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INTERGOVERNMENTAL NEGOTIATING COMMITTEE  
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
Eleventh session  
New York, 6-17 February 1995  
Agenda item 11

ADOPTION OF THE REPORT OF THE COMMITTEE, INCLUDING  
RECOMMENDATIONS TO THE CONFERENCE OF THE PARTIES

Draft report of the Committee on its eleventh session

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**PART TWO: RECOMMENDATIONS TO THE CONFERENCE OF THE PARTIES AND  
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- I. Recommendations to the Conference of the Parties . . . . .
- II. Decisions and other conclusions requiring action by the  
Conference of the Parties . . . . .

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\*/ In addition to the recommendations and decisions adopted by the Committee at its eleventh session, Part Two of the report will also contain recommendations and other decisions requiring action by the Conference of the Parties adopted at earlier sessions of the Committee.

## I. OPENING OF THE SESSION

1. The eleventh session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change was held at New York from 6 to 17 February 1995. The session was convened in accordance with the decisions in paragraphs 6 and 7 of General Assembly resolution 47/195 and the schedule recommended by the Committee at its eighth session (see A/AC.237/41, para. 119) and confirmed by the tenth session (A/AC.237/76, para. 21).
2. The Chairman of the Committee, Ambassador Raúl Estrada-Oyuela, opened the session at the 1st plenary meeting, on 6 February 1995. In welcoming the participants, he said that it was a matter of great satisfaction that the Convention had been ratified by as many as 118 States and one regional economic integration organization and that the financial mechanism established under Article 11 had been put into operation under the Global Environment Facility (GEF). One of the important tasks before the Committee at the present session was to agree on a recommendation to the first session of the Conference of the Parties (COP 1) on whether or not the interim arrangements with the GEF should be continued. Another major task was to formulate a recommendation to COP 1 on the adequacy of commitments under the Convention and, in that connection, he pointed to the usefulness of the compilation and synthesis of the first 15 national communications from Annex I Parties, which in his view was the most important document before the Committee at the present session. He appealed to all the members of the Committee to join their efforts in the tasks before them, with a view to fulfilling the mandate given to them by the General Assembly.
3. The Executive Secretary welcomed all participants to the session. He introduced the documentation prepared by the interim secretariat for the session and reviewed the provisional agenda. In his view, there were three main groups of items: those on which the Committee might aim to make progress but which would require continuing consideration by the COP, such as items 7(a), 7(d), 8(a) and 9; those on which final conclusions were not yet apparent and on which negotiations should be advanced, such as items 7(b) and 7(c); and, finally, those, mainly institutional and legal items, on which the Committee could and should make final recommendations, such as items 2, 5, 6, 7(e) and 8(b).
4. The Chairman of the Intergovernmental Panel on Climate Change (IPCC), Professor Bert Bolin, emphasized the importance of the present session in setting the stage for decisions to be taken at COP 1. The IPCC was keen to contribute to those efforts and hoped that its reports would be of help to the Committee in that process. He reported on recent findings dealt with in the 1994 Special Report, which did not substantially change the essential results contained in the 1990 and 1992 IPCC scientific assessments. There was an increasing polarization of the public debate on the issue of climate change, but that was not the case within the scientific community. The

uncertainties adduced by some as an argument for doing nothing could not be taken to imply a reduction of risk. The inertia of the climate system, as well as the necessarily gradual initiation of mitigation efforts, implied that long lead times were needed for achieving the goals agreed upon by the international community. Finally, it was important that consideration should be given to the future role of the IPCC for the work of the Convention. The IPCC would respond to the requests and decisions of the COP in planning specific activities. There was also a need to consider arrangements for the future funding of the IPCC in the context of the ongoing international efforts on climate change.

5. The Chief Executive Officer and Chairman of the Global Environment Facility (GEF), Mr. Mohamed T. El-Ashry, reporting on the activities of the GEF since the previous session of the Committee, stated that considerable progress had been made towards the effective implementation of the Convention. The GEF and the UNFCCC interim secretariat had reached agreement on the manner in which the GEF would make arrangements for funding enabling activities and preparations for the national communications related to the Convention. The Committee, at its present session, was expected to provide recommendations to the COP regarding the financial mechanism referred to in Article 11. He wished to reiterate that the GEF, in its replenished and restructured form, fully responded to the requirements of Articles 21.3 and 11, and was ready to serve as the financial mechanism for the Convention on a permanent basis, if the COP so decided. Indeed, a significant part of the \$2 billion pledged to the new GEF was intended to finance activities under the Convention. In conclusion, he stated that the excellent working relationship between the UNFCCC and GEF secretariats had made it possible to collaborate effectively in addressing the issues before them and to make progress in achieving the goals of the Convention.

## II. ORGANIZATIONAL MATTERS

### A. Officers

6. The Officers of the Committee and of its two Working Groups were as follows:

<u>Chairman:</u>	Mr. Raúl Estrada-Oyuela (Argentina)
<u>Vice-Chairmen:</u>	Ms. Rungano P. Karimanzira (Zimbabwe) Mr. Maciej Sadowski (Poland) Mr. T.P. Sreenivasan (India) Ms. Penelope Wensley (Australia)
<u>Rapporteur:</u>	Mr. Maciej Sadowski (Poland)

Working Group I

Co-Chairmen: Mr. Mohamed M. Ould El Ghaouth (Mauritania)  
Ms. Cornelia Quennet-Thielen (Germany)

Vice-Chairman: Mr. Tibor Faragó (Hungary)

Working Group II

Co-Chairmen: Mr. Nobutoshi Akao (Japan)  
Mr. James T. Stovall III (Federated States of Micronesia)

Vice-Chairman: Mr. John W. Ashe (Antigua and Barbuda)

A. Adoption of the agenda

7. At its 1st plenary meeting, on 6 February 1995, the Committee adopted the following agenda:

1. Organizational matters:
  - (a) Adoption of the agenda;
  - (b) Organization of work.
2. Arrangements for the first session of the Conference of the Parties, including the provisional agenda.
3. Status of ratification of the Convention.
4. Review of the Annexes to the Convention.
5. Designation of a permanent secretariat and arrangements for its functioning:
  - (a) Institutional linkages;
  - (b) Financial rules of the Conference of the Parties and of its subsidiary bodies;

- (c) Physical location.
6. Rules of procedure of the Conference of the Parties and of its subsidiary bodies.
  7. Matters relating to commitments:
    - (a) First review of information communicated by each Party included in Annex I to the Convention, including:
      - (i) Review of a compilation and synthesis, including the overall effects of policies and measures;
      - (ii) Process for the ongoing review of first communications from Annex I Parties;
    - (b) Review of the adequacy of commitments in Article 4, paras. 2 (a) and (b);
    - (c) Criteria for joint implementation;
    - (d) Methodological issues;
    - (e) The roles of the subsidiary bodies established by the Convention.
  8. Matters relating to arrangements for the financial mechanism:
    - (a) Implementation of Article 11 (Financial mechanism), paras. 1-4, including:
      - (i) Guidance on programme priorities, eligibility criteria and policies, and on the determination of "agreed full incremental costs";
      - (ii) Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism;
    - (b) Consideration of the maintenance of the interim arrangements referred to in Article 21, para. 3.
  9. Provision to developing country Parties of technical and financial support.
  10. Review of the activities of the interim secretariat, including review of extrabudgetary funds.



11. Adoption of the report of the Committee, including recommendations to the Conference of the Parties.

B. Organization of work

8. At its 1st plenary meeting, on 6 February 1995, the Committee considered the proposals for the organization of work contained in document A/AC.237/77 and the tentative schedule of meetings contained in annex II to that document. The representative of the Philippines, on behalf of the Group of 77 and China, requested that the informal consultations on item 6 scheduled for Wednesday, 8 February, should be held at a later date, preferably Friday, 10 February. He also requested that, if possible, afternoon meetings should end earlier than the scheduled time in deference to the observance of Ramadan by many delegations participating in those meetings.

9. The representative of Trinidad and Tobago, speaking on behalf of the Alliance of Small Island States, requested the Chairman to make provision for a formal presentation in plenary of the draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction (A/AC.237/L.23). The representative of Germany indicated that he too would wish at the same time to make a formal presentation of his Government's proposals for further elements of such a protocol (A/AC.237/L.23/Add.1).

10. The Chairman indicated that arrangements would be made for informal consultations on item 6 to start on Friday, 10 February, and that a plenary meeting could be held on the morning of Wednesday, 8 February, to take up some of the items originally scheduled for Friday, 10 February. The representatives of Trinidad and Tobago and of Germany would be given an opportunity at that meeting to make formal presentations of the draft Protocol and of the further elements relating thereto. The plenary would not at that time enter into a debate on those documents, which were relevant to the review of the adequacy of commitments in Article 4.2(a) and (b), an item to be considered in Working Group I.

11. With regard to the request for afternoon meetings to end earlier than the scheduled time, the Chairman recalled that, at the tenth session, it had been decided that the reduction of working hours had budgetary implications beyond the competence of the Committee and that the matter should be dealt with by the General Assembly. In the light of General Assembly resolution 49/221, he ruled that it was not a matter on which the Committee could take a decision and that, therefore, the normal working hours would be adhered to.

12. At the same meeting, the Committee approved the organization of work as proposed in document A/AC.237/77 and the tentative schedule of meetings, subject to revision by the Chairman

in consultation with the Bureau and to adjustments by the Working Groups in the light of the progress of their work.

13. At the 2nd plenary meeting, on 8 February, the Committee approved a revised schedule of meetings submitted by the Chairman.

[ to be completed]

C. Attendance

14. The eleventh session was attended by representatives of the following [ ] States:

[to be completed]

15. The following United Nations offices and programmes were represented:

[to be completed]

16. The following specialized agencies and other organizations of the United Nations system were represented:

[to be completed]

17. The following intergovernmental organizations were represented:

[to be completed]

18. The following non-governmental organizations in consultative status with the Economic and Social Council were represented:

[to be completed]

19. The following other non-governmental organizations were also represented:

[to be completed]

D. Documentation

20. The documents before the Committee at its eleventh session are listed in the annex to Part One of the present report.

### III. GENERAL STATEMENTS

21. At the 1st plenary meeting, on 6 February, a general statement was made by the representative of the Philippines, on behalf of the Group of 77 and China.
22. At the 2nd plenary meeting, on 8 February, the representative of Trinidad and Tobago introduced, on behalf of the Alliance of Small Island States, a draft Protocol to the United Nations Framework Convention on Climate Change on Greenhouse Gas Emissions Reduction (A/AC.237/L.23). The representative of Germany introduced his Government's proposals for further elements of such a protocol (A/AC.237/L.23/Add.1).

[to be completed]

### IV. STATUS OF RATIFICATION OF THE CONVENTION

23. At its 1st plenary meeting, on 6 February, the Committee was informed that 119 instruments of ratification, acceptance, approval or accession had been transmitted to the Depository.
24. The representative of the interim secretariat noted that, in accordance with Article 23.2, the Convention enters into force for each Party ninety days after the date of deposit with the Depository of the instrument of ratification, acceptance, approval or accession. Consequently, the Parties as at the opening of COP 1 on 28 March 1995 would be the 115 States and the regional economic integration organization that had deposited such instruments by 28 December 1994. In addition, two States had deposited instruments in the period between 29 December 1994 and 7 January 1995 and would become Parties during COP 1, bringing the total number to 118 Parties. The States depositing instruments after the latter date would not become Parties until after the closure of COP 1.
25. The representatives of Kuwait, Mali, the Russian Federation, the Solomon Islands, Saudi Arabia and Thailand informed the Committee that their countries had deposited instruments of ratification or accession by 28 December 1994 and would thus be Parties to the Convention at COP 1.
26. The representatives of Colombia, Kiribati and the United Republic of Tanzania made statements on the status of ratification of the Convention in their countries.

27. The representative of Turkey stated that, while his country fully recognized the importance of the Convention, it had not signed the Convention because Turkey, although it had been included among the developed countries listed in Annexes I and II, was in fact a developing country and should not be obliged to undertake commitments which were inconsistent with its level of development. His country was ready, however, to comply with the general provisions of the Convention and was taking the necessary steps to do so. As soon as the conditions and level of development warranted it, Turkey would become an Annex I Party to the Convention and would assume the consequent obligations.

28. During the course of the session, the Committee was informed that instruments of ratification, acceptance, approval or accession had been received from the following countries: Kiribati, Lesotho, Oman, ....., thus bringing the total number of such instruments received to [...].

[to be completed]