

JAPAN'S VIEW
THE IMPLEMENTATION OF THE BERLIN MANDATE

1. The Government of Japan is willing to make every effort to successfully conclude the Berlin Mandate, and to adopt, at the COP3, a protocol or another legal instrument. The Government of Japan has already started exploring possible elements to be included in such instruments and will provide the next session of the AGBM (October 1995) with the explored elements, in addition to the preliminary comments below.

2. Preliminary comments

International negotiation on legal instruments should be undertaken in a constructive manner, attaching great importance to the following points:

(1)(a) To reflect appropriately the principles stipulated by Article 3 of FCCC, and

(b) "Taking into account the differences in these Parties' starting points and approaches, economic structures and resource bases, the need to maintain strong and sustainable economic growth, available technologies and other individual circumstances, as well as the need for equitable and appropriate contributions by each of these Parties to the global effort regarding that objective," as is provided for in Article 4.2(a) of FCCC.

(2) "Not introduce any new commitments for non-Annex I Parties," as stipulated in the Berlin Mandate 2(b).

(3) Such *modus operandi* that AG/BM and COP elaborate the existing commitments in Article 4.1 of FCCC and that, within the framework of Article 4.1, measures are taken by each party, which contribute to achievement of the ultimate objective of FCCC.

(4) The pursuit of a common understanding among all Parties, including non-Annex I Parties, regarding legal instruments should be developed on the basis of (a) a common, proper evaluation of past efforts and achievements of Annex I Parties, (b) on-going efforts by these countries to implement their commitments within the Convention, and (c) Annex