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ENGLISH ONLY

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

Ad Hoc Group on Article 13
Second session
Geneva, 10 July 1996

**RESPONSES TO QUESTIONNAIRE RELATING TO THE ESTABLISHMENT
OF A MULTILATERAL CONSULTATIVE PROCESS**

Submissions by Parties and non-parties

Note by the secretariat

Addendum

In addition to the submissions already received, and contained in document FCCC/AG13/1996/MISC.1, the secretariat has received a submission from Lebanon.

This submission is attached and, in accordance with the procedure for miscellaneous documents, is reproduced in the language in which it was received and without formal editing.

LEBANON

Section A : Definition and scope of the process

1- The term "Multilateral Consultative Process" could be a mechanism that can be directed by consultative committees. The committees should be qualified to answer different questions that may arise from the parties on their request in order to implement the convention and its provisions.

2- The word "process" in article 13 means a mechanism and an institution.

3- The process should deal with legal, scientific, technical, and institutional principles related to the convention.

It will be sufficient if the process is simple, transparent, facultative and non-confrontational in character.

4- The establishment of a multilateral consultative process is a must since the ultimate objective of this process is to achieve in accordance with all the contractant parties the implementation of the convention provisions and any related legal instruments it considered necessary.

The conference of the parties (COP) shall adopt by "decision of COP" all the procedures required for the establishment of the multilateral consultative process.

5- The membership of the new mechanism or institution established should be surely restricted to specialists such as legal, economic, social and technical experts.

For this purpose, a roster of experts should be envisaged in order to provide advice on scientific, technological programmes, international cooperation in research as well as on means of supporting capacity building in countries.

Section B : Relationship of Article 13 to Convention Institutions and Processes

6- Concerning Article 7, 2(c), the process should collaborate with the COP in order to facilitate the coordination of measures adopted by both of them.

Regarding Article 8, 2(c), the function of the process will be similar to that of the COP in facilitating assistance to the parties in the compilation and communication of information required.

Concerning Article 10, the subsidiary body could consult the process in evaluating and reviewing the effects of the steps taken by the parties in order to assist the COP in the preparation and implementation of the Convention and its decisions.

Regarding Article 12, the process shall cooperate with the COP to review and assess every national inventory communicated to the secretariat, put their remarks on the steps taken or envisaged by the party to implement the convention. They shall also evaluate the feasibility of the policies and measures adopted by the party and their effects.

Concerning Article 14, the process shall be concerned with the COP in case of settlement of disputes since the scope of establishment of such a process is consultative. For this purpose, and if the parties shall not seek a settlement of the dispute through negotiation or any other peaceful means of their own choice, the process can act as a conciliation commission. It shall render a recommendatory award which the parties shall consider in good faith.

If a party invokes Article 14, the process under Article 13 would be automatically halted because the process could act as a conciliation commission without being the real one.

7- Yes, there might be a gap if the mechanism of the processes on review of implementation is not clear, transparent, definite and studied from the point of view of future side effects on other countries.

8- According to the job description of subsidiary bodies, some of them may have a consultant relationship concerning the multilateral process.

10- Using this word "Parties on their Request" means that the process is optional, but the steps suggested in Article 14 concerning the settlement of disputes which may trigger the process apart from the parties themselves might enforce Article 13.

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