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CONFERENCE OF THE PARTIES

First session

Berlin, 28 March - 7 April 1995

Agenda item 7 (c)

ADOPTION OF THE REPORT OF THE CONFERENCE OF THE PARTIES

Draft report of the Conference of the Parties on its first session

Addendum

Rapporteur: Ms. Rungano KARIMANZIRA (Zimbabwe)

IV. REPORT OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE  
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
(Agenda item 5)

1. At the 1st plenary meeting, on 28 March, the report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its eleventh session, held at New York from 6 to 17 February 1995 (A/AC.237/91 and Add.1) was introduced by the Chairman of the Intergovernmental Negotiating Committee (see paras. 7 and 8 above).

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## V. MATTERS RELATING TO COMMITMENTS

(Agenda item 5(a))

### A. Review of information communicated by Parties included in Annex I to the Convention

(Agenda item 5(a)(i))

2. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on preparation and submission of national communications from the Parties included in Annex I to the Convention, recommended by the Intergovernmental Negotiating Committee in its recommendation 3, and the decision on review of first communications from the Parties included in Annex I to the Convention, recommended by the Committee in its recommendation 4, should be taken under agenda item 6 (c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

[to be completed]

### B. Methodological issues

(Agenda item 5(a)(ii))

3. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on methodological issues, recommended by the Intergovernmental Negotiating Committee in its recommendation 7, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

### C. Review of the adequacy of Article 4, paragraph 2 (a) and (b) of the Convention, including proposals related to a protocol and decisions on follow-up

(Agenda item 5(a)(iii))

4. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. The Committee of the Whole considered the sub-item at its 2nd, 3rd, 4th and ... meetings, on 29 and 30 March and .... April. In addition to the information provided by the IPCC, which was relevant to this sub-item, the Committee had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its eleventh session, held at New York from 6 to 17 February 1995 (A/AC.237/91 and Add.1);

(b) The conclusions of the INC/FCCC on this matter at its ninth and tenth sessions (see FCCC/CP/1995/Misc.1, part II);

(c) The proposal for a protocol to the Convention on greenhouse gas emissions reduction presented by Trinidad and Tobago, on behalf of the Alliance of Small Island States (A/AC.237/L.23);

(d) Proposals for further elements of a protocol to the Convention submitted by Germany (A/AC.237/L.23/Add.1);

(e) Comments made and views expressed by Parties and other member States at the eleventh session of the INC/FCC (subsequently circulated in FCCC/CP/1995/Misc.1, part I, and Misc.1/Add.1);

(f) Review of the adequacy of commitments in Article 4, paragraph 2(a) and (b): annotated compilation (A/AC.237/83); and

(g) Compilation and synthesis of national communications from Annex I Parties (A/AC.237/81 and Corr. 1).

5. Introductory statements were made by the Chairman, the representative of the Interim Secretariat, and the Chairman of the Intergovernmental Panel on Climate Change, who responded to questions raised. Statements under this sub-item were made by representatives of ..... Parties, including one speaking on behalf of the Group of 77 and China, one speaking on behalf of the Alliance of Small Island States, one speaking on behalf of the European Community, and one speaking on behalf of the African States.

6. At its 4th meeting, on 30 March, the Committee decided to constitute an open-ended consultation group on this sub-item, to be convened by Ambassador Bo Kjellén of Sweden, and requested the group to report back to the Committee as soon as possible.

[to be completed]

D. Criteria for joint implementation  
(Agenda item 5(a)(iv))

7. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. The Committee of the Whole considered the sub-item at its 4th, 8th and ... meetings, on 30 March and 4 and .. April.

8. The Intergovernmental Negotiating Committee, having discussed criteria for joint implementation at its eighth, ninth, tenth and eleventh sessions, recommended that the Conference of the Parties at its first session continue consideration of the subject, taking into account comments made and views expressed by delegations, including the draft texts proposed by the Group of 77 and China, the European Community and its member States,

and the United States of America (A/AC.237/91/Add.1, recommendation 6, annexes I, II and III).

9. Statements under this sub-item were made by the Chairman and by representatives of ..... Parties, including one speaking on behalf of the Group of 77 and China, one speaking on behalf of the European Community, and one speaking on behalf of the African States. A statement was also made by the representative of an observer State.

10. At its 8th meeting, on 4 April, the Committee of the Whole, on the proposal of the Chairman, decided to establish a working group, under the chairmanship of Mr. Mohamed M. Ould El Ghaouth, Chairman of the Subsidiary Body for Implementation, to carry out informal open-ended consultations on joint implementation.

[to be completed]

E. The roles of the subsidiary bodies established by the Convention, including their programmes of work and calendars of meetings

(Agenda item 5(a)(v))

11. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole, requesting the Chairman of the Committee, in consultation with the Chairmen of the two subsidiary bodies, once elected, to make proposals for updating the decision recommended by the Intergovernmental Negotiating Committee in its recommendation 8, without reopening the substance of what had already been agreed. The Committee of the Whole considered the sub-item at its 5th and 7th meetings, on 31 March and 3 April. Statements under this sub-item were made by the Chairman and by representatives of three Parties.

12. At the 7th meeting of the Committee, on 3 April, the Committee recommended a draft decision on the subsidiary bodies established by the Convention (FCCC/CP/1995/L.5/Rev.1) for adoption by the Conference of the Parties under agenda item 6(c). For the action taken by the Conference of the Parties, see para. .... below.

F. Report on implementation

(Agenda item 5(a)(vi))

13. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on the report on implementation, recommended by the Intergovernmental Negotiating Committee in its recommendation 1, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

G. First communications from Parties not included in Annex I to the Convention  
(Agenda item 5(a)(vii))

14. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on first communications from Parties not included in Annex I to the Convention, recommended by the Intergovernmental Negotiating Committee in its recommendation 5, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

VI. MATTERS RELATING TO ARRANGEMENTS FOR THE FINANCIAL  
MECHANISM: IMPLEMENTATION OF ARTICLE 11, PARAGRAPHS 1-4  
OF THE CONVENTION  
(Agenda item 5(b))

A. Consideration of the maintenance of the interim arrangements referred to in  
Article 21, paragraph 3 of the Convention  
(Agenda item 5(b)(i))

15. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on maintenance of the interim arrangements referred to in Article 21, paragraph 3 of the Convention, recommended by the Intergovernmental Negotiating Committee in its recommendation 9, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

B. Modalities for the functioning of operational linkages between the  
Conference of the Parties and the operating entity or entities of  
the financial mechanism  
(Agenda item 5(b)(ii))

16. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on arrangements between the Conference of the Parties and the operating entity or entities of the financial mechanism, recommended by the Intergovernmental Negotiating Committee in its recommendation 10, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties, see para. .... below.

17. At its 3rd plenary meeting, on 3 April, the Conference agreed that action on the conclusions on modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism, agreed by the Intergovernmental Negotiating Committee at its tenth session, should be taken under agenda item 6(c). For the action taken by the Conference of the Parties, see para. ... below.

C. Guidance on programme priorities, eligibility criteria and policies, and on the determination of "agreed full incremental costs"  
(Agenda item 5(b)(iii))

18. At its 1st plenary meeting, on 28 March, the Conference agreed that action on the decision on initial guidance on policies, programme priorities and eligibility criteria to the operating entity or entities of the financial mechanism, recommended by the Intergovernmental Negotiating Committee in its recommendation 11, should be taken under agenda item 6(c). It also decided, in view of the fact that a new need for guidance had arisen from the report of the GEF, as the interim operating entity, on the development of an operational strategy in the climate change area and on the initial activities of the GEF in that field, to refer this sub-item to the Committee of the Whole in that regard.

19. The Committee considered this sub-item at its 4th meeting, on 30 March. It had before it the report of the GEF to the Conference of the Parties on the development of an operational strategy and on initial activities in the field of climate change (FCCC/CP/1995/4). The Committee recommended a draft decision entitled "Report of the Global Environmental Facility to the Conference of the Parties on the development of an operational strategy and on initial activities in the field of climate change" (FCCC/CP/1995/L.1) for adoption by the Conference of the Parties under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para..... below.

VII. PROVISION TO DEVELOPING COUNTRY PARTIES OF TECHNICAL AND FINANCIAL SUPPORT  
(Agenda item 5(c))

20. At its 3rd plenary meeting, on 3 April, the Conference agreed that action relating to the conclusions of the Intergovernmental Negotiating Committee at its eleventh session on provision to developing country Parties of technical and financial support should be taken under agenda item 6(c).

21. At the 4th plenary meeting, on 4 April, the Chairman of the Committee of the Whole informed the Conference that there had been discussions in the Committee of the Whole on a draft decision on transfer of technology that had been submitted by the Group of 77 and China, resulting in an agreement to recommend that draft decision, as amended (FCCC/CP/1995/L.10), for adoption by the Conference of the Parties under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para... below.

VIII. DESIGNATION OF A PERMANENT SECRETARIAT AND

ARRANGEMENTS FOR ITS FUNCTIONING  
(Agenda item 5(d))

A. Institutional linkage  
(Agenda item 5(d)(i))

22. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. It had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee on its eleventh session (A/AC.237/91/Add. 1, section II, conclusions (i) and (j));

(b) Designation of a permanent secretariat and arrangements for its functioning: note by the Executive Secretary (FCCC/CP/1995/5);

(c) Advice by the Secretary-General of the United Nations on an institutional arrangement for the permanent secretariat (A/AC.237/79/Add.1); and

(d) Understanding on support for the United Nations Framework Convention on Climate Change and cooperation with the Convention secretariat (A/AC.237/79/Add.6).

23. The Committee considered this sub-item at its 1st and 6th meetings, on 28 March and 1 April. At its 6th meeting, on 1 April, the Chairman introduced a draft decision on institutional linkage (FCCC/CP/1995/L.3). The representative of France, speaking on behalf of the European Community, stated that the draft decision would in due course need to be supplemented by action taken on proposals from the Secretary-General of the United Nations concerning an arrangement for administrative support to the Convention secretariat.

24. At its 6th meeting, on 1 April, the Committee recommended the draft decision on institutional linkage (FCCC/CP/1995/L.3) for adoption by the Conference of the Parties under agenda item 6 (c). For the action taken by the Conference of the Parties on this sub-item, see paragraph .... below.

[to be completed]

B. Financial procedures  
(Agenda item 5(d)(ii))

25. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. It had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee on its eleventh session (A/AC.237/91/Add. 1, section II, conclusion (k));

(b) Designation of a permanent secretariat and arrangements for its functioning: note by the Executive Secretary (FCCC/CP/1995/5); and

(c) Indicative scales of contribution to the administrative budget of the Convention for 1996 and 1997 (FCCC/CP/1995/5/Add.1/Rev.1);

26. The Committee considered this sub-item at its 1st and 5th meetings, on 28 and 31 March. Statements were made by the Executive Secretary and by representatives of six Parties. At its 5th meeting, on 31 March, the Chairman introduced a draft decision on financial procedures (FCCC/CP/1995/L.2).

27. The representative of Japan stated that, in regard to the scale of contributions annexed to that decision, his Government considered all contributions to the budget of the Convention as being of a voluntary nature.

28. The representative of the European Community stated that the Community was willing to contribute 2.5 per cent of the core administrative budget of the Convention for the biennium 1996-1997, over and above those of the individual members of the European Community.

29. At its 5th meeting, on 31 March, the Committee took note with appreciation of the statement of the European Community and recommended the draft decision on financial procedures (FCCC/CP/1995/L.2/Rev.1) for adoption by the Conference of the Parties under agenda item 6(c). The Executive Secretary pointed out that, for matters not covered by the financial procedures, the financial regulations and rules of the administrative host organization, namely the United Nations, would apply. For the action taken by the Conference of the Parties on this sub-item, see paragraph ..... below.

C. Physical location  
(Agenda item 5(d)(iii))

30. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. It had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee on its eleventh session (A/AC.237/91 and Add.1);

(b) Designation of a permanent secretariat and arrangements for its functioning: note by the Executive Secretary (FCCC/CP/1995/5);

(c) Physical location: Offers by Governments to host the permanent secretariat (FCCC/CP/1995/Misc.3); and



(d) Compilation of offers by Governments to host the permanent secretariat (A/AC.237/Misc.45).

31. The Committee considered this sub-item at its 1st, 7th, and 8th meetings, on 28 March, 3 and 4 April. Statements were made under this sub-item by the Executive Secretary, the Chairman and representatives of 15 Parties. At its 1st meeting, on 28 March, the Committee of the Whole requested its Chairman to conduct consultations on this sub-item with the representatives of countries offering to host the permanent secretariat of the Convention.

32. At the 4th plenary meeting, on 4 April, the representative of Uruguay informed the Conference that, in view of the results of the first round of the confidential survey on the location of the secretariat, his Government had decided to withdraw its offer and to give its backing to the Party that could muster the support of the majority. He assured the Conference of his Government's continued support for the implementation of the Convention.

33. At the 6th plenary meeting, on 5 April, the representative of Canada said that his country had actively sought the honour of hosting the Convention secretariat because of its commitment to the Convention. His Government was, however, fully prepared to accept the will of the Conference; consequently, in view of the results of the second round of the confidential survey on the location of the secretariat, his Government had decided to withdraw its offer. He assured the Conference of Canada's continuing and active support of the Convention.

34. At the same meeting, the Chairman of the Committee of the Whole informed the Conference that, as a result of the third and last round of the confidential survey, the city of Bonn had received support from an absolute majority of the Parties participating in the survey. In accordance with the agreement reached between the delegations of the four countries offering to host the Convention secretariat, it was therefore possible to arrive at a consensus proposal that the city of Bonn should be chosen as the headquarters of the Convention secretariat.

35. The representative of Switzerland thanked the delegates that had supported the Swiss offer to host the Convention secretariat and reiterated Switzerland's commitment to creating in Geneva the best possible environment for the pursuit of international cooperation. She congratulated Germany on having received majority support for its offer to host the Convention secretariat and expressed her best wishes to the secretariat for their future move to their new location in Bonn.

36. The representative of Germany said that the city of Bonn and the Federal Government were fully conscious of the responsibility they would assume in response to the agreement that had been reached, and he wished to assure the Conference that they would do their utmost to fulfil that responsibility. He paid tribute to the vital role that the Chairman of the Committee of the Whole had played; without his untiring efforts, it would not have been

possible to arrive at a consensus in Berlin. He wished to thank the delegations that had expressed their preference for the city of Bonn, and the delegations of the other countries that had offered to host the Convention secretariat for accepting the informal procedures that had been used to arrive at a consensus position. He was aware that for the staff of the Convention secretariat the move represented not only a move from one city to another, but also a move from one language environment to another. He wished to assure the secretariat that every effort would be made to reduce the difficulties to a minimum. In that connection, he extended an invitation to the head of the interim secretariat to visit Bonn as soon as possible to discuss the details of the move. The environment-conscious and climate-conscious public in Germany would very gladly fulfil the role of host to the Convention secretariat.

37. The representative of Canada extended his congratulations to the Federal Republic of Germany and expressed his confidence that it would provide a friendly and hospitable environment for the Convention secretariat, and he extended his best wishes to the secretariat.

38. The representative of Uruguay said that his Government wished to associate itself with the congratulations that had been extended to the Federal Republic of Germany, which he was confident would provide an environment in which the Convention secretariat would be able to operate efficiently. He also wished to associate himself with the tribute that had been paid to the Chairman of the Committee of the Whole in the process of arriving at a consensus.

39. The President expressed her warm appreciation to the Governments of Canada, Switzerland and Uruguay, stating that she looked forward to their continuing support and cooperation.

40. The Executive Secretary said that he had already told his colleagues that, whatever the result of the survey, it could only be a positive one. It was positive because it was a process in which five cities and five Governments had expressed their support for the Convention and its secretariat by offering to host the permanent secretariat. He was confident that, now that one city had emerged as a consensus of the Conference, the other four Governments would remain committed to the support of the Convention and of the secretariat and would be ready to play their part in the implementation of the Convention.

41. On behalf of the interim secretariat, he wished to thank the city of Geneva and the Swiss Government for the hospitality they had extended to the interim secretariat ever since 1991, the date of its establishment, and hoped to be able to count on their hospitality until the time came for the move to Bonn. Looking to the future, he was confident that the permanent Convention secretariat could count on the full support of the host Government, which was eager to demonstrate that it could play its full part in the work of the United Nations and its full part as a member of the international community. Now that the Conference had been able to reach agreement by consensus on the location of the permanent secretariat and on a budget, and now that it would be able to consider a proposal that had just been received from the Secretary-General of the United Nations concerning an administrative arrangement for the secretariat, there was, he believed, a very good basis for the head of the permanent secretariat

to organize the team in Bonn. He, as the head of the interim secretariat, would do all he could to ensure a smooth transition and, as a first step in that direction, he would be very glad to accept the invitation extended by the representative of Germany to visit Bonn in the near future.

42. For the action taken by the Conference on this sub-item, see para....below.

D. Adoption of the Convention budget for the biennium 1996-1997  
(Agenda item 5(d)(iv))

43. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. It had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee on its eleventh session (A/AC.237/91 and Add.1);

(b) Designation of a permanent secretariat and arrangements for its functioning: note by the Executive Secretary (FCCC/CP/1995/5); and

(c) Adoption of the proposed budget of the Convention for the biennium 1996-1997: note by the Executive Secretary (FCCC/CP/1995/5/Add.2).

44. The Committee considered this sub-item at its 1st and 8th meetings, on 28 March and 4 April. Statements were made by the Executive Secretary and by representatives of five Parties, one speaking on behalf of the European Community. At its 1st meeting, on 28 March, the Committee of the Whole decided to constitute an open-ended drafting group on sub-items 5 (d)(iv) and (v), to be chaired by Mr. Mohamed M. Ould Cheikh El Gaouth, Chairman of the Subsidiary Body on Implementation, and requested the drafting group to report its conclusions to the Committee of the Whole as soon as possible.

45. At its 8th meeting, on 4 April, the Chairman of the drafting group reported to the Committee on the outcome of the work of the group. The Committee recommended a draft decision on adoption of the Convention budget for the biennium 1996-1997 (FCCC/CP/1995/L.4/Rev.1), and a draft decision on other voluntary funding for the biennium 1996-1997 (FCCC/CP/1995/L.8/Rev.1), for adoption by the Conference of the Parties under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

E. Extrabudgetary funding for the interim secretariat in 1995  
(Agenda item 5(d)(v))

46. At its 1st plenary meeting, on 28 March, the Conference decided to refer this sub-item to the Committee of the Whole. It had before it the following documents:

(a) Report of the Intergovernmental Negotiating Committee on its eleventh session (A/AC.237/91 and Add.1) ;

(b) Designation of a permanent secretariat and arrangements for its functioning: note by the Executive Secretary (FCCC/CP/1995/5); and

(c) Extrabudgetary funding for the interim secretariat in 1995: note by the Executive Secretary (FCCC/CP/1995/5/Add.3).

47. The Committee considered this sub-item at its 1st and 8th meetings, on 28 March and 4 April. Statements were made by the Executive Secretary and by representatives of five Parties, one speaking on behalf of the European Community. At its 1st meeting, on 28 March, the Committee of the Whole decided to constitute an open-ended drafting group on sub-items 5 (d)(iv) and (v), to be chaired by Mr. Mohamed M. Ould Cheikh El Gaouth, Chairman of the Subsidiary Body for Implementation, and requested the drafting group to report its conclusions to the Committee of the Whole as soon as possible.

48. At its 8th meeting, on 4 April, the Chairman of the drafting group reported to the Committee on the outcome of the work of the group. The Committee recommended a draft decision on extrabudgetary funding for the interim secretariat for 1995 (FCCC/CP/1995/L.7) for adoption by the Conference of the Parties under agenda item 6(c). For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

IX. CONSIDERATION OF THE ESTABLISHMENT OF A MULTILATERAL  
CONSULTATIVE PROCESS FOR THE RESOLUTION OF QUESTIONS  
REGARDING IMPLEMENTATION (ARTICLE 13)  
(Agenda item 5(e))

49. At its 3rd plenary meeting, on 3 April, the Conference agreed that action on the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13) should be taken under agenda item 6(c). The President informed the Conference that she would propose an appropriate draft decision for consideration by the Conference. For the action taken by the Conference of the Parties on this sub-item, see para. .... below.

X. REVIEW OF THE LISTS OF COUNTRIES INCLUDED IN THE

ANNEXES TO THE CONVENTION

(Agenda item 5(f))

50. At its 3rd plenary meeting, on 3 April, the Conference decided that no action was required on this sub-item at the present session.