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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR  
A FRAMEWORK CONVENTION ON CLIMATE CHANGE  
WORKING GROUP II  
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Agenda item 2(b)

NEGOTIATION OF A FRAMEWORK CONVENTION ON CLIMATE CHANGE

Elements related to mechanisms

Text containing proposals made by delegations on the revised single  
text on the elements relating to mechanisms (A/AC.237/Misc.13)  
submitted by the Co-Chairmen of Working Group II

Article 5

CONFERENCE OF THE PARTIES

1. A Conference of the Parties hereby established. [It shall be the highest authority under the Convention]. [[Any] [all] other bodies established by or under the Convention shall be subsidiary to the Conference of the Parties]].

2. The Conference of the Parties shall keep under [continuous] review the implementation of this Convention and any [protocols] [other related legal instruments that may be agreed upon] and made [, within its mandate provided in this Article,] the decisions necessary to [ensure] [promote] the effective [operation] [implementation] [and as necessary the future development] of the Convention. To this end, it shall, [inter alia]:

- (a) [assess and review the implementation of the [obligations] [operation] of the Convention [and its protocols]];
- (b) [[consider the information submitted in accordance with Article 9 (Reporting) and [to assess the totality of the global response] [and review the mechanisms and timetables for its transmission]]];
- (c) [[consider reports from subsidiary bodies [and take such actions as it deems necessary in accordance with the functions described in Articles 6 (Secretariat), 7 (Advisory Committee on Science), 8 (Advisory Committee on Implementation), and 9 (Reporting)]]];
- (d) [publish regular reports on the progress in implementing the objectives of the Convention];
- (e) [[provide [policy direction and operational guidelines] [guidance] [rules] to the [administrative mechanism] for financial resources and [environmentally safe] technology transfer] [including establishing criteria and priorities and selection of projects] provided for in Article 22 (Administrative Mechanism)]];
- (f) establish criteria under which the [administrative] mechanism for financial resources and [environmentally safe] technology transfer will develop "global accounting credit standards" for contributions of technology;  
(Alternative to (f))  
[establish criteria for joint implementation of commitments by Parties in accordance with Article x (Joint Implementation) and Article 22 (Administrative Mechanism)];

- (Alternative to (e) and (f))  
[provide policy direction and establish criteria for the functioning of the [administrative] mechanism for financial resources and technology transfer];
- (g) [consider and decide upon questions of interpretation and implementation of the Convention in accordance with Article 10 (Alternative A) (Resolution of Questions)];
- (h) [[seek] [[request] and utilise]] the [services and] cooperation of, and utilize the information provided by, [competent] [appropriate] [specialized] international [organizations] and intergovernmental [and non-governmental] bodies;
- (i) review [periodically] [the evolution of the world climate and the effects of measures taken under this convention (and its protocols) on the basis of] relevant scientific, [environmental], technological, technical, legal and socio-economic information [[relating to [climate change and climate change response strategies] [climate system and its changes] [and draw up conclusions [synthesis reports] on the subject];
- (j) [promote] the coordination [[or [as appropriate] harmonization] of [appropriate] policies, strategies and measures] [programmes] to address [the adverse consequences of] climate change, taking into account the [differing circumstances] [respective responsibilities and capabilities] of Parties to the Convention;  
(Alternative to (j))  
[ensure intensive exchange of information concerning policies, strategies and measures to address climate change in order to avoid the offsetting of the policies, strategies and measures due to their incompatibilities];
- (k) [[seek to] mobilize [new and additional] financial resources [for meeting the full incremental costs] with a view to [ensuring] [promoting] [the full implementation] of the obligations of the Convention];
- (l) promote public awareness of the climate change issue;

- (m) consider and [where appropriate] [recommend] [adopt] programmes for research [and development] and [systematic observation, [of climatic changes] exchange of information, education, training and public awareness, and scientific, technological [socio-economic] and technical cooperation] [including endogenous capacity building and technology transfer] [in accordance with Articles 2 (Research, Development and Systematic Observation), 3 (Exchange of Information) and 4, (Education, Training and Public Awareness)];

(Alternative to (m))

[consider questions related to research and development and systematic observation, exchange of information, education, training and public awareness, and scientific technological and technical cooperation and seek advise on these from relevant international and intergovernmental bodies];

- (n) establish [any] such subsidiary bodies, [[including any body] to coordinate its activities when it is not in session], as are deemed necessary for the implementation of this Convention;
- (o) [agree upon and adopt [its] [for itself and for any subsidiary bodies] rules of procedure and any amendments thereto, by consensus];
- (p) [consider and decide [by consensus] upon financial and budgetary matters for this Convention including the financial rules and provisions governing its operation, and that of its subsidiary bodies and the secretariat];

(Alternative to (o) and (p))

[agree upon and adopt by consensus rules of procedure and financial rules for for itself and for any subsidiary bodies that are established by or under the Convention];

- (q) consider and adopt, as may be agreed upon, [by consensus] in accordance with the relevant articles, amendments to this Convention, additional annexes and amendments of annexes to this Convention;
- (r) [periodically examine] [review [and revise, as necessary,] [in light of the experience gained in the implementation of the Convention and of the evolution of scientific knowledge] in accordance with Article 11 (Amendments), the objectives of the Convention] [the

efficiency of measures taken, the obligations of the Parties and the institutional arrangements provided for under the present Convention and recommend improvements where it deems necessary];

- (s) consider, [and adopt as may be agreed in accordance with Article 12 (Protocols),] any protocol[s] to this Convention,
- (t) [consider any amendment to such protocol[s], additional annexes and amendments of annexes to any protocol[s], and, if so decided, [by consensus] recommend their adoption to the Parties to the protocol[s] concerned;
- (u) make recommendations on any matters necessary for the efficient [operation] [implementation] of the Convention; and
- (v) exercise such other functions and powers as are conferred on it by this Convention [or are required for the achievement of its purposes].

#### Decisions by the Conference of the Parties

3. [The Conference of the Parties shall make every effort to take its decisions under the Convention by [consensus] [general agreement], [unless otherwise expressly provided for]. If all efforts at [consensus] [general agreement] have been exhausted, decisions [on substantive issues] shall, as a last resort, be taken by a [two-thirds] [three-quarters] majority vote of the Parties present and voting].

#### Meetings

4. [The first meeting of the Conference of the Parties shall be convened [insert name of the secretariat designated on an interim basis under the Article on the Secretariat] not later than one year after entry into force of this Convention. Thereafter, ordinary meetings of the Conference of the Parties shall be held [annually] [every two years] unless otherwise decided by the Conference].

5. Extraordinary meetings of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference, or at the written request of any Party, provided that, within [three] [six] months of the request being communicated to the Parties by the secretariat, it is supported by at least [one third] [one half] of the Parties.

Observers

6. [The United Nations, its specialized agencies and the [International Atomic Energy Agency,] as well as any State not Party to this Convention, may be represented at meetings of the Conference of the Parties as observers. Any other body or agency, whether national or international, governmental or non-governmental, competent in matters covered by the Convention which has informed the secretariat of its wish to be represented at a meeting of the Conference of the Parties as an observer may be admitted [according to the Rules of Procedure] [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]].

Article 6  
SECRETARIAT

[Establishment]

1. A secretariat is hereby established to service the Conference of the Parties and [its] [any] subsidiary bodies.]

Functions

2. The functions of the secretariat shall be:

- (a) to arrange for and service meetings provided for in Articles [5, 7, 8, 10, 11, 12 and 13 (on Conference of the Parties, Advisory Committees, Resolution of Questions, Amendment to the Convention, Protocols and Adoption and Amendment of Annexes)];
- (b) to [prepare and] [compile and] transmit reports based upon information received in accordance with Articles 3 and 9 (on Exchange of Information and Reporting), as well as upon information derived from meetings of [any] subsidiary bodies [that might be established];
- (c) to prepare reports on its activities carried out in the implementation of its functions under the Convention and present them to the Conference of the Parties;  
(Alternative to (c))  
[to register, process and coordinate information as decided by the Conference of the Parties with a view to providing the necessary information support to the Conference of the Parties in its task of implementing the Convention;]
- (d) [to provide assistance in the compilation of national reports];
- (e) to ensure the necessary coordination with relevant [international] [and intergovernmental] bodies;
- (f) to enter into such administrative and contractual arrangements as may be required for the effective discharge of its functions [and as authorized by the Conference of the Parties];
- (g) to perform the functions assigned to it by any [protocol] [other related legal instrument that might be agreed upon] to the Convention; and
- (h) to perform such other functions as may be determined by the Conference of the Parties.

Designation of interim secretariat

3. The secretariat functions will be carried out on an interim basis by the ad hoc secretariat established under Resolution 45/212 of the General Assembly of the United Nations until the completion of the first ordinary meeting of the Conference of the Parties held pursuant to Article 5 on the Conference of the Parties. At its first ordinary meeting, the Conference of the Parties shall designate a secretariat. [At this meeting the Conference of the Parties shall evaluate the implementation by the interim secretariat of the functions assigned to it.]

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