

Proposal 2

115. The Parties, at their first meeting or as soon as practicable thereafter, shall consider the establishment of a multilateral consultative process to promote effective implementation of the Convention.⁸¹

Proposal 3

116. The Conference of the Parties shall, at its first session after the entry into force of the Protocol, establish a multilateral consultative process including an Implementation Committee to review, at the request of a Party or Parties, the secretariat, or a Party in respect of itself, compliance with its obligations under the Protocol. Such Committee shall have, among its functions to regularly report to the Conference of the Parties, which shall take appropriate decisions in the light of such reports. The review procedure shall be simple, facilitative, cooperative, non-judicial and transparent. Its application shall be without prejudice to the provisions of Article 14 of the Convention.⁸²

H. Dispute settlement⁸³

Proposal 1

117. The provisions of Article 14 to the Convention shall apply to this Protocol.⁸⁴

Proposal 2

118. When ratifying, accepting, approving or acceding to the Protocol, a Party which is not a regional economic integration organization may declare in a written instrument submitted to the Depository that, in respect of any dispute concerning the interpretation or application of paragraph 4 of the Article concerning the implementation of commitments (or of any other provision of this Protocol necessary to the interpretation or application of the said paragraph 4) any claim made pursuant to the Article concerning the economic injuries sustained by developing countries, [and the Article on the compensation mechanism⁸⁵] it recognizes as compulsory ipso facto and without special agreement, in relation to any Party to the Convention accepting the same obligation:

- (a) [Submission of the dispute to the International Court of Justice; and/or⁸⁶]

⁸¹USA

⁸²EU

⁸³*Note to reader: this section should be read together with paragraphs 88 and 89 on the section relating to "Conference of the Parties/Meeting of the Parties" which contains a proposal from the G-77 and China.*

⁸⁴Chairman's proposal, based on proposals from AOSIS, Australia, EU, Russian Federation and Switzerland

⁸⁵Iran et al

⁸⁶Kuwait