



**AD HOC WORKING GROUP ON FURTHER COMMITMENTS
FOR ANNEX I PARTIES UNDER THE KYOTO PROTOCOL**

Seventh session

Bonn, 29 March to 8 April 2009

Agenda item 5 (g)

Other issues arising from the implementation of the work programme of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol

Legal matters arising from the mandate of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol

Legal matters

Draft conclusions proposed by the Chair

1. The Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) welcomed the progress made at its seventh session as Parties moved into more in-depth consideration of amendments to the Kyoto Protocol pursuant to its Article 3, paragraph 9.
2. The AWG-KP, in recognizing the urgency of its work and in line with the iterative nature of its work programme, reiterated that in 2009 it will focus on agreeing on further commitments for Annex I Parties under the Kyoto Protocol. It recalled that the text for any proposed amendments to the Protocol is to be communicated by the secretariat to Parties no later than six months prior to the proposed adoption of the amendments. It also reiterated that it will forward to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fifth session (December 2009) the results of its work pursuant to decision 1/CMP.1 with a view to their adoption.
3. The AWG-KP took note of views submitted by Parties on legal implications arising from the work of the AWG-KP pursuant to Article 3, paragraph 9, of the Kyoto Protocol.¹ It also took note of documents FCCC/KP/AWG/2009/3 and FCCC/KP/AWG/2009/4 containing, respectively, possible elements for amendments to the Kyoto Protocol pursuant to its Article 3, paragraph 9, and possible elements for a text relating to issues outlined in document FCCC/KP/AWG/2008/8, paragraph 49. It further noted submissions² and views provided by Parties under agenda items 3 and 4.

¹ FCCC/KP/AWG/2009/MISC.6 and Add.1 and 2.

² FCCC/KP/AWG/2009/MISC.7 and FCCC/KP/AWG/2009/CRP.3.

4. The AWG-KP looked forward to the intensification of work at its eighth session (June 2009). It requested its Chair to prepare:

- (a) A proposal for amendments to the Kyoto Protocol pursuant to its Article 3, paragraph 9;
- (b) A text on other issues outlined in the report on its resumed sixth session.³

5. The AWG-KP invited Parties to submit to the secretariat, by 24 April 2009, further views and proposals on matters relating to the request referred to in paragraph 4 (a) and (b) above, for compilation into a miscellaneous document.

6. The AWG-KP requested its Chair to consider the submissions referred to in paragraph 5 above, as well as work undertaken, and submissions invited, during the seventh session of the AWG-KP, in developing the documents referred to in paragraph 4 (a) and (b) above; and to make these documents available at least two weeks before its eighth session.

7. The AWG-KP reaffirmed that the completion of its work programme will be advanced primarily through the work of Parties, and that it will coordinate its work with, and draw upon relevant results achieved and work under way in, other bodies and processes under the Convention, especially its Kyoto Protocol, with a view to avoiding duplication. The AWG-KP recalled that it will maintain a coherent approach between the Convention and the Kyoto Protocol in relation to the commitments of Annex I Parties.

³ FCCC/KP/AWG/2008/8, paragraph 49.