

CONFERENCE OF THE PARTIES

Third session

Kyoto, 1-10 December 1997

Item 5 of the provisional agenda

FCCC/CP/1997/CRP.2

7 December 1997

ENGLISH ONLY

Non-paper by the Chairman of the Committee of the Whole

Preamble

The Parties to this Protocol,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as the "Convention",

In pursuit of the ultimate objective of the Convention as stated in its Article 2,

Recalling the provisions of the Convention,

Being guided by Article 3 of the Convention,

Pursuant to the Berlin Mandate adopted by decision 1/CP.1 of the Conference of the Parties to the Convention at its first session,

Have agreed as follows:

Article 1

For the purposes of this Protocol, the definitions contained in Article 1 of the Convention shall apply. In addition:

1. "Convention" means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992.
2. "Intergovernmental Panel on Climate Change" means the Intergovernmental Panel on Climate Change jointly established by the World Meteorological Organization and the United Nations Environment Programme in 1988.
3. "Montreal Protocol" means the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, as subsequently adjusted and amended.

Note: A side bar indicates those elements requiring further negotiation.

4. “Parties present and voting” means Parties present and casting an affirmative or negative vote.
5. “Party” means, unless the context otherwise indicates, a Party to this Protocol.
6. “Party included in Annex I” means a Party included in Annex I to the Convention, and as may be subsequently amended by the Conference of the Parties to the Convention, or a Party which has made a notification under Article 4.2(g) of the Convention.
7. “Subsidiary bodies” means the subsidiary bodies established by Article 9 and Article 10 of the Convention.
8. *(Additional definitions, as necessary)*

Article 2¹

1. Each of the Parties included in Annex I [or acting under Article 10] in achieving its commitments regarding quantified emission limitation and reduction objectives under Article 3, in order to promote sustainable development, shall:
 - (a) Adopt and implement policies and measures in accordance with its national circumstances [in particular/such as] the following:
 - (i) Enhancement of energy efficiency in all sectors of the national economy;
 - (ii) Protection and enhancement of sinks and reservoirs of greenhouse gases not controlled by the Montreal Protocol, promotion of sustainable forest management practices, afforestation and reforestation;
 - (iii) Promotion, research, development and increased use of new and renewable forms of energy, of carbon dioxide sequestration technologies and of advanced and innovative environmentally sound technologies;
 - (iv) Phasing out of market imperfections, fiscal incentives, tax and duty exemptions and subsidies in all greenhouse gas emitting sectors that run counter to the objective of the Convention;
 - (v) Encouragement of appropriate reforms in the energy sector and regulatory regimes aimed at promoting policies and measures which limit or reduce emissions of greenhouse gases not controlled by the

¹ This text was transmitted directly to the Chairman of the Committee of the Whole by the Chairman of the negotiating group on policies and measures.

Montreal Protocol;

- (vi) Limitation and/or reduction of emissions of methane through recovery and use in the waste management sector, as well as in the production, transport and distribution of energy;

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall assess the application of these policies and measures;

(b) Co-operate with other such Parties to enhance the individual and combined effectiveness of their policies and measures adopted and implemented under this Article, pursuant to Article 4.2(e)(i) of the Convention. To this end, these Parties shall take steps to share their experience and exchange information on these policies and measures, including developing ways of improving their comparability, transparency and effectiveness. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, consider ways to facilitate such co-operation, taking into account all relevant information.

2. The Parties included in Annex I shall strive to implement policies and measures under this Article in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially developing country Parties and in particular those identified in Article 4.8 and 4.9 of the Convention, taking into account Article 3 of the Convention. The Conference of the Parties serving as the meeting of the Parties to this Protocol may take further action, as appropriate, to promote the implementation of the provisions of this paragraph.

3. The Parties included in Annex I [or acting under Article 10] shall co-ordinate, as appropriate, the implementation of those policies and measures identified in paragraph 1(a) above and the development of methodologies to assess their effectiveness. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, consider ways and means to facilitate such co-ordination, including by instituting a process to develop recommendations to Parties in the form of guidelines, taking into account national circumstances and relevant work being done by other bodies.

Article 3

Alternative A

1. Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A² do not exceed their defined amount, as calculated in accordance with the provisions

² Annex A would exclude emissions from sources and removals by sinks in the land use change and forestry category.

of this Article.

Alternative B

1. Each Party included in Annex I shall ensure that its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A² do not exceed its defined amount, as calculated in accordance with the provisions of this Article.

Alternative C

1. Each Party included in Annex I shall achieve quantified emission limitation and reduction objectives within time frames such as 2005, 2010 and 2020 for its anthropogenic emissions by sources and removals by sinks of carbon dioxide and other greenhouse gases not controlled by the Montreal Protocol.

[2. The Conference of the Parties to the Convention shall, at its fourth session, adopt an annex to this Protocol establishing emission limitation and reduction commitments for Parties included in Annex I covering hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride.]

[3. The annex adopted in accordance with paragraph 2 above shall include modalities to allow Parties included in Annex I which reduce their emissions of the greenhouse gases listed in Annex A by a greater percentage than that required by their commitments under this Article, or of hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride by a greater percentage than that required by their commitments under the new annex, to use this difference for the purpose of meeting their commitments for hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride under the new annex, or for the greenhouse gases listed in Annex A under this Article, respectively.]

4. The net changes in greenhouse gas emissions from sources and removals by sinks resulting from direct human-induced land-use change and forestry activities, limited to afforestation, reforestation, and deforestation since 1990, measured as verifiable changes in stocks in each commitment period shall be used to meet the commitments in Article 3 of each Party included in Annex I. The greenhouse gas emissions from sources and removals by sinks associated with those activities shall be reported in a transparent and verifiable manner and reviewed in accordance with Articles 8 and 9.

5. Prior to the first session of the Conference of the Parties serving as the meeting of the Parties to this Protocol, each Party included in Annex I shall provide for consideration by the Subsidiary Body for Scientific and Technological Advice data to establish its level of carbon stocks in 1990 and to enable an estimate to be made of its changes in carbon stocks in subsequent years. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, review and determine modalities, rules and guidelines as to how and which additional human-induced activities related to changes in greenhouse gas emissions and removals in the agricultural soil and land-use change and forestry categories, shall be added to or subtracted from the defined amount of

Parties included in Annex I, taking into account uncertainties, transparency in reporting, verifiability, the methodological work of the Intergovernmental Panel on Climate Change, the advice provided by the Subsidiary Body for Scientific and Technological Advice in accordance with Article 5 and the decisions of the Conference of the Parties.

Alternative A

6. The commitments for each Party included in Annex I shall be established using the process set out in Annex C and shall be inscribed in Annex B.³

Alternative B

6. Parties included in Annex I shall be subject to uniform commitments under this Article, which are as follows: *(to be completed)*.

7. The Parties included in Annex I undergoing the process of transition to a market economy whose base year or period was established pursuant to decision 9/CP.2 of the Conference of the Parties to the Convention at its second session, shall use that base year or period for the implementation of their commitments under this Article. Any other Party included in Annex I undergoing the process of transition to a market economy which has not yet submitted its first national communication under Article 12 of the Convention may also notify the Conference of the Parties serving as the meeting of the Parties to this Protocol that it intends to use a historical base year or period other than 1990 for the implementation of its commitments under this Article. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall decide on the acceptance of such notification.

8. Taking into account Article 4.6 of the Convention, in the implementation of their commitments under this Protocol other than those in Article 3, a certain degree of flexibility shall be allowed by the Conference of the Parties serving as the meeting of the Parties to this Protocol to the Parties included in Annex I undergoing the process of transition to a market economy.

[9. Each Party included in Annex I shall, by 2005, have made demonstrable progress in achieving its commitments under this Protocol.]

[10. Each Party acting under Article 10 shall ensure that its net aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed its defined amount as determined in accordance with the provisions of Article 10 and calculated in accordance with the provisions of this Article.]

[11. In the first commitment period, from 200[_] to 20[_], the defined amount for each Party included in Annex I shall be equal to [_ per cent/the percentage inscribed for it in Annex B for that commitment period] of its net aggregate anthropogenic carbon dioxide

³ For those Parties included in Annex I on the date of adoption of this Protocol, these commitments shall be established together with the adoption of this Protocol.

equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 7 above, multiplied by five.]

[12. In the second commitment period, from 20[_] to 20[_], the defined amount for each Party included in Annex I shall be equal to [_ per cent/the percentage inscribed for it in Annex B for that commitment period] of its net aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 7 above, multiplied by five.]⁴

[13. In the first commitment period, the defined amount for each Party acting under Article 10 shall be equal to the percentage, determined in accordance with Article 10, of its net aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in the base year or period determined in accordance with Article 10, multiplied by five.]

[14. Any part of a defined amount, or any emission credits, which a Party acquires from another Party in accordance with the provisions of Article 6 or Article 7 shall be added to the emission commitment of that Party.]

[15. Any part of a defined amount, or any emission credits, which a Party transfers to another Party in accordance with the provisions of Article 6 or Article 7 shall be subtracted from the emission commitment of that Party.]

[16. If the emissions of a Party included in Annex I [or acting under Article 10] during a commitment period are less than its defined amount under this Article, this difference shall, on request of that Party, be added to that Party's defined amount for subsequent commitment periods.]

[17. Until such time as any greenhouse gases not controlled by the Montreal Protocol from any source and sink categories are covered by commitments under this Article, Parties included in Annex I [or acting under Article 10] shall make every effort to limit and reduce their anthropogenic emissions by sources and enhance their removals by sinks of such gases.]

[18. Each Party included in Annex I shall fulfil the commitments mentioned in paragraph 6 above in such a way as to minimize adverse social, environmental and economic impacts on developing country Parties, particularly those indentified in Article 4.8 of the Convention. In line with the relevant decisions of the Conference of the Parties on the implementation of Article 4.8, the Conference of the Parties to the Convention, serving as the meeting of the Parties to this Protocol shall, at its first session after entry into force of this Protocol, consider what actions are necessary to minimize the adverse effects of climate change and/or the impacts of response measures on Parties under Article 4.8 of the Convention. Issues to be considered shall include [the establishment of measurements of compensation,] funding, insurance and transfer of technology.]

⁴ If no second budget period is defined in this Protocol, a process will need to be established to negotiate commitments beyond the first budget period.

[19. A clean development fund shall be established by the the Conference of the Parties to the Convention, serving as the meeting of the Parties to this Protocol to assist the developing country Parties to achieve sustainable development and contribute to the ultimate objective of the Convention. The clean development fund will receive contributions from those Parties included in Annex I found to be in non-compliance with their quantified emission limitation and reduction objectives under this Protocol. The clean development fund will also be open for voluntary contributions from Parties included in Annex I.]

Article 4

1. Any Parties included in Annex I [or acting under Article 10] that have agreed to jointly fulfil their obligations with respect to quantified emission limitation and reduction objectives shall be deemed to have met those obligations provided that their total combined level of emission reductions meets the levels as set out in Annex B for those Parties. The respective emission level allocated to each of the Parties to the agreement shall be set out in that agreement.

Alternative A

2. Such agreement will become operative only if all Parties to it have notified the secretariat of the terms of the agreement which shall remain operative for the duration of this Protocol or until a decision to amend or rescind the agreement is notified to the secretariat by all Parties to the agreement.

3. The Parties to any such agreement shall notify the secretariat of the terms of the agreement on the date of deposit of their instruments of ratification, acceptance, approval or accession, or subsequently, in any event five years before the expiry of the period mentioned in Article 3. The secretariat shall in turn inform the other Parties of the terms of the agreement or any decision to amend or rescind it.

Alternative B

1(bis) The allocated level of emissions for each Party to the agreement shall be a legally binding commitment.

2. The Parties to any such agreement shall notify the secretariat of the terms of the agreement on the date of deposit of their instruments of ratification, acceptance, approval or accession. The secretariat shall in turn inform the other Parties of the terms of the agreement.

3. Such agreement will become operative for the purposes of this Protocol if the Conference of the Parties serving as the meeting of the Parties to this Protocol has reviewed and approved the agreement. No obligation of any Party specified in the agreement may exceed [] per cent of the level of the emission reductions as set out for it in Annex B. The agreement shall remain operative for the duration of the commitment period specified in Annex B.

3(bis) If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization, any alteration in the composition of the organization after adoption of this Protocol shall not affect existing commitments under this Protocol. Provision for such an alteration in the composition of the organization shall be made in the context of the Conference of the Parties serving as the meeting of the Parties to this Protocol reaching agreements on future commitments.

4. In the event of failure by the Parties to such an agreement to achieve their total combined level of emission reductions, each Party to such an agreement shall be responsible for its own level of emissions set out in the agreement.

5. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization which is itself a Party to this Protocol, each member State of that regional economic integration organization individually, and together with the regional economic integration organization acting in accordance with Article 25, shall, in the event of failure to achieve the total combined level of emission reductions, be responsible for its level of emissions as notified in accordance with this Article.

Article 5

1. Each Party included in Annex I [or acting under Article 10] shall have in place, no later than one year prior to the start of the first commitment period, a national system for the estimation of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol. Guidelines for such national systems, which shall incorporate the methodologies specified in paragraph 2 below, shall be decided upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol at its first session.

2. Methodologies for estimating anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol shall be those accepted by the Intergovernmental Panel on Climate Change and agreed upon by the Conference of the Parties to the Convention at its third session. Where such methodologies are not used, appropriate adjustments shall be applied according to methodologies agreed upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol at its first session. Based on the work of, *inter alia*, the Intergovernmental Panel on Climate Change and advice provided by the Subsidiary Body for Scientific and Technological Advice, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall regularly review and, as appropriate, revise such methodologies and adjustments, taking fully into account any relevant decisions by the Conference of the Parties to the Convention. Any revision to methodologies or adjustments shall only be used for the purposes of ascertaining compliance with commitments under Article 3 in respect of any commitment period subsequent to that revision.

3. The global warming potentials used to calculate the carbon dioxide equivalence of anthropogenic emissions by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol listed in Annex A shall be those accepted by the Intergovernmental

Panel on Climate Change and agreed upon by the Conference of the Parties to the Convention at its third session. Based on the work of, *inter alia*, the Intergovernmental Panel on Climate Change and advice provided by the Subsidiary Body for Scientific and Technological Advice, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall regularly review and, as appropriate, revise the global warming potential of each such greenhouse gas, taking fully into account any relevant decisions by the Conference of the Parties to the Convention. Any revision to a global warming potential shall only apply to those commitments under Article 3 in respect of any commitment period subsequent to that revision.

[Article 6⁵

1. For the purpose of meeting its commitments under Article 3, any Party included in Annex I [or acting under Article 10] may [, under the international framework to be established under paragraph 4 below,] transfer to or acquire from any other Party included in Annex I [or acting under Article 10] any part of its defined amount under Article 3, provided that each such Party is in compliance with its obligations under Articles [2, 3,] 5 and 8, and has in place a national mechanism for the certification and verification of emission trades.

2. A Party may authorize intermediaries to participate, under the responsibility of that Party, in actions leading to the transfer or acquisition, under this Article, of any part of its defined amount.

3. Emissions trading, as defined in paragraph 1 above, shall be subject to the following criteria:

[(a) Emission levels achieved before the start of any trading system established under this Protocol can[not] be used as the basis for emissions trading;]

(b) Emissions trading shall be supplemental to domestic policies and measures [, which should provide the main means] [for the purposes] of meeting commitments under Article 3; and

(c) A Party whose emissions are in excess of its defined amount in any budget period may acquire, but may not transfer, part of its defined amount.

4. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, decide upon modalities, rules and guidelines for emissions trading, as provided for in paragraph 1 above, including methodologies for verification and reporting.

⁵ The Group of 77 and China have requested the deletion of this Article.

5. If a question of a Party's implementation of the requirements of Articles [2, 3,] 5 or 8 is identified in accordance with the provisions of Article 9, transfers and acquisitions of any part of a defined amount may continue to be made, provided that any such part of a defined amount may not be used by any Party to meet its obligations under Article 3 until any issue of compliance is resolved. If a question of a Party's implementation of paragraph 3(c) above is identified in accordance with the provisions of Article 9, the provisions of this paragraph shall apply only to transfers of any part of a defined amount by that Party.]

[Article 7⁶

1. For the purpose of meeting its commitments under Article 3, any Party included in Annex I [or acting under Article 10] may receive from any other Party included in the same Annex [or acting under that Article], in conformity with the rules of this Article and the decisions adopted in accordance with paragraph 5 below, the carbon dioxide equivalent emission reductions resulting from joint implementation projects aimed at reducing anthropogenic emissions [or enhancing anthropogenic removals] of greenhouse gases listed in Annex A in any sector of the economy.

2. Parties participating in joint implementation projects have the right to share [among themselves] the credits attributed to the project.

3. In order to generate credits, joint implementation projects shall satisfy the following conditions:

(a) Parties participating in joint implementation projects shall be in compliance with their obligations under Articles 3, 5 and 8 of this Protocol, and shall have a national mechanism for the accounting, certification and verification of their greenhouse gas emissions;

(b) Participation in joint implementation projects shall be voluntary, and shall require prior acceptance, approval or endorsement by the participating Parties;

(c) Joint implementation projects shall bring about real, measurable and long-term environmental benefits related to the mitigation of climate change, whilst avoiding adverse environmental and social effects. Projects must provide a reduction in [or a removal by sinks of] emissions that is additional to any that would otherwise occur;

(d) Joint implementation projects must be compatible with, and supportive of, national environment and development priorities and strategies, and must contribute to cost-effectiveness in achieving global benefits;

[(e) Joint implementation projects can be undertaken by two or more Parties;]

⁶ The Group of 77 and China have requested the deletion of this Article. Other Parties, including the United States and the European Community and its member States, have indicated that they would require further consultations on this Article.

(f) Joint implementation projects shall be supplemental to domestic policies and measures [, which should provide the main means of meeting commitments under Article 3];

(g) Joint implementation projects shall be assessed on a project basis. Credits shall be calculated and allocated on an annual basis. They shall be subject to stringent emission reduction [or removal] verification and accountability methodologies. For each project, a baseline shall be established, against which the net environmental benefits of greenhouse gas emission mitigation and reduction achieved by the joint implementation project can be compared; and

(h) Parties shall report on joint implementation projects in their national communications using guidelines to be adopted by the Meeting of the Parties at its first session and periodically reviewed thereafter.

4. A Party may authorize intermediaries to participate, under the responsibility of that Party, in actions leading to the generation, transfer or receipt of credits for joint implementation projects under this Article.

5. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and periodically review thereafter:

[(a) Criteria and guidelines for the attribution of emission credits to projects;]

(b) Guidelines for reporting on joint implementation projects and for the accounting, certification and verification of greenhouse gas emissions [and removals];

(c) Methodologies for calculating project baselines and actual emissions [or removals] in order to assess the incremental impact of the project; and

(d) Methodologies for the verification and auditing of actual emission reductions [or removals].

6. If a decision is taken by the Conference of the Parties to the Convention at the conclusion of the pilot phase of activities implemented jointly, in accordance with decision 5/CP.1 of the Conference of the Parties to the Convention at its first session, to allow joint implementation with Parties not included in Annex I, then Parties included in Annex I [or acting under Article 10] may, jointly with other Parties, undertake projects aimed at limiting or reducing anthropogenic emissions of greenhouse gases listed in Annex A in any sector of the economy, in conformity with the rules of this Article and the decisions adopted for this purpose by the Meeting of the Parties.]

7. If a question of a Party's implementation of the requirements of this Article is identified in accordance with the provisions of Article 9, transfers and acquisitions of emission credits may continue to be made after the question has been identified, provided that any such credits may not be used by any Party to meet its obligations under Article 3 until any

| issue of compliance is resolved.]

Article 8

1. Each Party included in Annex I [or acting under Article 10] shall incorporate in its annual inventory of anthropogenic emissions by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol, submitted in accordance with the relevant decisions of the Conference of the Parties to the Convention, the necessary supplementary information for the purposes of ensuring compliance with Article 3 of this Protocol, to be determined in accordance with paragraph 4 below.
2. Each Party included in Annex I [or acting under Article 10] shall incorporate in its national communication, submitted under Article 12 of the Convention, the supplementary information necessary to demonstrate compliance with its commitments under this Protocol, including Articles 2, 3, [5, 6, 7, 12 and 13], to be determined in accordance with paragraph 4 below.
3. Each Party included in Annex I [or acting under Article 10] shall submit the information required under paragraph 1 above annually, beginning with the first inventory due under the Convention for the first year of the commitment period after this Protocol has entered into force for that Party. Each such Party shall submit the information required under paragraph 2 above as part of the first national communication due under the Convention after this Protocol has entered into force for that Party and after the adoption of guidelines as provided for in paragraph 4 below. The frequency of subsequent submission of information required under this Article shall be determined by the Conference of the Parties serving as the meeting of the Parties to this Protocol, taking into account any timetable for the submission of national communications decided upon by the Conference of the Parties to the Convention.
4. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for the preparation of the information required under this Article, taking into account guidelines for the preparation of national communications by Parties included in Annex I adopted by the Conference of the Parties to the Convention. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall also, prior to the first commitment period, decide upon modalities for the accounting of defined amounts.

Article 9

1. The information submitted under Article 8 by each Party included in Annex I [or acting under Article 10] shall be reviewed by expert review teams pursuant to the relevant decisions of the Conference of the Parties to the Convention and in accordance with guidelines adopted for the purpose by the Conference of the Parties serving as the meeting of the Parties to this Protocol under paragraph 4 below. The information submitted under Article 8.1 by each Party included in Annex I [or acting under Article 10] shall be reviewed as part of the annual compilation and accounting of emissions inventories [and defined amounts]. Additionally, the information submitted under Article 8.2 by each Party included in

Annex I [or acting under Article 10] shall be reviewed as part of the review of communications.

2. Expert review teams shall be co-ordinated by the secretariat and shall be composed of experts selected from those nominated by Parties to the Convention and, as appropriate, by intergovernmental organizations, in accordance with guidance provided for this purpose by the Conference of the Parties to the Convention.

3. The review process shall provide a thorough and comprehensive technical assessment of all aspects of a Party's implementation of this Protocol. The expert review teams shall prepare a report to the Conference of the Parties serving as the meeting of the Parties to this Protocol assessing the implementation of a Party's commitments and identifying any potential problems in, and factors influencing, the fulfilment of commitments. Such reports shall be circulated by the secretariat to all Parties to the Convention. The secretariat shall list those questions of implementation indicated by such reports for further consideration by the Conference of the Parties serving as the meeting of the Parties to this Protocol.

4. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall adopt at its first session, and review periodically thereafter, guidelines for the review of implementation by expert review teams taking into account the relevant decisions of the Conference of the Parties to the Convention.

5. The Conference of the Parties serving as the meeting of the Parties to this Protocol, with the assistance of the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice, as appropriate, shall consider:

(a) The information submitted by Parties under Article 8 and the reports of the expert reviews thereof conducted under this Article; and

(b) Those questions of implementation listed by the secretariat under paragraph 3 above, as well as any questions raised by Parties.

6. Pursuant to its consideration of the information referred to in paragraph 5(a) and (b) above, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take decisions on any matter necessary for the implementation of this Protocol.

[Article 10⁷

1. Any signatory or Party to this Protocol not included in Annex I may, at any time, notify the Depository that it has opted to be bound by this Article. The Depository shall inform the other signatories and Parties of any such notification.

2. Such notification, supported by an inventory of emissions of greenhouse gases not controlled by the Montreal Protocol, including for the historical base year or period chosen

⁷ The Group of 77 and China have requested the deletion of this Article.

under subparagraph (a) below, and a projection of future emissions, shall include a formal declaration on the following points:

(a) Its chosen historical base year or period for the implementation of subparagraph (b) below; and

(b) The level of limitation or reduction of anthropogenic emissions of greenhouse gases listed in Annex A, as a basket, it is ready to undertake.

3. Where a notification has been made pursuant to paragraphs 1 and 2 above, the secretariat shall include it in the agenda for the following Meeting of the Parties which shall decide on the acceptance of such notification.

4. After its acceptance by the Meeting of the Parties, a notification by a signatory shall enter into force on the date of entry into force of this Protocol for that State, and a notification by a Party to this Protocol shall enter into force on the ninetieth day after the acceptance of such notification. The commitment under paragraph 2(b) above of Parties acting under this Article shall be inscribed in Annex B.

5. Parties acting under this Article shall be bound by the obligations of Parties included in Annex I with respect to the communication of information related to implementation under Article 10.2(a) and (b) and Article 12 of the Convention, and the relevant decisions of the Conference of the Parties to the Convention.]

Article 11

1. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall periodically review this Protocol in the light of the best available scientific information and assessment on climate change and its impacts, as well as relevant technical, social and economic information. Such reviews shall be co-ordinated with pertinent reviews under the Convention, in particular those required by Article 4.2(d) and Article 7.2(a) of the Convention. Based on these reviews, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take appropriate action.

2. The first review shall take place at the second session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. Further reviews shall take place in a regular and timely manner.

Article 12

1. All Parties, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives and circumstances, without introducing any new commitments for Parties not included in Annex I, but reaffirming existing commitments in Article 4.1 of the Convention, and continuing to advance the implementation of these commitments in order to achieve sustainable development, taking into account Article 4.3, 4.5 and 4.7 of the Convention, shall:

(a) Formulate, where relevant and to the extent possible, cost-effective national and, where appropriate, regional programmes to improve the quality of local emission factors, activity data and/or models which reflect the socio-economic conditions of each Party for the preparation and periodic updating of national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, using comparable methodologies to be agreed upon by the Conference of the Parties, and consistent with the guidelines for national communications adopted by the Conference of the Parties;

(b) Formulate, implement, publish and regularly update national and, where appropriate, regional programmes containing measures to mitigate climate change and measures to facilitate adequate adaptation to climate change;

Alternative A

- (i) The programmes containing measures shall, *inter alia*, and to the extent possible and relevant, [remove obstacles to the limitation or the abatement of increase of anthropogenic emissions by sources and to the enhancement of removals by sinks, enhance energy efficiency, emphasize market-oriented pricing, as appropriate encourage reforms in the energy sector and regulatory regimes, increase the use of renewable energy, make improvements in the transport and industrial sectors, promote the development and sustainable management of greenhouse gas sinks and reservoirs, improve the integration of climate change considerations into the agriculture and waste management sectors, promote voluntary arrangements with industry, and generally take actions to address climate change that, in the context of their national priorities, objectives and circumstances, are economically justified and can help address other environmental problems;] and
- (ii) The programmes containing measures shall, *inter alia*, and to the extent possible and relevant, [improve protection measures for infrastructure,] deploy adaptation technologies and know-how, develop and implement integrated mountain area plans, develop and implement integrated coastal zone management plans, develop research on impacts of, and adaptation to, climate change, develop and implement related technical capacity building and awareness raising measures, promote sustainable management plans for the conservation and enhancement of sinks and reservoirs and ecosystems and develop and implement plans for water resources and agriculture, particularly for countries affected by drought and desertification;

Alternative B

(b) Each developed country Party and each other developed Party included in Annex II to the Convention shall incorporate into its national programmes the quantified

emission limitation and reduction objectives and related policies and measures under this Protocol, including details of measures undertaken by them to promote, facilitate and finance transfer of technology, provide new and additional financial resources and assist in meeting costs of adaptation in developing countries. Each developing country Party shall seek to include in its national communication, as appropriate, information on programmes which contain measures that the Party believes contribute to addressing climate change and its adverse impacts, including the abatement of increase in greenhouse gas emissions, and enhancement of and removals by sinks, capacity building and adaptation measures;

(c) Promote effective modalities, including the removal of barriers, for the development, application and diffusion of, and take all practicable steps to promote, facilitate and finance, as appropriate, the transfer of, or access to, environmentally sound technologies, know-how, practices and processes pertinent to the mitigation of, and adaptation to climate change, in particular to developing countries, including the formulation of policies and programmes for the effective transfer of environmentally sound technologies that are publicly owned or in the public domain and the creation of an enabling environment for the private sector, to promote and enhance access to, and transfer of, environmentally sound technologies;

(d) Identify and implement procedures that enable governments to take climate change considerations into account in all relevant decisions;

(e) Promote, cooperate and share information on the national development and use of indicators of sustainable development, on a voluntary basis, to assist in the assessment of climate change and its adverse impacts and response measures;

(f) Co-operate in scientific and technical research and promote the maintenance and the development of systematic observation systems and development of data archives to reduce uncertainties related to the climate system, the adverse impacts of climate change and the economic and social consequences of various response strategies, and promote the development and strengthening of endogenous capacities and capabilities to participate in international and intergovernmental efforts, programmes and networks on research and systematic observation, taking into account Article 5 of the Convention;

(g) Co-operate in and promote at the international level, and, where appropriate, using existing bodies, the development and implementation of education and training programmes, [including the strengthening of national institutions] and the exchange or secondment of personnel to train experts in this field, in particular for developing countries, and facilitate at the national level public awareness and public access to information on climate change. Suitable modalities should be developed to implement these activities through the relevant bodies of the Convention taking into account Article 6 of the Convention;

[(h) Communicate to the Conference of the Parties serving as the meeting of the Parties to this Protocol, through the secretariat, information related to the implementation of their commitments under this Protocol, in accordance with Article 8 and with Article 10.2(a)

and (b) and Article 12 of the Convention, taking fully into account the guidelines for communications adopted by the Conference of the Parties to the Convention and any modifications thereto [as well as any subsequent guidelines that the Conference of the Parties serving as the meeting of the Parties to this Protocol may adopt]; and]

(i) In the implementation of the commitments in this article, Article 4.8 of the Convention shall be given full consideration.

Article 13

1. In the implementation of Article 12, Parties shall take into account the provisions of Article 4.4, 4.5, 4.7, 4.8 and 4.9 of the Convention.

2. In the context of the implementation of Article 4.1 of the Convention, in accordance with the provisions of Article 4.3 and Article 11 of the Convention, and through the operating entity or entities of the financial mechanism of the Convention, the developed country Parties and other developed Parties included in Annex II to the Convention shall:

(a) Provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties in implementing measures under Article 12(a) of this Protocol; and

(b) Also provide such financial resources, including for the transfer of technology, needed by the developing country Parties to meet the agreed full incremental costs of implementing measures that are covered by Article 12 and that are agreed between a developing country Party and the international entity or entities referred to in Article 11 of the Convention in accordance with that Article.

3. The implementation of these commitments shall take into account the need for adequacy and predictability in the flow of funds and the importance of appropriate burden sharing among developed country Parties. The guidance to the financial mechanism of the Convention contained in relevant decisions of the Conference of the Parties to the Convention, including those agreed before the adoption of this Protocol, shall apply *mutatis mutandis* to the provisions of this paragraph.

4. The developed country Parties and other developed Parties in Annex II to the Convention may also provide, and developing country Parties avail themselves of, financial resources for the implementation of Article 12 herein, through bilateral, regional and other multilateral channels.

Article 14

1. The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Protocol.

2. Parties to the Convention that are not Parties to this Protocol may participate as observers in the proceedings of any session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. When the Conference of the Parties exercises its functions as the meeting of the Parties to this Protocol, decisions under this Protocol shall be taken only by those of its members that are, at that time, Parties to this Protocol.

3. When the Conference of the Parties exercises its functions as the meeting of the Parties to this Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Protocol, shall be substituted by an additional member to be elected by and from amongst the Parties to this Protocol.

4. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall keep under regular review the implementation of this Protocol and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Protocol and shall:

(a) Assess, on the basis of all information made available to it in accordance with the provisions of this Protocol, the implementation of this Protocol by the Parties, the overall effects of the measures taken pursuant to this Protocol, in particular environmental, economic and social effects as well as their cumulative impacts and the extent to which progress towards the objective of the Convention is being achieved;

(b) Periodically examine the obligations of the Parties under this Protocol⁸, giving due consideration to any reviews required by Article 4.2(d) and Article 7.2 of the Convention, in the light of the objective of the Convention, the experience gained in its implementation and the evolution of scientific and technological knowledge, and in this respect consider and adopt regular reports on the implementation of this Protocol;

(c) Promote and facilitate the exchange of information on measures adopted by the Parties to address climate change and its effects, taking into account the differing circumstances, responsibilities and capabilities of the Parties and their respective commitments under this Protocol;

(d) Facilitate, at the request of two or more Parties, the co-ordination of measures adopted by them to address climate change and its effects, taking into account the differing circumstances, responsibilities and capabilities of the Parties and their respective commitments under this Protocol;

(e) Promote and guide, in accordance with the objective of the Convention and the provisions of this Protocol, and taking fully into account the relevant decisions by the Conference of the Parties to the Convention, the development and periodic refinement of

⁸ The Group of 77 and China have proposed insertion of the words "Article 3 of" after the words "the Parties under" in line 1. The language of this sub-paragraph may need to be revisited in light of the outcome of Article 11.

comparable methodologies for the effective implementation of this Protocol, to be agreed on by the Conference of the Parties serving as the meeting of the Parties to this Protocol;

(f) Make recommendations on any matters necessary for the implementation of this Protocol;

(g) Seek to mobilize additional financial resources in accordance with Article 13.2;

(h) Establish such subsidiary bodies as are deemed necessary for the implementation of this Protocol;

(i) The rules of procedure and financial procedures of the Convention shall apply, *mutatis mutandis*, to the Conference of the Parties serving as the meeting of the Parties to this Protocol and its subsidiary bodies, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to this Protocol;

(j) Seek and utilize, where appropriate, the services and co-operation of, and information provided by, competent international organizations and intergovernmental and non-governmental bodies; and

(k) Exercise such other functions as may be required for the implementation of this Protocol, and consider any assignment resulting from a decision by the Conference of the Parties to the Convention.

5. The first session of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be convened by the secretariat in conjunction with the first session of the Conference of the Parties to the Convention that is scheduled after the date of the entry into force of this Protocol. Subsequent ordinary sessions of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be held every year and in conjunction with ordinary sessions of the Conference of the Parties to the Convention unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Protocol.

6. Extraordinary sessions of the Conference of the Parties serving as the meeting of the Parties shall be held at such other times as may be deemed necessary by the Conference of the Parties serving as the meeting of the Parties to this Protocol, or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the secretariat, it is supported by at least one third of the Parties.

7. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented at sessions of the Conference of the Parties serving as the meeting of the Parties to this Protocol as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by this Protocol and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties serving as the meeting of the Parties to this Protocol as an observer,

| may be so admitted unless at least one third of the Parties present object. The admission and
| participation of observers shall be subject to the rules of procedure adopted by the Conference
| of the Parties acting as the meeting of the Parties to this Protocol.

Article 15

1. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Protocol.
2. The functions of the secretariat under Article 8.2 and arrangements made for its functioning under Article 8.3 of the Convention shall apply *mutatis mutandis* to this Protocol. The secretariat shall also exercise the functions assigned to it under this Protocol.

Article 16

1. The Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention shall serve as the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Protocol. Their functioning with respect to the Convention shall apply *mutatis mutandis* to this Protocol. Sessions of the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Protocol shall be held in conjunction with the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention.
2. Parties to the Convention that are not Parties to this Protocol may participate as observers in the proceedings of any session of the subsidiary bodies. When the subsidiary bodies exercise their functions as the subsidiary bodies of this Protocol, decisions under this Protocol shall be taken only by those of its members that are, at that time, Parties to this Protocol.
3. When the subsidiary bodies exercise their functions with regard to matters concerning this Protocol, any member of the Bureau of the subsidiary bodies representing a Party to the Convention but, at that time, not a party to this Protocol, shall be substituted by an additional member to be elected by and from amongst the Parties to this Protocol.

Article 17

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, as soon as practicable, consider the application to this Protocol of, and modify as appropriate, the multilateral consultative process referred to in Article 13 of the Convention, in the light of any relevant decisions that may be taken by the Conference of the Parties to the Convention. Any multilateral consultative process that may be applied to this Protocol shall operate without prejudice to the procedures and mechanisms established in accordance with Article 18.

Article 18

Alternative A

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session, in a manner that takes fully into account the need for compatibility with any procedures under Article 17, approve appropriate and effective procedures and mechanisms to determine and to address cases of non-compliance of Annex I Parties with the provisions of this Protocol, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance. Any binding penalties for non-compliance under the procedures and mechanisms established under this Article shall be made available for the use of the clean development fund established under Article __.

Alternative B

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session, approve appropriate and effective procedures and mechanisms to determine and to address cases of non-compliance with the provisions of this Protocol, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance. Any procedures and mechanisms under this Article entailing binding consequences shall be adopted by means of an amendment to this Protocol.

Article 19

The provisions of Article 14 of the Convention shall apply *mutatis mutandis* to this Protocol.

Article 20

1. Any Party may propose amendments to this Protocol.
2. Amendments to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed amendment to this Protocol shall be communicated to the Parties by the secretariat at least six months before the session at which it is proposed for adoption. The secretariat shall also communicate proposed amendments to the signatories to this Protocol, to the Parties and signatories to the Convention and, for information, to the Depository.
3. The Parties shall make every effort to reach agreement on any proposed amendment to this Protocol by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting. The adopted amendment shall be communicated by the secretariat to the Depository, who shall circulate it to all Parties for their acceptance.

4. Instruments of acceptance in respect of an amendment shall be deposited with the Depositary. An amendment adopted in accordance with paragraph 3 above shall enter into force for those Parties having accepted it on the ninetieth day after the date of receipt by the Depositary of an instrument of acceptance by at least three fourths of the Parties to this Protocol.

5. The amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits with the Depositary its instrument of acceptance of the said amendment.

Article 21⁹

1. Annexes to this Protocol shall form an integral part thereof and, unless otherwise expressly provided, a reference to this Protocol constitutes at the same time a reference to any annexes thereto. Any annexes adopted after the entry into force of this Protocol shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character.

2. Any Party may make proposals for an annex to this Protocol and may propose amendments to annexes to this Protocol.

3. Annexes to this Protocol and amendments to annexes to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed annex or amendment to an annex shall be communicated to the Parties by the secretariat at least six months before the session at which it is proposed for adoption. The secretariat shall also communicate the text of any proposed annex or amendment to an annex to the signatories to this Protocol, to the Parties and signatories to the Convention and, for information, to the Depositary.

4. The Parties shall make every effort to reach agreement on any proposed annex or amendment to an annex by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the annex or amendment to an annex shall, as a last resort, be adopted by a three-fourths majority vote of the Parties present and voting at the meeting. The adopted annex or amendment to an annex shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance.

5. An annex, other than Annex A, B or C¹⁰, that has been proposed and adopted or amended in accordance with paragraphs 2, 3 and 4 above shall enter into force for all Parties to this Protocol six months after the date of the communication by the Depositary to such Parties of the adoption or amendment of the annex, except for those Parties that have notified the Depositary, in writing, within that period of their non-acceptance of the annex or

⁹ To be revisited in the light of further discussions on Articles 3 and 10.

¹⁰ The reference to Annex C may need to be considered further in light of the outcome of the negotiations on Article 10.

amendment to an annex. The annex or amendment to an annex shall enter into force for Parties which withdraw their notification of non-acceptance on the ninetieth day after the date on which withdrawal of such notification has been received by the Depositary.

6. If the adoption of an annex, or an amendment to an annex involves an amendment to this Protocol, that annex or amendment to an annex shall not enter into force until such time as the amendment to this Protocol enters into force.

7. Proposals for amendments to Annexes A, B and C to this Protocol shall be adopted and enter into force in accordance with the procedure laid down in Article 20, provided that any amendments to Annex C, shall be adopted only with the written consent of the Party concerned.

Article 22

1. Each Party shall have one vote, except as provided for in paragraph 2 below.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Parties to this Protocol. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 23

The Secretary-General of the United Nations shall be the Depositary of this Protocol.

Article 24¹¹

1. This Protocol shall be open for signature and subject to ratification, acceptance, approval or accession by States and regional economic integration organizations which are Parties to the Convention. It shall be open for signature at United Nations Headquarters in New York from 16 March 1998 to 15 March 1999, and shall be open for accession from the day after the date on which this Protocol is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

2. Any regional economic integration organization which becomes a Party to this Protocol without any of its member States being a Party shall be bound by all the obligations under this Protocol. In the case of such organizations, one or more of whose member States is a Party to this Protocol, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Protocol. In such cases, the organization and the member States shall not be entitled to exercise rights under this Protocol concurrently.

¹¹ The Article may need to be revisited in the light of discussions on Articles 3 and 4.

3. In their instruments of ratification, acceptance, approval or accession, regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by this Protocol. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence.

Article 25

No reservations may be made to this Protocol.

Article 26

Alternative A

1. This Protocol shall enter into force on the ninetieth day after the date on which not less than [50] Parties to the Convention, incorporating Parties included in Annex I which accounted in total for at least [50] [60] [75¹²] per cent of the total carbon dioxide emissions¹³ for 1990 of the Parties included in Annex I, have deposited their instruments of ratification, acceptance, approval or accession.

2. For the purposes of this Article, “the total carbon dioxide emissions for 1990 of the Parties included in Annex I” means the amount communicated on or before the date of adoption of this Protocol by the Parties included in Annex I in their first national communications submitted in accordance with Article 12 of the Convention.

Alternative B

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the [75th] [50th] instrument of ratification, acceptance, approval or accession, including those of [50] [75] per cent of the Parties included in Annex I.

[2]

[3] For each State or regional economic integration organization that ratifies, accepts or approves this Protocol or accedes thereto after the conditions set out in paragraph 1 above for the entry into force have been fulfilled, this Protocol shall enter into force on the ninetieth day following the date of deposit of its instrument of ratification, acceptance, approval or accession.

[3]

[4] For the purposes of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by States members of that organization.

¹² This option would give one Party a veto over entry into force.

¹³ The references to carbon dioxide emissions in this Article are made only for the purpose of the entry into force of the Convention.

Article 27

1. At any time after three years from the date on which this Protocol has entered into force for a Party, that Party may withdraw from this Protocol by giving written notification to the Depositary.
2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.
3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Protocol.

Article 28

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

Annex A

Carbon dioxide (CO₂)

Methane (CH₄)

Nitrous oxide (N₂O)

[Hydrofluorocarbons (HFCs)

Perfluorocarbons (PFCs)

Sulphur hexafluoride (SF₆)]

Sectors/source and sink categories

Energy

Fuel combustion

Energy industries

Manufacturing industries and construction

Transport

Other sectors

Other

Fugitive Emissions from fuels

Solid fuels

Oil and natural gas

Other

Industrial processes

Mineral products

Chemical industry

Metal production

Other production

Production of halocarbons and sulphur hexafluoride

Consumption of halocarbons and sulphur hexafluoride

Other

Solvent and other product use

Agriculture

Enteric fermentation

Manure management

Rice cultivation

Agricultural soils

Prescribed burning of savannas

| Field burning of agricultural residues

| Other

| Waste

| Solid waste disposal on land

| Wastewater handling

| Waste incineration

| Other

Annex B

Party	Emissions in base year/period	Emission commitment (%)	Defined amount in commitment period
Australia			
Austria			
Belgium			
Bulgaria*			
Canada			
Czechoslovakia*			
Denmark			
European Economic Community			
Estonia*			
Finland			
France			
Germany			
Greece			
Hungary*			
Iceland			
Japan			
Latvia*			
Lithuania*			
Luxembourg			
Netherlands			
New Zealand			
Norway			
Poland*			
Portugal			
Romania*			
Russian Federation*			
Spain			
Sweden			
Switzerland			
Ukraine*			
United Kingdom of Great Britain and Northern Ireland			
United States of America			

* Countries that are undergoing the process of transition to a market economy.

[**Annex C**¹⁴

1. The process of establishing quantified emission limitation and reduction objectives for each Party subject to Article 3 shall take into account the differences in starting points and approaches, economic structures and resource bases, the need to maintain strong and sustainable growth, available technologies and other individual circumstances, as well as the need for equitable and appropriate contributions by each of these Parties to the global effort. To this effect the differences in the following factors, fully substantiated by readily available official data, shall be taken into account, as appropriate, in the case of each Party:

(a) Carbon dioxide equivalent emissions per capita of the greenhouse gases listed in Annex A;

(b) Carbon dioxide equivalent emissions per unit of gross domestic product of the greenhouse gases listed in Annex A;

(c) Gross domestic product per capita;

(d) Gross domestic product per capita growth;

(e) Effective emissions in a given time period, defined as the increase in global mean surface temperature at the end of the period, as determined by an agreed climate change model, resulting from both the net anthropogenic emissions of an agreed set of greenhouse gases in each year of that time period and from the initial concentrations of those greenhouse gases at the beginning of the period;

(f) Projected population growth;

(g) Emission intensity of gross domestic product;

(h) Emission intensity of exports;

(i) Fossil fuel intensity of exports; and

(j) Share of renewable energy in energy supply.

2. In addressing national circumstances in their communications, Parties shall include data relating to the above factors, as appropriate.]

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¹⁴ This Annex would only appear if the alternative of establishing differentiated commitments were adopted. In this case, the text would require further discussion, and in particular paragraph 1(e) would need to be better specified.