

Conclusions on future work of the Ad Hoc Group on Article 13
for inclusion in the report of the session

1. The Group agreed there was need for careful and detailed examination of all issues relating to the establishment of a multilateral consultative process and its design. As this would take some considerable time, work on Article 13 would not be completed by COP 2 and, in consequence, it would be necessary to plan a programme of work extending beyond that session.

2. The Group decided to request Parties to make written submissions relating to a multilateral consultative process, including submissions on a number of key issues regarding the design of such a process. These, and any other issues Parties consider to be relevant to the exercise, would be identified through a questionnaire to be circulated by the secretariat no later than 30 November 1995. Inputs were requested from Parties by 8 February 1996 and would be compiled and synthesized by the secretariat. Inputs from non-Parties would also be welcomed and would be included in a separate section of the compilation. The compilation would be made available during the sessions of the AGBM, SBI and SBSTA to be held in February/March 1996. It and the synthesis will be considered by the Group at its second session in July 1996 which should, if possible, be of three days duration. The questionnaire should seek views from Parties on, inter alia, the following points and concerns raised during the first session of the AG13:

(a) What should be understood by the term "multilateral consultative process" and what "questions regarding the implementation of the Convention" should be covered by such a process?

(b) What linkages would need to be established with other Articles of the Convention, notably, Articles 7.2(c), 8.2(c), 10, 12 and 14? (For example, are the provisions on the review process complete in themselves or is there scope for them to receive support through the process envisaged under Article 13? What is the relationship of Article 13 to Article 14? Would the process under Article 13 automatically be halted if a Party invokes Article 14?)

(c) Is there a gap between the processes on review of implementation and on settlement of disputes? If so, what is the extent of that gap and how could Article 13 contribute to narrowing it?

(d) Should the multilateral consultative process be made to apply to related legal instruments in addition to the Convention?

(e) Is there a relationship between the Article 13 process and the subsidiary bodies established under the Convention, for example, the AGBM?