

KYOTO PROTOCOL TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

The Conference of the Parties, established under the United Nations Framework Convention on Climate Change (see procedural history of the UNFCCC) held its first session in Berlin from 28 March to 7 April 1995. The Conference adopted, on 7 April 1995, decision 1/CP.1, also known as the Berlin Mandate, by which it established an open-ended ad hoc working group with mandate to review the adequacy of article 4, paragraph 2 (a) and (b), of the Framework Convention. The purpose of the work of the ad hoc working group was to strengthen the commitments provided under these articles, and to set quantified limitation and reduction objectives within specified time frames. The ad hoc working group was further instructed to complete its work in 1997 with a view to adopting the results at the third session of the Conference of the Parties (see report FCCC/CP/1995/7 and Add.1).

The open-ended ad hoc working group, known as the Ad Hoc Group on the Berlin Mandate, held its first session from 21 to 25 August 1995. At this session, the Ad Hoc Group structured and scheduled its programme of work and concluded that input from States Parties would constitute the basic documents for its negotiations, but that specialized input could also be requested from other subsidiary bodies under the Framework Convention. Its second to fourth sessions were held from 30 October to 3 November 1995, from 5 to 8 March 1996 and from 11 to 16 July 1996, respectively. During these sessions, the Ad Hoc Group proceeded to consider the strengthening of commitments under article 4, paragraph 2 (a) and (b), the continuing advancement of the implementation of article 4, paragraph 1, and the possible features of a protocol or another legal instrument (see reports on the work of the Ad Hoc Group at its first to fourth sessions, respectively FCCC/AGBM/1995/2, FCCC/AGBM/1995/7, FCCC/AGBM/1996/5 and FCCC/AGBM/1996/8).

At its second session, held in Geneva from 8 to 19 July 1996, the Conference of the Parties acknowledged the work done by the Ad Hoc Group, including the substantive proposals made by a number of Parties, and called upon all Parties to come forward with proposals to facilitate substantive negotiations at the fifth session of the Working Group (see the Geneva Ministerial Declaration of 18 July 1996, contained in report CCC/CP/1996/15/Add.1).

At its fifth session, held from 9 to 13 December 1996, the Ad Hoc Group requested the Chairman to prepare a framework compilation incorporating proposals by States Parties for the elements of a protocol or another legal instrument. Parties were further invited to submit proposals including draft texts for the instrument (see report FCCC/AGBM/1996/11). The Chairman presented his note containing the requested framework compilation (FCCC/AGBM/1997/2 and Add.1) at the sixth session, held from 3 to 7 March 1997, which was dedicated to consolidating the framework compilation in order to have a clear and manageable text to form the basis for negotiations during the following session (see report FCCC/AGBM/1997/3).

At its seventh session, held in Bonn from 31 July to 7 August 1997, the Ad Hoc Group proceeded to hold substantive informal discussions on the questions before it. This work continued at the first part of its eighth session, held in Bonn from 22 to 31 October 1997 (see report FCCC/AGBM/1997/8), and, although many elements remained unresolved, the Ad Hoc Group agreed to transmit the revised text under negotiation (FCCC/CP/1997/2) to the third session of the Conference of the Parties. It was further decided to resume the eighth session of the Ad Hoc Group in Kyoto prior to the Conference of the Parties. The second part of the eighth session was held in

Kyoto on 30 November 1997, but no substantive conclusions were reached with regard to the issues at hand (see report FCCC/AGBM/1997/8/Add.1).

The third session of the Conference of the Parties, at which 158 States Parties to the Framework Convention participated, was held in Kyoto from 1 to 11 December 1997. By its decision 1/CP.3 of 11 December 1997, the Conference adopted the Kyoto Protocol to the United Nations Framework Convention on Climate Change (see report FCCC/CP/1997/7 and Add.1). The Protocol was opened for signature at the United Nations Headquarters in New York from 16 March 1998 until 15 March 1999. It entered into force on 16 February 2005, in accordance with its article 25, ninety days after the deposit of the fifty-fifth instrument of ratification, including those of the State Parties included in Annex I to the Protocol.