



CONFERENCE OF THE PARTIES
Second session
Geneva, 8-19 July 1996
Agenda item 10 (a)

ADOPTION OF THE REPORT OF THE CONFERENCE OF THE PARTIES
ON ITS SECOND SESSION

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

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CONTENTS

PART ONE: PROCEEDINGS

	<u>Paragraphs</u>	<u>Page</u>
I. OPENING OF THE CONFERENCE (agenda items 1, 2 and 3(a))		
A. Opening of the session		
B. Election of the President		
C. Opening statements		
II. ORGANIZATIONAL MATTERS (agenda item 4)		
A. Status of ratification of the Convention, including declarations made under Article 4.2(g)		
B. Adoption of the rules of procedure		

- C. Adoption of the agenda
- D. Election of officers other than the President
- E. Admission of organizations as observers
- F. Organization of work
- G. Calendar of meetings of Convention bodies 1996-1997
- H. Date and venue of the third session of the Conference of the Parties
- I. Adoption of the report on credentials
- J. Attendance
- K. Documentation
- III. GENERAL STATEMENTS (agenda item 3(b))
- IV. REVIEW OF THE IMPLEMENTATION OF THE CONVENTION AND OF DECISIONS OF THE FIRST SESSION OF THE CONFERENCE OF THE PARTIES (agenda item 5)
 - A. Commitments in Article 4
 - B. The Berlin Mandate process: taking stock and identifying efforts
 - C. Development and transfer of technologies (Article 4.1(c) and 4.5)
 - D. Activities implemented jointly: annual review of progress under the pilot phase
- V. DECISIONS TO PROMOTE THE EFFECTIVE IMPLEMENTATION OF THE CONVENTION (agenda item 6)
 - A. Communications by Parties:
 - 1. Communications from Annex I Parties: guidelines, schedule and process for consideration

2. Communications from the Parties not included in Annex I:
guidelines, facilitation and process for consideration

B. Financial mechanism:

1. Guidance to the Council of the Global Environment
Facility
2. Memorandum of Understanding between the
Conference of the Parties and the Council of
the Global Environment Facility

VI. REPORTS OF OTHER SUBSIDIARY BODIES: ACTION ON
CONCLUSIONS AND GUIDANCE ON FUTURE WORK
(agenda item 7)

- A. Report of the Subsidiary Body for Scientific and
Technological Advice
- B. Report of the Subsidiary Body for Implementation
- C. Report of the Ad Hoc Working Group on Article 13

VII. ADMINISTRATIVE AND FINANCIAL MATTERS (agenda item 8)

- A. Establishment of the permanent secretariat and
arrangements for its functioning
- B. Income and budget performance, and resource
deployment for 1997

VIII. OTHER MATTERS (agenda item 9)

IX. CONCLUSION OF THE SESSION (agenda item 10)

- A. Adoption of the report of the Conference of the
Parties on its second session
- B. Closure of the session

Annexes

- Annex I Summaries of opening statements
- Annex II Statements by ministers and by other heads of delegation of Parties during the ministerial segment of the second session of the Conference of the Parties: list of speakers
- Annex III List of intergovernmental and non-governmental organizations attending the second session of the Conference of the Parties
- Annex IV List of documents before the Conference of the Parties at its second session

PART TWO: ACTION TAKEN BY THE CONFERENCE OF THE PARTIES
AT ITS SECOND SESSION

- I. DECISIONS ADOPTED BY THE CONFERENCE OF THE PARTIES
- II. RESOLUTION ADOPTED BY THE CONFERENCE OF THE PARTIES
- III. OTHER ACTION TAKEN BY THE CONFERENCE OF THE PARTIES

I. OPENING OF THE CONFERENCE

(Agenda items 1, 2 and 3)

A. Opening of the Conference

(Agenda item 1)

1. The second session of the Conference of the Parties, convened pursuant to decision 21/CP.1, was opened at the Palais des Nations, Geneva, on 8 July 1996, by the President of the Conference at its first session, Ms. Angela Merkel, Federal Minister for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany. Welcoming all participants to the Conference, she indicated that the present session provided the Conference of the Parties with an opportunity to carry out an interim evaluation of the implementation of the United Nations Framework Convention on Climate Change and of the progress made in the negotiation process initiated at the first session with the adoption of the Berlin Mandate. Pursuant to that Mandate, the Parties were called upon, *inter alia*, to negotiate a protocol or another legal instrument in order to strengthen the commitments of Annex I Parties in Article 4.2(a) and (b) for adoption at the third session of the Conference, and it was a matter of great concern that halfway through that process a convergence of views was not yet in sight. At the same time, recent scientific findings, as contained in the Second Assessment Report of the Intergovernmental Panel on Climate Change (IPCC), confirmed that the global climate was undergoing changes as a result of human activities and that it was increasingly urgent to take consistent precautionary action. In that regard, it was also a matter of great concern that the first national communications of Annex I Parties revealed that some of them currently expected to be unable to meet the emission reduction targets of the Convention to return their greenhouse gas emissions to 1990 levels by the year 2000. While within the framework of the Berlin Mandate there was no question of introducing new commitments for developing countries, global climate protection could only be successful if action was taken on a worldwide level. The Conference should therefore consider what joint action could be taken to advance the implementation of the existing commitments. As a necessary first step there was a need to decide on the guidelines for the national communications of non-Annex I Parties. Other practical approaches included increased cooperation between all Parties, particularly in the field of climate protection technologies, the pilot phase for activities implemented jointly and stronger involvement of the private sector.

2. In conclusion, she expressed the hope that the Conference would make clear statements on the urgency of further action in the light of the IPCC findings, on further efforts regarding the implementation of the existing Convention commitments and on the intensification of negotiations to flesh out the Berlin Mandate. A ministerial declaration in that vein would be an important signal of the Parties' joint willingness for action. Progress had been made, but shared commitment, trust and close cooperation were still indispensable in face of the global challenges of climate protection and sustainable development.

B. Election of the President
(Agenda item 2)

3. At the 1st (opening) plenary meeting, on 8 July, on the proposal of the outgoing President, the Conference elected by acclamation Mr. Chen Chimutengwende, Minister of Environment and Tourism of Zimbabwe, as President of the Conference of the Parties.

4. On assuming office, the President welcomed all participants to the second session of the Conference of the Parties and paid tribute to the important contributions made by his predecessors in the negotiating process and at the first session of the Conference, and by the Convention secretariat. Describing the activities undertaken by his country in the field of environment and in the implementation of the Convention, he conveyed a message from the President of Zimbabwe, who was also Chairman of the World Solar Summit, expressing his best wishes for fruitful deliberations at the present session and the hope that the conclusions reached by the Conference would prove a useful input into the World Solar Summit process.

5. Listing the main substantive issues before the Conference at the present session, he emphasized the importance of the contributions made by the IPCC in its Second Assessment Report and by the specialized agencies and intergovernmental and non-governmental organizations concerned. He suggested that the Conference might wish to take the opportunity to request the IPCC to identify policy options that could be deemed to be appropriate in their own right, economically justifiable, sensitive to equity considerations and yet addressing environmental concerns. He also stressed the importance of encouraging initiatives by the business sector to develop and deliver environmentally sound and affordable technologies and to ensure their full global diffusion.

6. In seeking solutions to the problems to be addressed, the importance of equity considerations could not be over-emphasized. The developing countries were characterized by limited financial and technological resources, and limited human and institutional capacities. Many developing countries, notably in Africa, remained dependent on agro-based industry that was climate-sensitive and were faced with harsh economic conditions and a huge external debt burden. Their priorities were inevitably placed on such urgent matters as poverty alleviation, the improvement of social services and job creation through industrial expansion. They remained, therefore, the most vulnerable to the impacts of possible climate change and variability. Moreover, for many of them, in particular the low-lying countries and small island States, the cost of adaptation measures was beyond their national capacities.

7. In conclusion, he urged all Parties to provide further impetus to the implementation of the Convention and to the strengthening of efforts to combat climate change, and to give their full support and cooperation to the Berlin Mandate process, with a view to the negotiation of a draft text during the period before the third session of the Conference.

C. Opening statements

(Agenda item 3(a))

8. At the 1st plenary meeting, on 8 July, opening statements were made by Mr. Nitin Desai, Under-Secretary-General for Policy Coordination and Sustainable Development, who conveyed a message to the Conference from the Secretary-General of the United Nations; Mr. Claude Haegi, Councillor of the Republic and Canton of Geneva, speaking on behalf of the Geneva authorities; Mr. Michael Zammit Cutajar, Executive Secretary of the Convention secretariat; Professor G.O.P. Obasi, Secretary-General of the World Meteorological Organization; Ms. Elizabeth Dowdeswell, Executive Director of the United Nations Environment Programme; Professor Bert Bolin, Chairman of the Intergovernmental Panel on Climate Change; Mr. Mohammed El-Ashry, Chairman and Chief Executive Officer of the Global Environment Facility; and Mr. Robert Priddle, Executive Director of the International Energy Agency. At the 2nd plenary meeting, on 8 July, a further opening statement was made by Dr. Assad Kotaite, President of the Council of the International Civil Aviation Organization. Summaries of these statements are contained in annex I below.

II. ORGANIZATIONAL MATTERS
(Agenda item 4)

A. Status of ratification of the Convention, including declarataions
made under Article 4.2(g)
(Agenda item 4(a))

9. For its consideration of this item at its 2nd plenary meeting, on 8 July, the Conference had before it an information document on the status of ratification of the Convention (FCCC/CP/1996/Inf.1). On the invitation of the President, the Conference took note with satisfaction that 155 States and one regional economic integration organization were now Parties to the Convention; that two more States, namely the United Republic of Tanzania and Qatar, would become Parties before the closure of the session; and that one more State, Israel, had deposited its instrument of ratification and would become a Party in the month of August. The Conference also took note of the fact that three Parties, namely, the Czech Republic, Monaco and Slovakia, had made a declaration to the Depositary, under Article 4.2(g) of the Convention, indicating that they intended to be bound by the provisions of Article 4.2(a) and (b) of the Convention.

10. The President further informed the Conference that the Governments of the Czech Republic and Slovakia had also requested that the name of Czechoslovakia be deleted from Annex I to the Convention as that country had never been a Party to the Convention and no longer existed as a State entity, and that the names of the Czech Republic and the Slovak Republic be included in Annex I. The Convention secretariat was consulting on this matter with the United Nations Office of Legal Affairs. On the proposal of the President, the Conference requested the secretariat to report in due course to the Parties to the Convention, through the Subsidiary Body for Implementation, on the results of its consultations with the United Nations Office of Legal Affairs and on any action taken in that regard by the Depositary of the Convention.

B. Adoption of the rules of procedure
(Agenda item 4(b))

11. At the 1st (opening) plenary meeting, on 8 July, the outgoing President reported to the Conference on the outcome of the series of informal consultations that she had held on the draft rules of procedure since the first session of the Conference. She informed the Conference that, in spite of the efforts made by all participants, it had not proved possible to arrive at a final solution, and she urged all delegations to consider the issue further and work towards an agreement.

12. For its consideration of this item at its 2nd plenary meeting, on 8 July, the Conference had before it the draft rules of procedure of the Conference of the Parties and its subsidiary bodies (FCCC/CP/1996/2). The President proposed that, in view of the report by the

outgoing President, consideration of the item should be postponed to give time for further consultations. After some discussion, he ruled that the draft rules of procedure as contained in document FCCC/CP/1996/2 should continue to be applied, with the exception of rule 42.

[to be completed]

C. Adoption of the agenda
(Agenda item 4(c))

- .. At its 2nd plenary meeting, on 8 July, the Conference adopted the following agenda:
1. Opening of the Conference.
 2. Election of the President.
 3. Statements:
 - (a) Statements at the opening of the session;
 - (b) Other statements.
 4. Organizational matters:
 - (a) Status of ratification of the Convention, including declarations made under Article 4.2(g);
 - (b) Adoption of the rules of procedure;
 - (c) Adoption of the agenda;
 - (d) Election of officers other than the President;
 - (e) Admission of organizations as observers;
 - (f) Organization of work;
 - (g) Calendar of meetings of Convention bodies 1996-1997;
 - (h) Date and venue of the third session of the Conference of the Parties;
 - (i) Adoption of the report on credentials.
 5. Review of the implementation of the Convention and of decisions of the first session of the Conference of the Parties, including:
 - (a) Commitments in Article 4;
 - (b) The Berlin Mandate process: taking stock and intensifying efforts;
 - (c) Development and transfer of technologies (Article 4.1(c) and 4.5);
 - (d) Activities implemented jointly: annual review of progress under the pilot phase.

6. Decisions to promote the effective implementation of the Convention:
 - (a) Communications by Parties:
 - (i) Communications from Annex I Parties: guidelines, schedule and process for consideration;
 - (ii) Communications from the Parties not included in Annex I: guidelines, facilitation and process for consideration;
 - (b) Financial mechanism:
 - (i) Guidance to the Global Environment Facility;
 - (ii) Memorandum of Understanding between the Conference of the Parties and the Council of the Global Environment Facility.
7. Reports of other subsidiary bodies: action on conclusions and guidance on future work:
 - (a) Report of the Subsidiary Body for Scientific and Technological Advice;
 - (b) Report of the Subsidiary Body for Implementation;
 - (c) Report of the Ad Hoc Group on Article 13.
8. Administrative and financial matters:
 - (a) Establishment of the permanent secretariat and arrangements for its functioning;
 - (b) Income and budget performance, and resource deployment for 1997.
9. Other matters.
10. Conclusion of the session:
 - (a) Adoption of the report of the Conference of the Parties on its second session;
 - (b) Closure of the session.

D. Election of officers other than the President
(Agenda item 4(d))

... At its 2nd plenary meeting, on 8 July, on the proposal of the President, the Conference elected Mr. Mohamed M. Ould El Gaouth (Mauritania) as Chairman of the Subsidiary Body for Implementation (SBI) and Mr. Tibor Faragó (Hungary) as Chairman of the Subsidiary Body for Scientific and Technological Advice (SBSTA). The Conference also noted that the Chairman and other officers of the Ad Hoc Group on the Berlin Mandate (AGBM), and the Chairman of the Ad Hoc Group on Article 13 (AG13), would continue in office. At the same meeting, it was agreed that the election of the seven Vice-Presidents and the Rapporteur of the Conference, and of the officers other than the Chairmen of SBI, SBSTA and AG13, should be postponed pending further consultations on outstanding issues.

... At its 3rd plenary meeting, on 10 July, on the proposal of the President, the Conference elected by acclamation seven Vice-Presidents and the Rapporteur of the Conference. The Bureau of the Conference was thus constituted as follows:

President

Mr. Chen Chimutengwende (Zimbabwe)

Vice-Presidents

Mr. John Ashe (Antigua and Barbuda)

Mr. Anthony Clarke (Canada)

Mr. René Castro Hernández (Costa Rica)

Ms. Cornelia Quennet-Thielen (Germany)

Mr. Abbas A. Naqi (Kuwait)

Mr. Alexander I. Bedritsky (Russian Federation)

Mr. Tuiloma Neroni Slade (Samoa)

Rapporteur

Mr. Antonio G. M. La Viña (Philippines).

Chairman of the Subsidiary Body for Implementation

Mr. Mohammed M. Ould El Gaouth (Mauritania)

Chairman of the Subsidiary Body for Scientific and Technological Advice

Mr. Tibor Faragó (Hungary)

[to be completed]

E. Admission of organizations as observers
(Agenda item 4(e))

... For its consideration of this item at its 2nd plenary meeting, on 8 July, the Conference had before it a note by the secretariat (FCCC/CP/1996/3). On the invitation of the President, the Conference decided to accord observer status to one intergovernmental organization, the Central American Commission on the Environment and Development, Guatemala City, Guatemala, and the following 36 non-governmental organizations listed in the annex to document FCCC/CP/1996/3:

1. Air-Conditioning & Refrigeration Institute, Arlington, USA
2. American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), Washington D.C., USA
3. Association pour un développement durable, Nouakchott, Mauritania
4. Atmosphere Action Network in East Asia (AANE), Seoul, Korea
5. Australian Aluminium Council, Manuka, Australia
6. Business Council of Australia, Canberra, Australia
7. Centre for Energy, Environment, Science and Technology (CEEST), Dar-es-Salaam, Tanzania
8. Center for International and European Environmental Research (ecologic), Berlin, Germany
9. Climate Change Association of the Insurance Industry in Support of the UNEP Initiative, Köln, Germany
10. Comisión Interparlamentaria Centroamericana de Ambiente y Desarrollo (CICAD), Panama City, Panamá
11. Energy 21, Boulogne, France
12. Energy Efficiency Center (SEVEN), Prague, Czech Republic
13. European Business Council For a Sustainable Energy Future, Velp, Netherlands
14. European Round Table of Industrialists (ERT Environment Watchdog Group) Brussels, Belgium
15. European Wind Energy Association, Hemel Hempstead, UK
16. Foundation Joint Implementation Network, Groningen, Netherlands
17. Global Dynamics Institute, Rome, Italy
18. International Youth and Student Movement for the United Nations (ISMUN), Geneva, Switzerland
19. International Institute for Energy Conservation (IIEC)-Europe, London, UK
20. International Institute for Energy Conservation (IIEC), Washington, D.C., USA
21. Japan Federation of Economic Organizations, Tokyo, Japan
22. NGO Liaison Forum on Environment and Sustainable Development of the Conference of NGOs in Consultative Status with ECOSOC, Geneva, Switzerland
23. Organization for Industrial Spiritual and Cultural Advancement-International, Tokyo, Japan (OISCA-International)
24. Ozone Action, Washington, D.C., USA
25. Palestinian Institute for Arid Land and Environmental Studies, Hebron, Palestine
26. Peoples' Forum 2001, Tokyo, Japan
27. Réseau Action Climat France (RACF), Paris, France
28. Sierra Club of Canada, Ottawa, Canada
29. Solar Electric Light Fund, Washington, D.C., USA
30. Sahabat Alam Malaysia (Friends of the Earth), Penang, Malaysia
31. Southern Center for Energy and Environment, Harare, Zimbabwe
32. The Energy Conservation Center, Tokyo, Japan
33. The Fridtjof Nansen Institute, Lysaker, Norway
34. The Japan Electrical Manufacturers' Association (JEMA), Tokyo, Japan
35. The World Conservation Union (IUCN), Gland, Switzerland
36. University of the Pacific, Stockton, USA.

F. Organization of work
(Agenda item 4(f))

.. The Conference took up this item at its 2nd plenary meeting, on 8 July, at which the Executive Secretary made an introductory statement on the question of documentation. He informed the Conference that the large volume of documentation for Convention bodies had been remarked upon by the Advisory Committee for Administrative and Budgetary Questions (ACABQ) when considering the arrangements for funding conference servicing for the Convention from the regular programme budget of the United Nations. In that context, he wished to point out that a significant part of the documentation produced by the secretariat was related to the communication and review process and was thus required by commitments under the Convention and the related procedures established by the Conference of the Parties. Secondly, a large portion of the pages submitted to intergovernmental bodies consisted of comments by Parties on various topics, the length of which was outside the control of the secretariat. Lastly, the volume of documentation was evidently connected with the frequency of meetings, and one way to reduce the volume of documentation would be to reduce the number of sessions of the subsidiary bodies. He wished to suggest the possibility of envisaging that the subsidiary bodies other than the AGBM should not meet concurrently with the third session of the Conference of the Parties, thus making it possible to spread the load of documentation more evenly throughout 1997 and ensuring that recommendations from the subsidiary bodies would be available well in advance of the Conference.

... On the proposal of the President, the Conference decided:

(a) to remit the question of documentation for Convention bodies to SBI for its consideration;

(b) to allocate sub-item 5(b) to AGBM, requesting it to submit draft conclusions on the Group's future work, including the calendar and organization of the negotiating process up to the third session of the Conference of the Parties;

(c) to allocate sub-items 5(c) and 5(d) to both SBSTA and SBI, requesting the Chairmen of the two bodies to propose to the Bureau a coordinated or integrated approach for the consideration of those topics by the two bodies, including with respect to their proposed work programmes;

(d) to allocate sub-item 6(a) to both SBSTA and SBI; with regard to sub-item 6(a)(i), requesting SBSTA to consider possible revisions to the guidelines for the preparation of national communications by Annex I Parties and to recommend a course of action, and requesting SBI to consider the schedule for submission of second national communications and the process for consideration of those communications, including the organization of a future review process; with regard to sub-item 6(a)(ii) on communications from non-Annex I Parties, requesting SBSTA to consider the question of guidelines and SBI to deal with facilitation and the process for consideration of communications; it being understood that SBSTA and SBI might consider submitting consolidated recommendations on each particular sub-item for action by the Conference of the Parties;

(e) to allocate item 8 to SBI, requesting it to provide the Conference with specific guidance on matters relating to the Convention secretariat and the arrangements for its functioning, as well as to the Convention budget in terms of income and budget performance, and resource redeployment for 1997.

... With regard to the ministerial segment of the session, the Conference, at its 3rd plenary meeting, on 10 July 1996, agreed with the President's suggestion that three plenary meetings and an informal round table should be held during that segment, that Ministers and other heads of delegations of Parties should make statements under agenda item 5, and that the time limit for statements during the ministerial segment should be set at five minutes. The informal round table to be convened by the President would be chaired by Ms. Ruth Dreifuss, Federal Councillor and Minister for the Environment of Switzerland.

... At the 4th plenary meeting, on 12 July, on the proposal of the President, the Conference decided to refer sub-item 5(a) on commitments in Article 4 to the Subsidiary Body for Implementation, requesting it to submit an appropriate recommendation to the Conference of the Parties. It further decided that the question of the division of labour between the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice should be taken up by the Conference of the Parties at its third session on the basis of recommendations made to it by the Chairmen of the two subsidiary bodies.

G. Calendar of meetings of Convention bodies 1996-1997

(Agenda item 4(g))

[to be completed]

H. Date and venue of the third session of the Conference of the Parties

(Agenda item 4(h))

[to be completed]

I. Adoption of the report on credentials

(Agenda item 4(i))

[to be completed]

J. Attendance

[to be completed]

K. Documentation

... The documents before the Conference of the Parties at its second session are listed in annex IV below.

III. GENERAL STATEMENTS

(Agenda item 3(b))

... At the 4th plenary meeting, on 12 July, statements were made by the following observer States: Iran, South Africa and Turkey.

... Statements were made under this item by the representative of the United Nations Development Programme (UNDP) at the 2nd plenary meeting, on 8 July, and by the representative of the United Nations Industrial Development Organization (UNIDO) at the 4th plenary meeting, on 12 July.

... At its 4th plenary meeting, on 12 July, statements were also made by the representative of one intergovernmental organization, the Organization of the Petroleum Exporting Countries (OPEC), and by the representatives of the following non-governmental organizations: Business Council for a Sustainable Energy Future, Climate Action Network, Climate Action Network-South East Asia, the International Chamber of Commerce (speaking on behalf of the business/industry non-governmental organizations represented at the Conference), the International Council for Local Environment Initiatives, the National Association of Regulatory Utility Commissioners of the United States of America, and the World Council of Churches.

IV. REVIEW OF THE IMPLEMENTATION OF THE CONVENTION
AND OF DECISIONS OF THE FIRST SESSION OF THE
CONFERENCE OF THE PARTIES
(Agenda item 5)

... At the 5th, 6th and 7th plenary meetings, on 17 and 18 July, statements were made under this item by [] ministers and other heads of delegation of Parties. For a list of the [] ministers and heads of delegation who made statements under this item, see annex II below.

[to be completed]

A. Commitments in Article 4
(Agenda item 5(a))

[to be completed]

B. The Berlin Mandate process: taking stock and identifying efforts
(Agenda item 5(b))

[to be completed]

C. Development and transfer of technologies (Article 4.1(c) and 4.5)
(Agenda item 5(c))

[to be completed]

D. Activities implemented jointly: annual review of progress under the pilot phase
(Agenda item 5(d))

[to be completed]

V. DECISIONS TO PROMOTE THE EFFECTIVE IMPLEMENTATION
OF THE CONVENTION
(Agenda item 6)

A. Communications by Parties
(Agenda item 6(a))

1. Communications from Annex I Parties: guidelines, schedule and process for consideration

[to be completed]

2. Communications from the Parties not included in Annex I: guidelines, facilitation and process for consideration

[to be completed]

B. Financial mechanism
(Agenda item 6(b))

1. Guidance to the Council of the Global Environment Facility

[to be completed]

2. Memorandum of Understanding between the Conference of the Parties and the Council of the Global Environment Facility

[to be completed]

VI. REPORTS OF OTHER SUBSIDIARY BODIES: ACTION ON CONCLUSIONS
AND GUIDANCE ON FUTURE WORK

(Agenda item 7)

A. Report of the Subsidiary Body for Scientific and Technological Advice
(Agenda item 7(a))

... At its 2nd plenary meeting, on 8 July, the Conference, having heard a report from the Chairman of the Subsidiary Body for Scientific and Technological Advice (SBSTA) on the question of the establishment of intergovernmental technical advisory panel(s) (ITAPs), decided, on the proposal of the President, to request SBSTA to revert to the question of the establishment of ITAPs, at a future session to be specified, in the light of any experience gained from the operation of any future roster of experts.

[to be completed]

B. Report of the Subsidiary Body for Implementation
(Agenda item 7(b))

[to be completed]

C. Report of the Ad Hoc Group on Article 13
(Agenda item 7(c))

[to be completed]

VII. ADMINISTRATIVE AND FINANCIAL MATTERS

(Agenda item 8)

A. Establishment of the permanent secretariat and arrangements for its functioning
(Agenda item 8(a))

[to be completed]

B. Income and budget performance, and resource deployment for 1997
(Agenda item 8(b))

[to be completed]

VIII. OTHER MATTERS
(Agenda item 9)

... Under this item the Conference, at its 4th plenary meeting, on 12 July, took up the question of the invitation to the Conference of the Parties by the General Assembly, in its resolution 50/113, to provide an input to its special session on Agenda 21. On the invitation of the President, the Conference of the Parties decided to request the Subsidiary Body for Implementation to consider this matter at its fourth session and to provide an input to the special session of the General Assembly on behalf of the Conference of the Parties. It further requested the Convention secretariat to submit a brief report to the Subsidiary Body for Implementation, to facilitate its work on an input to the General Assembly.

... A statement was made under this item by the representative of one Party.

IX. CONCLUSION OF THE SESSION

(Agenda item 10)

A. Adoption of the report of the Conference of the Parties on its second session

(Agenda item 10(a))

[to be completed]

B. Closure of the session

(Agenda item 10(b))

[to be completed]

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