start "The Committee considered these sub-items together at its 3rd, 4th and 6th plenary meetings, on 26 August and 1 September 1994..."

2. In paragraph 59, the last sentence should read "The representative of Kenya urged that the secretariat be located at UNEP headquarters in Nairobi, in co-location with other Convention secretariats, and conveyed the offer of his Government to host the permanent secretariat, stating that details of that offer would be provided to the Committee in due time."
3. In paragraph 60, replace "16" by "20".
4. In paragraph 63, add the following sentence before the last sentence in the paragraph: "One representative suggested that a comparative analysis of offers would be facilitated by the preparation of a simple questionnaire to be completed by potential host Governments."
5. Add, after paragraph 64, the following :

"2. Conclusions

65. At its 4th plenary meeting, on 26 August 1994, the Committee approved a proposal by the Chairman to establish an intersessional contact group for further consideration of matters arising under this item.

66. At its 6th plenary meeting, on 1 September 1994, the Chairman of the Committee stated that, in accordance with the decision referred to in paragraph 65 above, he had established a Contact Group composed of the five members of the Bureau, representing the five regional groups. The objective of the Contact Group would be to facilitate consideration of these items and consultation thereon. In gathering and analysing information and views, it would, of course, not constrain in any manner the consideration thereof by the Committee itself. He further stated that the Contact Group had held its first meeting on 30 August 1994 and had reached the following conclusions:

(a) Institutional linkages

The Contact Group, noting the complementarity of the mandates and capacities of the three bodies identified as possible hosts and the overall organizational structure of the United Nations, asked the Chairman to invite the Secretary-General of the United Nations to advise the Committee, at its eleventh session, on an institutional arrangement for the permanent secretariat which would:

- (i) enable the head of that secretariat to promote collaboration and synergy between the permanent secretariat and DPCSD, UNDP and UNEP, as well as with related specialized agencies, departments and convention secretariats;

- (ii) be cost-effective, economical and financially supportive;
- (iii) ensure efficient administrative support from a United Nations department or programme at the lowest possible cost in a manner that would allow for adequate managerial autonomy and flexibility, as well as for the accountability of the head of the permanent secretariat to the Conference of the Parties.

The Contact Group would consider the Secretary-General's views in advance of the eleventh session and report thereon to the Committee. Meanwhile, it would defer further study of the possible option of an entirely independent secretariat.

(b) Financial rules

The Contact Group requested the interim secretariat to provide, for consideration of the Committee at its eleventh session, further suggestions related to financial procedures. These would include possible procedures for cost-sharing of the expenses of the permanent secretariat, on the basis of a scale of contributions which would reflect inter alia the principle of common but differentiated responsibility, and also for the adoption of the budget on a consensus basis. The interim secretariat was also requested to prepare a budget outline showing the possible functions and estimated cost of the permanent secretariat for the year 1996, on the assumption that the entire cost of the secretariat would be met by the Parties to the Convention. It was understood that the participation of developing countries would as heretofore be covered by a separate voluntary fund.

(c) Physical location

The Contact Group considered that it would be useful if the Governments of Germany, Kenya, Switzerland and Uruguay, as well as any other potential host Government, would provide to the interim secretariat, by 30 September 1994, financial and physical details of their offer, in order for the secretariat, on the basis of the information thus received, to compile it in a comparative manner and submit it to the Contact Group, which would forward its views to the Committee. This compilation would also be communicated to member States.

67. The Committee recognized that the three issues involved - institutional linkages, financial rules and physical location - would need to be further considered at its eleventh session, in the light of the views expressed on these subjects at the ninth and tenth sessions. In this regard, the Committee considered that it was essential that decisions on these matters be taken by the Conference of the Parties at its first session.

68. In the meantime, the Committee took note with great satisfaction of the new offers from Germany and Kenya and of the elaboration by Switzerland and Uruguay of the offers they had made at the ninth session. The Committee also noted with appreciation the offer of accommodation from WMO. It was most appreciative of the statements made on behalf of the United Nations Department for Policy Coordination and Sustainable Development, the United Nations Development Programme, and the United Nations Environment Programme regarding possible institutional linkages between the permanent secretariat of the Convention and those three entities.

69. Also at its 6th plenary meeting on 1 September 1994, the Committee, taking into account the views expressed during the debate, endorsed the approach proposed by the Contact Group, as set out in paragraph 66 above, and requested the Contact Group to report on this matter to the Committee at its eleventh session."