

INTERGOVERNMENTAL NEGOTIATING COMMITTEE  
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
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UNION COLLECTION

PREPARATION OF A FRAMEWORK CONVENTION ON CLIMATE CHANGE

Set of informal papers  
provided by delegations, related to the preparation  
of a framework convention on climate change

Note by the secretariat

Addendum 4

This addendum contains material received on 19 June 1991

List of informal papers

17. CHINA: non-paper. Possible structure and some draft articles of a framework convention on climate change (submitted on 19 June 1991).

PAPER NO. 17: CHINA

Non-paper

POSSIBLE STRUCTURE AND SOME DRAFT ARTICLES  
OF A FRAMEWORK CONVENTION ON CLIMATE CHANGE

PREAMBLE

THE PARTIES TO THIS CONVENTION,

Being aware of the significant potential impact of climate change upon the human environment and economic development,

Recalling that the United Nations General Assembly Resolution 43/53 which states that Climate Change is a common concern of mankind,

Noting the Ministerial Declaration adopted at the Second World Climate Conference in 1990,

Noting the First Assessment Report of the Inter-governmental Panel on Climate Change,

Recognizing the need to improve further the scientific knowledge of climate change and to research further into its socio-economic impact and related response strategies,

Being aware of the need to take, in light of the best available scientific knowledge on climate change, realistic and feasible measures which are beneficial to the environment without prejudicing opportunities for economic development, and stressing that measures which are likely to have negative impacts upon or to cause damage to economic and other social activities of mankind should of necessity be taken on a sound and scientific basis.

Recognizing that the international community has a common but differentiated responsibility in respect of climate change and bearing in mind that the emission of greenhouse gases affecting the atmosphere has hitherto originated mainly from developed countries, which should therefore have the main responsibility in addressing the problem,

Recognizing also the need for sincere and effective international co-operation based on the principle of equity amongst all the nations in the international community to address climate change,

Affirming that the protection and enhancement of the

environment and economic development should be co-ordinated harmoniously and be viewed in an integrated manner, taking into full account that developing countries have as their main priority alleviating poverty and achieving social and economic development.

Stressing that improvement of the international economic environment for the developing countries and promotion of their sustained economic development are prerequisites for enabling developing countries to participate effectively in the international efforts to protect the global environment,

Fully aware of the special circumstances of the developing countries, particularly their need for financial resources and the requisite technologies,

Reaffirming the principles enshrined in the Stockholm Declaration on Human Environment of 1972, particularly its Principle 21 which provides that "States have, in accordance with the Charter of the United Nations and the Principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction",

Reaffirming that the principles of sovereignty of States and of non-interference in the internal affairs of other countries, shall be adhered to in all international affairs, including those relating to the protection of global environment,

Determined to protect global climate for present and future generations,

HAVE AGREED AS FOLLOWS:

#### ARTICLE 1        DEFINITIONS

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#### ARTICLE 2        GENERAL PRINCIPLES

1. Climate change is a common concern of mankind, and countries have common but differentiated responsibilities in addressing the Climate Change issue.

2. The Parties shall conduct effective international co-operation based on the principle of equity to deal Jointly with the climate change issue without prejudice to sovereignty of states.

3. The obligations shall be equitably distributed between

developed and developing countries in accordance with their responsibility and capabilities, and different timeframes be set out for implementation, noting that the largest part of the current emission of greenhouse gases originates in developed countries and that those countries have the main responsibility for combating the adverse effects thereof.

4. Environmental protection and economic development shall proceed in an integrated manner in light of country-specific conditions.

5. An appropriate level of economic development is the prerequisite for adopting concrete control measures to address climate change, and all the peoples in the world are entitled to an appropriate standard of living. Therefore, the energy consumption of developing countries must grow. Any limitation or control measures shall take full account of the per capita emission levels of various countries and the developmental needs of developing countries.

6. The special circumstances and needs of the parties that are developing countries shall be taken into full consideration, and the Parties shall exert all efforts to ensure that the developing countries are provided with the necessary financial resources and the requisite technologies and means in order to adequately address the problem of climate change.

### ARTICLE 3            GENERAL OBLIGATIONS

1. The Parties shall, in accordance with the means at their disposal and their capabilities:

(a) Co-operate by means of systematic observations, research and information exchange in order to better understand and assess the effects of human activities on climate and the environmental and socioeconomic impact of climate change;

(b) Adopt appropriate legislative and administrative measures, and cooperate in harmonizing appropriate policies to address climate change;

(c) Co-operate effectively with competent international organizations to meet the objectives of the Convention;

(d) Encourage the promotion of public education and awareness of the environmental and socio-economic impacts of greenhouse gas emissions and of climate change and co-operate therein;

(e) Co-operate in development and application of relevant technologies.

2. The Parties undertake to ensure, through appropriate mechanism, that Parties which are developing countries have access to the funds and relevant technologies and equipment necessary to combat the adverse effects of global climate change.

#### ARTICLE 4 FUNDING MECHANISM

1. The Parties shall establish, pursuant to paragraph 2 of Article 3, a mechanism for the purposes of providing financial and technical co-operation, including the transfer of technologies, to the Parties that are developing countries.

2. The mechanism established under paragraph 1 shall include a Multilateral Fund composed of adequate, additional and timely financial resources. Such a Multilateral Fund shall not exclude any other means or arrangements of multilateral, regional and bilateral co-operation.

3. The Parties shall agree at a meeting of the Conference of the Parties, through appropriate procedures, upon the specific measures to implement the obligations set out in paragraphs 1 and 2 of this Article. Such measures shall be included, as appropriate, in the relevant protocols to the Convention.

#### ARTICLE 5 TRANSFER OF TECHNOLOGY

1. The Parties shall take every practicable step to ensure that requisite environmentally-sound technologies are expeditiously transferred so as to meet the technological needs of the Parties that are developing countries in implementing the obligations set out in Article 3 above.

2. The Parties shall have the obligations to ensure that the transfer referred to in paragraph 1 be made to the Parties that are developing countries under fair and most favorable conditions.

3. The Parties shall agree at a meeting of the Conference of the Parties, through appropriate procedures, upon the specific measures to implement the obligations set out in paragraphs 1 and 2 of this Article. Such measures shall be included, as appropriate, in the relevant protocols to the Convention.

4. The Parties shall ensure the effective implementation of the provisions of this Article by adopting appropriate measures.

#### ARTICLE 6 FURTHER RESEARCH AND ASSESSMENT

1. The Parties shall initiate, directly or through competent international bodies, further research and scientific assessment on:

- (a) Scientific knowledge regarding climate change;
- (b) Environmental and socio-economic impacts resulting or likely to result from climate change;
- (c) Optional response strategies and measures, including their costs and benefits and environmental, social and economic

consequences;

(d) Other matters deemed by the Parties as necessary for further research and assessment.

2. The Parties shall co-operate, directly or through competent international bodies, in ensuring the collection, validation and transmission of research and observational data through appropriate world data centers in a regular and timely fashion.

#### ARTICLE 7      EXCHANGE OF INFORMATION AND EXCHANGE AND TRAINING OF PERSONNEL

1. The Parties shall encourage and facilitate the exchange of scientific, technical, socioeconomic, commercial and legal information relevant to this Convention and its protocols. Such information shall be supplied to international bodies agreed upon by the Parties. Any such body receiving information regarded as confidential by the supplying Party shall ensure that such information is not disclosed.

2. The Parties shall co-operate, taking into account in particular the circumstances and needs of the developing countries, in promoting the development and dissemination of the relevant scientific and technical knowledge. Such co-operation shall be carried out particularly through:

- (a) Exchange of scientific and technical personnel;
- (b) Appropriate training of scientific and technical personnel;
- (c) Facilitation of the acquisition of relevant technological knowledge by other Parties;
- (d) Provision of information on relevant technologies and related equipment including supply of special manuals or guides to them;
- (e) Supply of necessary equipment and facilities for research and systematic observations;
- (f) Holding appropriate seminars and training courses.

#### ARTICLE 8      TRANSMISSION OF INFORMATION

The Parties shall transmit, through the Secretariat under Article 10, to the Conference of the Parties established under Article 9 information on the measures adopted by them in implementation of this Convention and its protocols to which they are party in such form and at such intervals as agreed by the Parties.

#### ARTICLE 9      CONFERENCE OF THE PARTIES

#### ARTICLE 10      SECRETARIAT

#### ARTICLE 11      ADOPTION OF PROTOCOLS

ARTICLE 12	RELATIONSHIP BETWEEN THE CONVENTION AND ITS PROTOCOLS
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