

and submissions from Parties, and in accordance with the relevant provisions of the Convention and the Berlin Mandate, full consultations by all Parties can lead to formulation of a draft composite document for the AGBM's further work. As to the submissions or information provided by other sources, such as non-Parties to the Convention, relevant international organizations or NGOs, although undoubtedly useful to the process of the negotiations, these cannot be a component of the basic documents for negotiations, and can only serve as reference materials.

**IV.** According to the provisions of the Berlin Mandate, the process of the Berlin Mandate will end up with a legally binding document, either a protocol or another legal instrument. Whatever its form and nomenclature, the nature and content of the legal instrument to be formulated are clearly stipulated in the Berlin Mandate. The Berlin Mandate emanated from the conclusion of the review of the adequacy of Article 4.2 (a) and (b) to the effect that the commitments in Article 4.2 (a) and (b) are inadequate. Thus, the core of the Berlin Mandate is to correct the "inadequacy" of Article 4.2 (a) and (b) by strengthening the commitments of Annex I Parties in Article 4.2 (a) and (b). The essence of the Berlin Mandate process is to strengthen the commitments in Article 4.2 (a) and (b), and this determines that the final outcome of the process should not be a comprehensive legal document, but a legal instrument to supplement or strengthen a specific area of the commitments contained in the Convention. Therefore, the implementation of the strengthened commitments can be carried out through the existing institutional arrangements of the Convention. And there is no need to duplicate or to establish any new mechanism for implementation in the envisaged legal instrument.

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