

INTERGOVERNMENTAL NEGOTIATING COMMITTEE  
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
Second session  
Geneva, 19-28 June 1991  
Agenda item 2

COMPILATION OF POSSIBLE ELEMENTS  
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
SUBMITTED BY DELEGATIONS,  
CONTAINED IN DOCUMENT A/AC.237/MISC.1, ADDENDA 1 - 9

Note by the secretariat

CONTENTS

	<u>Page</u>
A. EXPLANATORY NOTE	2
B. STRUCTURE OF THE COMPILATION	3-4
C. LIST OF INFORMAL PAPERS IN DOCUMENT A/AC.237/MISC.1, ADDENDA 1 - 9	5-6
D. ABBREVIATED REFERENCES	7
E. COMPILATION	

Section

- I. Texts related to "Commitments" (To be issued in Addendum 1 to this document)
- A. Texts related to decision 1/1, paragraph 6(a)
  - B. Texts related to decision 1/1, paragraph 6(b)
  - C. Texts related to decision 1/1, paragraph 6(c)
- II. Texts related to "Mechanisms" (To be issued in Addendum 2 to this document)
- A. Texts related to decision 1/1, paragraph 7(a)
  - B. Texts related to decision 1/1, paragraph 7(b)
  - C. Texts related to decision 1/1, paragraph 7(c)
- III. Texts related to other matters (To be issued in Addendum 3 to this document)
- A. Preamble
  - B. Definitions
  - C. Principles

#### A. EXPLANATORY NOTE

1. The structure of this compilation is based on that of paragraphs 6 and 7 of Committee decision 1/1. Thus, the two main sections deal respectively with "Commitments" and "Mechanisms". A third section related to "other matters", has been added to cover possible elements of a convention not expressly mentioned in paragraphs 6 and 7 of decision 1/1 (i.e. preamble, definitions, principles).

2. This compilation draws exclusively on the texts submitted by delegations and contained in Addenda 1 to 9 to document A/AC.237/Misc.1. To the extent possible, the entire contents of these papers are reproduced, including, where necessary, the subject headings or introductory language contained therein. In a few cases (e.g. technical annexes, issue papers), material has been selected, in consultation with the submitting delegations, or cross-referenced. No attempt has been made to point out similarities or dissimilarities in the texts included.

3. Under each heading of the compilation, texts are included in the alphabetical order of the delegation submitting them. Each paragraph under a heading is numbered consecutively for easy reference. References to the sources of texts indicate page numbers in the respective Addenda to document A/AC.237/Misc.1.

4. Instances where submitting delegations have asked for additions or amendments to be introduced in their previous texts are indicated in the compilation.

5. The compilation does not list or otherwise compare the structures for a framework convention proposed in the various submissions.

6. This compilation is intended as an informal contribution to the substantive work of the Committee and its Working Groups on the preparation of a framework convention on climate change. It merely presents the basic material before the Committee in a manner intended to facilitate reference and comparison.

7. As it will not be possible to prepare any further comprehensive compilation of texts during the current session of the Committee, any additional material submitted by delegations will appear only in further Addenda to document A/AC.237/Misc.1. Such Addenda should be taken fully into account in using this compilation.

## B. STRUCTURE OF THE COMPILATION

### I. Texts related to "Commitments"

A. Texts related to "Appropriate commitments, beyond those required by existing agreements, for limiting and reducing net emissions of carbon dioxide and other greenhouse gases, on the protection, enhancement and increase of sinks and reservoirs, and in support of measures to counter the adverse effects of climate change, taking into account that contributions should be equitably differentiated according to countries' responsibilities and their level of development" (Decision 1/1, paragraph 6 (a)).

B. Texts related to "Appropriate commitments on adequate and additional financial resources to enable developing countries to meet incremental costs required to fulfil the commitments referred to above and to facilitate the transfer of technology expeditiously on a fair and most favourable basis" (Decision 1/1, paragraph 6 (b)).

C. Texts related to "Commitments addressing the special situation of developing countries, taking into account their development needs, including, inter alia, the problems of small island developing countries, low-lying coastal areas and areas threatened by erosion, flooding, desertification and high urban atmospheric pollution, also taking into account the problems of economies in transition" (Decision 1/1, paragraph 6 (c)).

### II. Texts related to "Mechanisms"

A. Texts related to "Legal and institutional mechanisms, including, inter alia, entry into force, withdrawal, compliance and assessment and review" (Decision 1/1, paragraph 7 (a)),

- (a) Assessment and review
- (b) Compliance
- (c) Conference of the Parties
- (d) Right to vote
- (e) Secretariat
- (f) Settlement of Disputes
- (g) Adoption of Protocols
- (h) Relationship between the Convention and its Protocols
- (i) Relationship between the Convention and other legal instruments
- (j) Amendment of the Convention or its Protocols
- (k) Adoption and Amendment of Annexes
- (l) Signature
- (m) Ratification, Acceptance or Approval
- (n) Accession
- (o) Entry into Force
- (p) Reservations and Declarations
- (q) Withdrawal
- (r) Depositary
- (s) Authentic texts

[Note: Sub-items (c) to (s) are typical legal or institutional headings derived from the various submissions by delegations. They are used here solely for the purpose of organizing texts.]

B. Texts related to "Legal and institutional mechanisms related to scientific co-operation, monitoring and information" (Decision 1/1, paragraph 7 (b)),

- (a) Scientific Co-operation
- (b) Information
- (c) Monitoring

C. Texts related to "Legal and institutional mechanisms related to adequate and additional financial resources and technological needs and co-operation, and technology transfer to developing countries corresponding to the commitments agreed to in Working Group I" (Decision 1/1, paragraph 7 (c)).

### **III. Texts related to other matters**

- A. Preamble
- B. Definitions
- C. Principles

C. LIST OF INFORMAL PAPERS CONTAINED IN  
ADDENDA 1 TO 9 TO DOCUMENT A/AC.237/MISC.1

ADDENDUM 1

1. AUSTRALIA: Possible compliance mechanism for inclusion in a framework convention on climate change (sent with letter of 15 March 1991).
2. AUSTRIA/SWITZERLAND: Open paper, elaborated by some experts in their personal capacity, submitted by Austria and Switzerland. Shopping list. Main elements for inclusion in a framework convention on climate change or related protocols (sent with letter of 20 February 1991).
3. FRANCE: Suggestions concerning the limitation of greenhouse gases (translated from French) (circulated during first session of INC).
4. GERMANY: Non-paper. Important elements for an International Climate Convention (circulated during first session of INC).
5. MALAYSIA/MALTA: Informal paper. Outline of proposed elements of an effective framework convention on climate change (7 February 1991).
6. NETHERLANDS: Compilation of texts related to "Main Elements" (Shopping List) for a framework convention on climate change and on related protocols which have been informally circulated. Informal support-paper compiled by experts of the Netherlands' delegation to the first session of the Intergovernmental Negotiating Committee, based on discussions with a number of other experts (14 February 1991).
7. NETHERLANDS: Addendum, worked out by some experts, to the Shopping List circulated informally by Austria and Switzerland (see item 2 above) and to the Compilation of Texts related to main elements (Shopping List), circulated informally by the Netherlands' delegation (see item 6 above) (13 February 1991).
8. REPUBLIC OF KOREA: Comments on Non-papers submitted by certain delegations at the first session of the Intergovernmental Negotiating Committee (sent with letter of 16 April 1991).
9. UNITED KINGDOM: Draft framework convention on climate change, based on the consensus elements of the Topic Group on Legal Measures, prepared and circulated by the delegation to the United Kingdom at the first session of the Intergovernmental Negotiating Committee.
10. UNITED KINGDOM: Draft paper. Possible elements for inclusion in a framework convention on climate change (sent with letter of 26 March 1991).
11. UNITED STATES OF AMERICA: Submission of the United States to the Intergovernmental Negotiating Committee on Climate Change (sent with letter of 15 March 1991).
12. Inventory on Research, Systematic Observations, Assessments and Information Exchange. Paper compiled by a group of scientists from a wide range of delegations during the first session of the Intergovernmental Negotiating Committee (14 February 1991).

ADDENDUM 2

13. FRANCE: Further submission of France, pertaining to national policies for the prevention of the greenhouse effect (sent with letter of 30 May 1991).
14. NORWAY: Norwegian non-paper (released 10 June 1991).

ADDENDUM 3

15. INDIA: Non-paper. Draft framework convention on climate change (sent with letter of 12 June 1991).
16. VANUATU: Elements for a framework convention on climate change, proposed by Vanuatu on behalf of States Members of the United Nations and of the specialized agencies that are members of the Alliance of Small Island States (AOSIS) (sent with letter of 5 June 1991).

ADDENDUM 4

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

ADDENDUM 5

18. NEW ZEALAND: Informal paper - Proposal for chapters IX-XIII of the framework convention on climate change (submitted on 19 June 1991).

ADDENDUM 6

19. SWEDEN: Non-paper. Commitments in chapter IV.1 (submitted on 19 June 1991).

ADDENDUM 7

20. JAPAN: Informal paper. Pledge and review process as a possible mechanism to implement commitments defined on the basis of the convention (submitted on 20 June 1991).
21. SINGAPORE: Non-paper. Chapter IV specific commitments on emissions, sinks and counter measures (submitted on 20 June 1991).

ADDENDUM 8

22. KENYA: Non-paper - Elements for a framework convention (submitted on 21 June 1991).

ADDENDUM 9

23. KUWAIT, SAUDI ARABIA, UNION OF SOVIET SOCIALIST REPUBLICS: Paragraphs 7, 14 and 16 of the Ministerial Declaration of the Second World Climate Conference (SWCC) 1990 (submitted on 21 June 1991).
24. KUWAIT (submitted on 22 June 1991).
25. YUGOSLAVIA: Basic elements that should be incorporated into the International Convention on Climatic Changes (submitted on 21 June 1991).

**D. ABBREVIATED REFERENCES**

France refers to informal paper No.3

France Addendum refers to informal paper No.13

Netherlands Compilation refers to informal paper No.6

Netherlands Addendum refers to informal paper No.7

United Kingdom refers to informal paper No.10

United Kingdom Compilation refers to informal paper No.9