

Options - approaches

1) Regular ratification (with retrospective effect?)

Text of 1/CMP.7 (para 1):

"Decides that the second commitment period under the Kyoto Protocol shall begin on 1 January 2013 and end either on 31 December 2017 or 31 December 2020, to be decided by the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session"

The applicable ratification procedure is as specified in Articles 20-21 of the Kyoto Protocol

2) Provisional application

Text suggested by AOSIS (language to be included in the CMP decision covering the Doha amendments to the Kyoto Protocol):

"Agrees that each Party will provisionally apply from 1 January 2013 the amendments to the Kyoto Protocol contained in the Annex to this decision pending their entry into force for such Party in accordance with Article[s 20 and] 21 of the Kyoto Protocol to the extent that such provisional application is not inconsistent with its constitution, laws or regulations"

Full Energy Charter Treaty Article 45 (1) and (2) on provisional application on which the proposal was modeled also includes provisions concerning:

- *the possibility and legal consequences of an opt-out by Parties,*
- *the exemption from an opt-out with regard to one part of the treaty,*
- *conditions for termination of provisional application,*
- *consequences and limitations of termination of provisional application,*
- *a list of 6 States (in an Annex) who do not accept the consequences and limitations related to termination of provisional application.*

3) Unilateral declarations

Examples could be found in other treaties, such as recognition of the jurisdiction of the International Court of Justice

4) Decision(s)

No text has been suggested yet