

**First Meeting of the Paris Committee on Capacity-building
Bonn, Germany, 11–13 May 2017**

**Background paper on the working modalities and procedures of the
Paris Committee on Capacity-building**

Expected actions by the Paris Committee on Capacity-building

The Paris Committee on Capacity-building will be invited to adopt its working modalities and procedures with a view to reporting on this matter to the twenty-third session of the Conference of the Parties through the forty-seventh session of the Subsidiary Body for Implementation.

I. Possible actions for consideration by the Paris Committee on Capacity-building

1. The Paris Committee on Capacity-building (PCCB) may wish to consider the draft rules of procedure and draft working modalities as contained in **annex I and annex II**, respectively, with a view to adopting its working modalities and procedures. In doing so, the PCCB may wish to take into consideration:
 - a) The various provisions contained in decisions 1/CP.21 and 2/CP.22 (highlighted in the draft rules of procedure);
 - b) The example of other constituted bodies and their respective working modalities and procedures (also highlighted in the draft rules of procedure).

II. Background

2. Parties, at the twenty-first session of the Conference of the Parties (COP), decided to establish the PCCB, whose aim will be to address gaps and needs, both current and emerging, in implementing capacity-building in developing country Parties and further enhancing capacity-building efforts, including with regard to coherence and coordination in capacity-building activities under the Convention (decision 1/CP.21, para. 71).
3. At COP 22, Parties adopted the terms of reference for the PCCB and requested the PCCB to further develop and adopt its working modalities and procedures at its first meeting (decision 2/CP.22, paras. 1 and 5). The terms of reference for the PCCB also indicate that the PCCB may revise the working modalities and procedures as necessary (decision 2/CP.22, annex, para. 13).
4. The terms of reference, as well as the relevant sections of decision 1/CP.21, contain various provisions which are of relevance for the working modalities and procedures of the PCCB, including with regard to membership, meetings, decision-making, etc.



Annex I: Draft rules of procedure of the Paris Committee on Capacity-building

I. Scope

1. These rules of procedure shall apply to the Paris Committee on Capacity-building in accordance with decision 2/CP.22, annex, as well as any other relevant decisions of the Conference of the Parties. *(similar provision for TEC, AC, ExCom, CGE)*

II. Definitions

2. For the purpose of these rules:

- a) The 'Convention' means the United Nations Framework Convention on Climate Change;
- b) The 'Conference of the Parties' means the Conference of the Parties to the Convention;
- c) The 'Committee' means the Paris Committee on Capacity-building;
- d) The 'Co-Chairs' means the members of the Committee elected as Co-Chairs of the Committee;
- e) The 'secretariat' means the secretariat referred to in Article 7 of the Convention. *(similar provision for TEC, AC, ExCom, CGE)*

III. Membership

3. The Committee shall be composed of the following twelve members nominated by Parties, who shall serve in their personal capacity:

- f) Two members from each of the five United Nations regional groups;
- g) One member from the least developed countries;
- h) One member from the small island developing States. *(decision 2/CP.22, annex, para. 2)*

4. Members of the Committee shall be nominated by their respective groups or constituencies and elected by the Conference of the Parties. Groups or constituencies are encouraged to nominate members to the Committee with a view to achieving an appropriate balance of experts relevant to the aims of the Committee, taking into account the goal to achieve gender balance in accordance with decisions 36/CP.7 and 23/CP.18. *(decision 2/CP.22, annex, para. 4)*

5. Members shall serve a term of two years and shall be eligible to serve a maximum of two consecutive terms in office. The following rules shall apply:

- i) Half of the members shall be elected initially for a term of three years, and half shall be elected for a term of two years;
- j) Thereafter, the Conference of the Parties shall elect half of the members every year for a term of two years. *(decision 2/CP.22, annex, para. 5)*

6. The term of office of a member shall start at the first meeting of the Committee in the calendar year following his or her election and shall end immediately before the first meeting of the Committee in the calendar year in which his or her term ends. *(similar provision for AC, ExCom, TEC)*

7. If a member resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the Committee may decide, bearing in mind the proximity of the next session of the Conference of the Parties, to appoint another member from the same group or constituency to replace said member for the remainder of that member's mandate, in which case the appointment shall count as one term. *(decision 2/CP.22, annex, para. 7)*

Representatives from bodies established under the Convention and from the operating entities of the Financial Mechanism

8. Six representatives from bodies established under the Convention and from the operating entities of the Financial Mechanism will be invited to participate in all the meetings of the Committee in line with the annual theme of the Committee. *(decision 2/CP.22, annex, para. 3)*

9. The representatives referred to in paragraph 8 above shall be invited for a term of one year. *(decision 2/CP.22, annex, para. 6)*

10. The representatives referred to in paragraph 8 above shall be accorded the right to speak at all times during meetings of the Committee but shall abstain from decision-making by the Committee.

IV. Chairing arrangements

11. The Committee shall elect annually two Co-Chairs from among its members (see para. 3 above) to serve for a term of one year each. (*decision 2/CP.22, annex, para. 8*)

12. If a Co-Chair is temporarily unable to fulfil the obligations of the office, any other member (see para. 3 above) designated by the Committee shall serve as Co-Chair. (*decision 2/CP.22, annex, para. 9*)

13. If a Co-Chair is unable to complete the term of office, the Committee shall elect a replacement from among the members (see para. 3 above) to complete that term of office. (*decision 2/CP.22, annex, para. 10*)

14. If one or both Co-Chairs are absent from a particular meeting, any other member designated by the Committee shall temporarily serve as the Co-Chair or Chair of that meeting. (*similar provision for ExCom, TEC*)

15. The Co-Chairs shall collaborate in chairing meetings of the Committee and related intersessional work. The Co-Chairs shall, inter alia, declare the opening and closing of meetings, ensure the observance of these rules of procedure, accord the right to speak and announce decisions. The Co-Chairs shall rule on points of order and, subject to these rules of procedure, shall have complete control over the proceedings of meetings and the maintenance of order at meetings. (*similar provision for AC, ExCom, CGE, TEC*)

16. The Co-Chairs or any member designated by the Committee shall report on behalf of the Committee to the Conference of the Parties and/or the Subsidiary Body for Implementation. (*similar provision for AC, ExCom, TEC*)

17. The Co-Chairs or any member designated by the Committee shall represent the Committee at external meetings and shall report back to the Committee on those meetings. (*similar provision for AC, ExCom, TEC*)

18. The Co-Chairs may also delegate tasks to members of the Committee in the interest of expediting and advancing the work of the Committee. (*similar provision for AC, ExCom, TEC*)

19. The Committee may further define additional roles and responsibilities for the Co-Chairs. (*similar provision for AC, ExCom, TEC*)

20. The Co-Chairs, in the exercise of their functions, remain under the authority of the Committee. (*similar provision for AC, ExCom, TEC*)

V. Working groups or task forces

21. The Committee may establish working groups or task forces, if required, to undertake specific tasks assigned by the Committee or to provide expert advice in order to assist the Committee in executing its work and achieving its objective. (*similar provision for AC, ExCom, CGE, TEC*)

22. In establishing working groups or task forces, the Committee will determine an appropriate number of members and ensure that members have appropriate expertise in the relevant field of work. (*similar provision for AC, ExCom*)

VI. Secretariat

23. The secretariat will support and facilitate the work of the Committee subject to the availability of resources. (*decision 2/CP.22, annex, para. 19*)

24. Subject to paragraph 23 above, the secretariat shall:

- (a) Make the necessary arrangements for the meetings of the Committee, including announcing meetings, issuing invitations and making available the documents for the meetings;
- (b) Maintain meeting records and arrange for the storage and preservation of documents of the meetings;
- (c) Make documents for the meetings of the Committee available to the public, unless otherwise determined by the Committee. (*similar provision for AC, ExCom, CGE, TEC*)

25. In addition, the secretariat shall perform any other functions assigned that the Committee may require or that the Conference of the Parties may direct with respect to the work of the Committee. (*similar provision for AC, ExCom, TEC*)

VII. Meetings

26. The Committee will meet during annual in-session meetings to be organized by the Subsidiary Body for Implementation. (decision 2/CP.22, annex, para. 11)
27. At least a majority of the members of the Committee must be present to constitute a quorum. (similar provision for AC, ExCom, CGE)
28. Before the end of each meeting, the Co-Chairs shall present draft decisions of the meeting for consideration and approval by the Committee. (similar provision for ExCom)
29. Members are requested to confirm their attendance at meetings of the Committee as early as possible and at least four weeks prior to a meeting for members eligible for funding for their participation to allow sufficient time for the secretariat to make the necessary travel arrangements. (similar provision for TEC)

VIII. Agenda and documentation for meetings

30. The Co-Chairs, assisted by the secretariat, shall prepare the provisional agenda for each meeting as well as a draft report on the meeting. (similar provision for AC, ExCom, CGE, TEC)
31. Members may propose additions or changes to the provisional agenda, in writing, to the secretariat within one week of receiving the provisional agenda, and these additions or changes shall be included in a revised provisional agenda by the secretariat in agreement with the Co-Chairs. The revised provisional agenda should be transmitted to the members of the Committee immediately (similar provision for AC, ExCom, CGE, TEC)
32. The secretariat shall transmit the provisional annotated agenda for a meeting to the members of the Committee at least four weeks prior to that meeting. The provisional annotated agenda may be transmitted after that date with the approval of the Co-Chairs. (similar provision for AC, ExCom, CGE, TEC)
33. Documents for a meeting of the Committee, unless otherwise decided by the Co-Chairs, should be published on the UNFCCC website at least two weeks prior to that meeting, to the extent possible. (similar provision for AC, ExCom, TEC)
34. The Committee shall, at the beginning of each meeting, adopt the meeting agenda. (similar provision for AC, ExCom, CGE, TEC)
35. Any item included on the agenda for a meeting of the Committee of which consideration has not been completed at that meeting shall automatically be included on the provisional agenda for the next meeting, unless otherwise decided by the Committee. (similar provision for AC, CGE)

IX. Decision-making

36. Members of the Committee shall reach their decisions by consensus. (decision 2/CP.22, annex, para. 21)
37. The Committee may use electronic means to take decisions. (similar provision for AC)

X. Use of electronic means of communication

38. The Committee may use electronic means of communication to facilitate intersessional work and to take decisions in accordance with guidelines to be agreed by the Committee. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the Committee. (similar provision for ExCom, TEC)

XI. Collaboration with other bodies established under the Convention and the operating entities of the Financial Mechanism of the Convention

39. The Committee may invite other bodies established under the Convention and the operating entities of the Financial Mechanism of the Convention to identify representatives to collaborate, as appropriate, on specific activities related to its work. (decision 2/CP.22, annex, para. 14)

XII. External expertise

40. The Committee may engage with and draw upon the expertise from relevant institutions, organizations, frameworks, networks and centres outside the Convention, including at the intergovernmental, regional, national and subnational levels, where appropriate. (decision 2/CP.22, annex, para. 15)

XIII. Participation of observers in meetings

41. The meetings will be open to attendance by Parties and admitted observer organizations, except where otherwise decided by the Committee, with a view to encouraging a balanced regional representation of observers. (decision 2/CP.22, annex, para. 16)
42. The Committee may decide on additional procedures for the participation of observer organizations other than those admitted to the UNFCCC. (similar provision for AC, ExCom, TEC)
43. The Committee may, in the interests of economy and efficiency, decide to limit the physical attendance of observers at its meetings. (similar provision for AC, ExCom, TEC)
44. The Committee may decide at any time that a meeting or part thereof should be closed to observers. (similar provision for AC, ExCom, TEC)

XIV. Transparency

45. The proceedings and outputs of the Committee shall be made publicly available on the UNFCCC website. (decision 2/CP.22, annex, para. 18)

XV. Working language

46. The working language of the Committee will be English. (decision 2/CP.22, annex, para. 20)

XVI. Amendments to the rules of procedure

47. These rules of procedure, except those contained in decisions 1/CP.21 and 2/CP.22, may be amended by the Committee. (in line with decision 2/CP.22, annex, para. 13; similar provision for AC, ExCom, TEC)

XVII. Overriding authority of the Convention

48. In the event of any conflict between any provisions of these rules and any provisions of the Convention, the Convention shall take precedence. (similar provision for AC, ExCom, TEC)

Annex II: Draft working modalities of the Paris Committee on Capacity-building

1. In addition to the draft rules of procedure included in **annex I**, the Paris Committee on Capacity-building (PCCB) may wish to decide on further working modalities to progress its work. In particular, in view of the fact that the PCCB will meet during in-session meetings to be organized by the Subsidiary Body for Implementation, the PCCB may wish to consider making extensive use of intersessional work. As outlined in the draft rules of procedure, paragraph 39, the PCCB may use electronic means of communication to facilitate intersessional work and to take decisions in accordance with guidelines to be agreed by the PCCB. The PCCB may wish to consider the following options to facilitate such intersessional work:

- a) Virtual participation in meetings, bearing in mind possible technical constraints;
- b) Conference calls/virtual meetings, bearing in mind possible technical constraints;
- c) Informal meetings back to back with sessions or other events;
- d) Web-based platforms to progress intersessional work on documents.

2. The PCCB may wish to consider the following draft modalities with regard to the conduct of intersessional work, and decision-making:

- e) The PCCB could focus on the provision of clear guidance to intersessional work during its meetings while intersessional work would focus on technical matters;
- f) Intersessional work could be conducted by the PCCB as a whole, or working group or task force, with the support of the secretariat. Should the PCCB choose the latter, it may wish to proceed on the basis of the following principles:
 - 1.f.1. All PCCB members will be invited to participate and engage in the work, and the composition will be communicated to the PCCB;
 - 1.f.2. Members of the PCCB can decide at any point in time to join;
 - 1.f.3. All PCCB members will be regularly informed about the status and progress of work;
- g) The PCCB will be regularly informed of the status of all activities through e-mail;
- h) Sufficient opportunities will be ensured for members to provide feedback on the ongoing work, including relevant outputs to be produced by the PCCB;
- i) When decisions are taken intersessionally, members will be given at least 5 days to provide feedback to the draft document before it is presented to the Committee for adoption on a non-objection basis;
- j) In the case of an objection and/or significant changes to the document, the options could include the following:
 - 1.j.1. The Co-Chairs/co-facilitators will revise the document and be put forward for consideration/adoption on a non-objection basis by the PCCB via e-mail;
 - 1.j.2. Discussions of the document will be postponed to the next meeting of the PCCB.

3. In addition, the PCCB may wish to agree on modalities for maintaining linkages with other relevant institutional arrangements under the Convention (see document PCCB/2017/1/6).