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**SUBSIDIARY BODY FOR IMPLEMENTATION**

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**Item 6 (a–d) of the provisional agenda  
Arrangements for intergovernmental meetings  
Eleventh session of the Conference of the Parties  
First session of the Conference of the Parties  
serving as meeting of the Parties to the Kyoto Protocol  
Future sessional periods  
Organization of the intergovernmental process**

**Arrangements for intergovernmental meetings**

**Note by the Executive Secretary**

*Summary*

This document addresses three main issues:

- (a) The eleventh session of the Conference of the Parties (COP 11) and the first session of the Conference of the Parties serving as meeting of the Parties to the Kyoto Protocol (COP/MOP 1): information on the sessions is presented including an organizational scenario and possible elements of the provisional agendas
- (b) Future sessional periods: guidance is invited on dates for the two sessional periods in 2010 and on a proposal to delay COP 13 in 2007
- (c) Organization of the intergovernmental process: drawing on the results of an in-session workshop, feedback is invited on possible improvements to address problems in the intergovernmental process.

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## **I. Introduction**

### **A. Mandate**

1. Article 8, paragraph 2, of the Convention provides that the functions of the secretariat shall be, inter alia, to “make arrangements for sessions of the Conference of the Parties and its subsidiary bodies ... and to provide them with services as required”. In order to make the necessary arrangements for intergovernmental meetings, the secretariat periodically seeks guidance from Parties.

### **B. Scope of the note**

2. This note contains information on:

- (a) Arrangements for the eleventh session of the Conference of the Parties (COP 11) and the first session of the Conference of the Parties serving as meeting of the Parties to the Kyoto Protocol (COP/MOP 1), including possible elements of the provisional agendas for both sessions and suggestions concerning the organization of work
- (b) The date and venue of COP 12 and COP/MOP 2 and the calendar of meetings for Convention bodies, including a request from the Intergovernmental Panel on Climate Change (IPCC) to change the dates for COP 13.
- (c) Suggestions and proposals arising from a workshop on the organization of the intergovernmental process held in conjunction with the Subsidiary Body for Implementation (SBI) at its twenty-first session.

### **C. Possible action by the Subsidiary Body for Implementation**

3. The SBI may wish to consider the matters raised in this note and provide advice on:

- (a) Possible elements of the provisional agendas for COP 11 and COP/MOP 1
- (b) The organization of the work at COP 11 and COP/MOP 1, including the sessions of the subsidiary bodies and arrangements for a joint high-level segment with participation by ministers and other heads of delegation
- (c) The dates for the sessional periods in 2010 and the request from the IPCC to change the dates for COP 13 in 2007
- (d) Possible improvements in the intergovernmental process under the Convention.

## **II. Eleventh session of the Conference of the Parties and the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

### **A. Background**

4. The SBI, at its eighteenth session, adopted conclusions,<sup>1</sup> and the COP, at its ninth session, adopted a decision,<sup>2</sup> concerning arrangements for COP/MOP 1. These agreed texts provide a framework for the proposals presented below.

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<sup>1</sup> FCCC/SBI/2003/8, paragraph 44.

<sup>2</sup> Decision 17/CP.9, which includes a draft decision for adoption by the COP/MOP at its first session.

5. The SBI recognized that the COP and the COP/MOP are **legally distinct** with separate agendas and, in accordance with Article 15 of the Kyoto Protocol, that the subsidiary bodies of the Convention shall serve as the subsidiary bodies to the Kyoto Protocol. The SBI also recommended that the sessions of the subsidiary bodies be convened in conjunction with the sessions of the COP and COP/MOP, and that meetings of the SBI and the Subsidiary Body for Scientific and Technological Advice (SBSTA) be held in parallel. The **seating arrangements** for the COP will be used for meetings of the COP/MOP and during the high-level segment.
6. Separate **provisional agendas** for COP 11 and for COP/MOP 1 will be prepared by the secretariat, in agreement with the President of the COP. One provisional agenda will be prepared for each subsidiary body, and will contain both Convention and Kyoto Protocol items. To clarify in which capacity the subsidiary body is acting, items relating to the Convention or to the Kyoto Protocol will be clearly identified on the agenda and during the meetings. The SBI invited the Executive Secretary to identify specific items on the provisional agendas that might benefit from joint consideration.
7. The COP and the COP/MOP will meet separately. However, meetings will be organized so that similar or related items on the agendas can be dealt with in proximity, or jointly if Parties so decide. The meetings of the subsidiary bodies will also be organized so that similar or related agenda items relating to both the Convention and the Protocol will be dealt with in proximity, or jointly if Parties so decide.
8. Joint meetings of the COP and COP/MOP would be convened during the **high-level segment**. Parties would make national statements, using one speakers' list and each Party, including Parties to both the Convention and the Kyoto Protocol, will speak only once. During such joint meetings, no decisions will be taken by either the COP or the COP/MOP. The timing of the high-level segment is to be decided.
9. The above-mentioned arrangements are **only for COP/MOP 1**. The SBI has been requested to review these arrangements and to make recommendations to the COP and the COP/MOP for future sessions.
10. Under the draft COP/MOP 1 decision attached to decision 17/CP.7, the COP/MOP will decide that when applying the draft rules of procedure of the Conference of the Parties being applied,<sup>3</sup> it should be understood that:
- (a) The term of office of any **replacement officer** elected by and from among Parties to the Kyoto Protocol (in accordance with Article 13, paragraph 3, and Article 15, paragraph 3, of the Protocol) will expire at the same time as that of the officer being replaced;
  - (b) **Credentials** from Parties to the Kyoto Protocol will apply for the participation of their representatives in sessions of the COP and the COP/MOP; a single report on credentials will be submitted to the COP and the COP/MOP;
  - (c) **Observer organizations** admitted to previous sessions of the COP will be admitted to the COP/MOP; **a single process** will be used for the admission of all observers to both the COP and the COP/MOP, with the COP taking the decision on the admission of all observers.

#### **B. Date and venue**

11. Following the request of the COP at its tenth session, the Bureau decided, based on an assessment by the secretariat, to accept the generous offer of the Government of Canada to host COP 11 and COP/MOP 1. The Bureau also agreed to a proposal by the Government of Canada to change the dates to

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<sup>3</sup> FCCC/CP/1996/2.

28 November to 9 December 2005, taking into account the availability of the conference centre. This acceptance was communicated to all Parties in an information note dated 16 February 2005.

12. COP 11 and COP/MOP 1 will therefore take place from **28 November to 9 December 2005 in Montreal, Canada** at the Palais des Congrès de Montréal.<sup>4</sup> The secretariat and the Government of Canada are concluding a host country agreement.

### C. Possible elements of the provisional agendas

13. Rule 9 of the draft rules of procedure being applied provides: "In agreement with the President, the secretariat shall draft the provisional agenda of each session".<sup>5</sup> **Possible elements of the provisional agendas for COP 11 and for COP/MOP 1** have been prepared by the secretariat, after consulting with the Bureau, and are contained in annex I and II to this document.

14. The possible elements for COP 11 have been modelled on the provisional agendas for recent COP sessions. The possible elements for COP/MOP 1 include issues specified by the Protocol, as well as issues arising from other decisions of the COP, in particular:

- (a) Adoption of draft decisions forwarded by the COP to the COP/MOP at its first session. Work on many issues was completed at the seventh, eighth, ninth and tenth sessions of the COP
- (b) Issues requiring action by the COP/MOP at its first session, including: adoption of the procedures and mechanisms relating to compliance under the Kyoto Protocol;<sup>6</sup> establishment and election of the members of the Compliance Committee and the Article 6 Supervisory Committee; and consideration of the report of the Executive Board of the clean development mechanism (CDM) and election of new members to the Executive Board.

15. The possible elements also address organizational and procedural matters, as well as the high-level segment for ministers and other heads of delegation.

### D. Organizational matters

#### 1. Overview of the sessional period

16. The sessional period would be organized as follows:

- (a) A **welcoming ceremony** would be held to mark the opening of COP 11 and COP/MOP 1 on Monday, 28 November
- (b) Following the welcoming ceremony, the President of COP 10 would open COP 11. The **opening meeting** of the COP would take up item 1 of the provisional agenda. The COP would also take up some procedural sub-items under agenda item 2, including the election of the President of COP 11, the adoption of the agenda and the organization of work. The COP would refer items of its agenda to the subsidiary bodies as appropriate. The opening meeting would then be adjourned
- (c) COP/MOP 1 would then be opened and would take up item 1 of the provisional agenda, as well as some procedural sub-items under agenda item 2, including the adoption of the

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<sup>4</sup> <<http://www.congresmtl.com>>.

<sup>5</sup> FCCC/CP/1996/2.

<sup>6</sup> Decision 24/CP.7.

agenda and the organization of work. Statements are not envisaged except for those on behalf of groups. The COP/MOP would refer items of its agenda to the subsidiary bodies as appropriate

- (d) The **subsidiary bodies** would be convened on Monday, 28 November, in the afternoon, time permitting. They would meet for their twenty-third sessions until Tuesday, 6 December. They would finalize as many matters as possible, and transmit their results to the COP and the COP/MOP
- (e) The COP would convene in plenary on Wednesday, 30 November, if needed
- (f) The COP/MOP would convene in plenary on Wednesday, 30 November, to take up a number of items on its agenda, such as agenda items 4, 5, 7 and 12 of the possible elements contained in annex II.

17. In accordance with the SBI 18 conclusions, joint meetings of COP 11 and COP/MOP 1 would be convened during a joint **high-level segment** from 7 to 8 December attended by ministers and other heads of delegations, who would deliver national statements. The joint high-level segment would be convened on the understanding that there would be one speakers' list and each Party, including Parties to both the Convention and the Kyoto Protocol, would speak only once; and that no decisions would be taken.

18. Statements would be made by the heads of United Nations bodies and programmes, specialized agencies and related organizations, as well as by representatives of intergovernmental and non-governmental organizations.

19. The high-level segment would conclude on **Friday, 9 December**, with separate meetings of the COP and the COP/MOP to adopt decisions and conclusions. Decisions for adoption by the COP/MOP would include previously agreed decisions forwarded by the COP and decisions emerging from the current sessions.

20. The SBI is invited to give advice on the lists of possible elements of the provisional agendas for COP 11 and COP/MOP 1 and provide guidance on the proposed scenario for the session, as well as the arrangements for the high-level segment, including dates.

## 2. Rules of procedure

21. As the COP has not been able to adopt its rules of procedure, the draft rules of procedure will continue to be applied, with the exception of draft rule 42, until the rules are adopted by the COP. At COP 10, the President stated he would undertake further consultations with Parties on this issue and report back if there were any new developments.

22. The Kyoto Protocol provides that the rules of procedure of the COP shall be applied, mutatis mutandis, under the Protocol, except as may be otherwise decided by consensus by the COP/MOP (Article 13, paragraph 5). At SBI 17, Parties expressed the view that the draft rules of procedure of the COP being applied should also be applied, mutatis mutandis, by the COP/MOP, with the exception of draft rule 42.<sup>7</sup>

## 3. Officers

23. Rule 22 of the draft rules of procedure being applied provides: "At the commencement of the first meeting of each ordinary session, a President, seven Vice-Presidents, the Chairmen of the subsidiary bodies established by Articles 9 and 10 of the Convention, and a Rapporteur shall be elected from among

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<sup>7</sup> FCCC/SBI/2002/17, annex I.

the representatives of the Parties present at the session. They will serve as the Bureau of the session. Each of the five regional groups shall be represented by two Bureau members and one Bureau member shall represent the small island developing states. The offices of President and Rapporteur shall normally be subject to rotation among the five regional groups.” This rule further states: “No officer may serve on the Bureau for more than two consecutive terms of one year.”

24. At the first meeting at COP 11, the President of COP 10 will call for the election of the President of COP 11. The elected President of COP 11 will invite the COP to elect the remainder of its officers and the chairs of the subsidiary bodies. This election will take place at the beginning of the session, provided that consultations on the nominations to the Bureau of COP 11 have been completed. If further consultations are needed, the election of the other officers could be deferred, with the existing chairs of the subsidiary bodies continuing in office until their successors are elected. Rule 27 of the draft rules of procedure being applied provides: “Each subsidiary body shall elect its own Vice-Chairman and Rapporteur”.

25. At COP/MOP 1, Parties to the Kyoto Protocol will need to elect the following:

- (a) Additional members of the Bureau to replace any members representing States that are not Parties to the Kyoto Protocol
- (b) Members of the Compliance Committee and the Article 6 Supervisory Committee
- (c) New members of the Executive Board of the clean development mechanism to replace those members whose term of office has expired and any members representing States that are not Parties to the Kyoto Protocol.

26. **Informal consultations** on the nomination of officers of the Bureau of COP 11, replacement officers for COP/MOP 1 and officers of the subsidiary bodies, as appropriate, will be held during the twenty-second sessions of the subsidiary bodies.

#### 4. Participation

27. Rule 5 of the draft rules of procedure being applied provides: “The secretariat shall notify all Parties of the dates and venue of a session at least two months before the session is held.” Formal notification will be communicated in due course to all Parties through their national focal points, diplomatic missions in Germany, permanent missions in Geneva and other diplomatic channels. The notification will advise Parties that the representatives of Parties should be provided by their governments with full powers to participate in the session, including the possibility to vote and serve as officers of the eleventh session and of any sessional bodies, and as officers of the subsidiary bodies and other bodies established under the Convention.

28. Decision 16/CP.9, paragraph 18, invites Parties to contribute generously to the Trust Fund for Participation in the UNFCCC Process so that at least one participant from all eligible Parties and two participants from eligible least developed countries and small island developing States shall be provided with financial support to participate in the Convention process.

### **III. Future sessional periods**

#### **A. Date and venue of the twelfth session of the Conference of the Parties and the second session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

29. Article 7, paragraph 4, of the Convention provides that ordinary sessions of the COP shall be held every year unless otherwise decided by the COP. Sessions of the COP are traditionally held during the

second sessional period of the year. Accordingly, COP 12 would be held in conjunction with COP/MOP 2, from 6 to 17 November 2006.

30. Rule 3 of the draft rules of procedure being applied states that “sessions of the Conference of the Parties shall take place at the seat of the secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the Parties”.

31. Because the planning of sessions away from the secretariat’s headquarters takes time for both the host government and the secretariat, potential host governments for **COP 12** are encouraged to come forward with offers for consideration by the SBI at its twenty-second session and by the COP at its eleventh session. Such offers should be made on the understanding that the host government would cover the incremental costs of meeting away from Bonn. A decision on the venue of COP 12, and COP/MOP 2, must be adopted at COP 11.

32. The SBI may wish to invite Parties interested in hosting COP 12 to come forward with offers to host. In keeping with the rotation among regional group, the President of COP 12 would come from the African Group.

33. In accordance with a request by the Bureau, the SBI may also wish to invite Parties interested in hosting **COP 13** to come forward as early as possible with offers to host. In keeping with the rotation among regional group, the President of COP 13 would come from the Asian Group.

#### **B. Calendar of meetings**

34. The COP, at its tenth session, adopted the dates for the 2009 sessional periods. The calendar of meetings of Convention bodies for 2006–2009 is as follows:

- First sessional period in 2006: 15–26 May
- Second sessional period in 2006: 6–17 November
- First sessional period in 2007: 7–18 May
- Second sessional period in 2007: 5–16 November
- First sessional period in 2008: 2–13 June
- Second sessional period in 2008: 1–12 December
- First sessional period in 2009: 1–12 June
- Second sessional period in 2009: 30 November – 11 December

35. Because of the need to book United Nations conference services well in advance, and to assist Parties in their planning, the SBI may wish to consider the following dates proposed for the two sessional periods in 2010 and recommend them for adoption by the COP at its eleventh session:

- First sessional period in 2010: 1–11 June
- Second sessional period in 2010: 15–26 November

36. The COP, at its tenth session, received a **request from the IPCC**, made by Mr. Rajendra Pachauri, Chairman of the IPCC, for the Conference to consider whether COP 13 could be postponed by 3 to 4 weeks. The IPCC at its twenty-second session had agreed to prepare a Synthesis Report for its Fourth Assessment Report. However, the schedule towards completion of the Synthesis

Report by October 2007 will leave only one week between the IPCC plenary and COP 13, which is currently scheduled for 5–16 November 2007. The COP forwarded this request to the SBI for further consideration at its twenty-second session.

37. The SBI may wish to consider this request and make a recommendation to the COP to maintain the current dates or to change the dates for COP 13 to one of the following options:

- (a) 26 November to 7 December 2007 (postponement of three weeks)
- (b) 3 to 14 December 2007 (postponement of four weeks).

#### IV. Organization of the intergovernmental process

38. The SBI, at its twentieth session, reviewed the general state of the organization of the Convention process.<sup>8</sup> It recognized the challenges arising from the large number of items under consideration by the subsidiary bodies, especially in terms of developing workable agendas and the pressures placed on small delegations. It agreed to continue its discussion on the organization of future sessional periods with a view to ensuring that the Convention bodies can work as efficiently and effectively as possible within the time available at a session, while ensuring a coherent and responsive approach to issues. It requested the secretariat to convene a workshop on the organization of the intergovernmental process in conjunction with the twenty-first session of the SBI and to prepare a background paper taking into account relevant experience in other multilateral processes.<sup>9</sup>

39. The workshop was held in Buenos Aires, Argentina, on 11 December 2004 and chaired by Mr. Karsten Sach (Germany). Its purpose was to provide an opportunity for participants to exchange views informally and to make suggestions for improvements to the intergovernmental process. The report of the workshop is contained in document FCCC/SBI/2005/2.

40. In concluding the workshop, the Chair noted broad agreement among participants that the **intergovernmental process faced serious problems** that needed to be addressed urgently. Among the issues raised by participants, the Chair highlighted the problem of extensive and complicated **agendas** leading to busy **schedules** of meetings that were unfair to smaller delegations from developing countries. Extensive agendas at every session also potentially impaired progress by not allowing for in-depth discussion of issues. At the same time, he noted the suggestion that adjustments might be possible within the Executive Secretary's mandate to draft the agenda in consultation with the President of the COP. The Chair further observed that participants made a number of points regarding the frequency of agenda items, but showed reluctance to introduce changes to current practice for items in abeyance.

41. With regard to the **functioning of the main components of the process**, the Chair remarked that participants did not seem to see a need for major changes but that it would be useful to explore possibilities for improvements in some areas. He highlighted particularly the suggestion to create opportunities for an increased effectiveness of participation of observers. On high-level segments, the Chair noted broad agreement that these were necessary to help maintain the high profile of the issue of climate change. The Chair also noted concerns raised by participants about the number of contact groups and informal consultations during sessions and the problems these posed for effective participation.

42. The Chair observed that participants had expressed wariness at introducing adjustments to the system and noted the need to avoid rushing to conclusions. He noted, however, that participants put forward and supported a number of suggestions and potential solutions that warranted further exploration. These **proposals** included the following:

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<sup>8</sup> FCCC/SBI/2004/10, paragraphs 93 and 94.

<sup>9</sup> FCCC/TP/2004/5.

- (a) Clustering or combining agenda items with a view to streamlining agendas and reducing the number of contact groups and informal consultations
- (b) Considering the possibility of developing longer-term cycles for agenda items or multi-year programmes
- (c) Considering ways of increasing the effectiveness of participation of non-Party stakeholders in the process
- (d) Considering options for improving preparation for meetings, including making better use of intersessional periods, more funding for participation and ensuring timely availability of documents.

43. The SBI may wish to express support for the further development of the proposals highlighted during the in-session workshop. Parties may also wish to reflect upon additional proposals for consideration, as well as next steps toward implementation. In order to advance the discussions, a number of options are presented below.

44. With a view to **streamlining agendas**, and contributing to a reduction in the **number of contact groups** and informal consultations, possible steps for the SBI could include:

- (a) Inviting the Executive Secretary to cluster or consolidate agenda items addressing similar or related issues to limit any duplication of discussions under several items of the same agenda
- (b) Recommending that all Convention bodies review carefully the proposed timing and frequency of consideration for specific issues at future sessions, taking into account the nature of the issue and the overall agenda, and refraining from calling for consideration at every session
- (c) Agreeing that items intended primarily for information purposes and for hearing statements by Parties would not require a contact group or informal consultation
- (d) Agreeing that items supported by the work of an expert group<sup>10</sup> would normally be considered at every other subsidiary body session, on the understanding that substantive and in-depth documentation would be available well in advance of the session
- (e) Inviting the chairs of the subsidiary body to actively reduce the number of contact groups and informal consultations at any one session by referring related items to the same group.

45. Parties may also wish to consider ways of increasing the effectiveness of participation of **observer organizations** in the process, such as convening an informal forum that brings together representatives of observer organizations and representatives of Parties.<sup>11</sup>

46. The SBI may also wish to consider options for **improving preparation for meetings**, including making better use of intersessional periods, more funding for participation and ensuring timely availability of documents. Possible options for the SBI could include:

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<sup>10</sup> The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE), the Expert Group on Technology Transfer (EGTT), and the Least Developed Countries Expert Group (LEG).

<sup>11</sup> Related matters are considered under item 6 (e) of the provisional agenda.

- (a) Encouraging Parties to engage more actively in bilateral discussions intersessionally to resolve specific issues, possibly with the assistance of the chairs of the subsidiary bodies
- (b) Encouraging further efforts by Parties that are contributor countries to assure full participation of eligible Parties.<sup>12</sup>

47. The SBI may wish to note that the Executive Secretary, in the context of the internal review of the activities of the secretariat,<sup>13</sup> has taken steps to improve the timeliness of documentation.

48. The SBI may wish to agree to continue its consideration of the organization of the intergovernmental process at its twenty-fourth session (May 2006) in the context of its review of the arrangements made for convening COP/MOP 1 in conjunction with the COP. In making recommendations to the COP and COP/MOP on arrangements for future sessions, the SBI may wish to invite the Executive Secretary to make proposals for further consideration with regard to long-term cycles for agenda items, with a view to ensuring adequate time for implementation of decisions.

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<sup>12</sup> This issue will also be considered under item 7 (c) of the provisional agenda.

<sup>13</sup> Item 7 (e) of the provisional agenda.

Annex I

**Possible elements of the provisional agenda for COP 11**

1. Opening of the session
2. Organizational matters:
  - (a) Election of the President of the Conference at its eleventh session
  - (b) Status of ratification of the Convention
  - (c) Adoption of the rules of procedure
  - (d) Adoption of the agenda
  - (e) Election of officers other than the President
  - (f) Admission of organizations as observers
  - (g) Organization of work, including the sessions of the subsidiary bodies
  - (h) Date and venue of the twelfth session of the Conference of the Parties
  - (i) Calendar of meetings of Convention bodies, 2006–2010
  - (j) Adoption of the report on credentials
3. Reports of the subsidiary bodies and decisions and conclusions arising therefrom:
  - (a) Report of the Subsidiary Body for Scientific and Technological Advice
  - (b) Report of the Subsidiary Body for Implementation
4. Review of implementation of commitments and of other provisions of the Convention:
  - (a) Financial mechanism of the Convention
  - (b) National communications
    - (i) National communications from Parties included in Annex I to the Convention
    - (ii) National communications from Parties not included in Annex I to the Convention
  - (c) Development and transfer of technologies
  - (d) Implementation of Article 4, paragraph 8, of the Convention
  - (e) Matters relating to the least developed countries
  - (f) Other matters referred to the Conference of the Parties by the subsidiary bodies

5. Second review of the adequacy of Article 4, paragraph 2 (a) and (b), of the Convention<sup>1</sup>
6. Administrative and financial matters:
  - (a) Income and budget performance in the biennium 2004–2005
  - (b) Programme budget for the biennium 2006–2007
  - (c) Internal review of the activities of the secretariat
  - (d) Procedure for the appointment of an Executive Secretary
7. High-level segment
8. Statements by observer organizations
9. Other matters
10. Conclusion of the session:
  - (a) Adoption of the report of the Conference on its eleventh session
  - (b) Closure of the session.

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<sup>1</sup> At the fourth session of the Conference of the Parties (COP), it “proved impossible to reach any agreed conclusions or decisions” on this matter (FCCC/CP/1998/16, para. 64) and the item was therefore included in the provisional agenda for the COP at its fifth session in accordance with rule 10 (c) and rule 16 of the draft rules of procedure being applied. The COP, at its fifth session, could not reach a conclusion on this matter (FCCC/CP/1999/6, para. 18), and following rule 10 (c) and rule 16 of the draft rules of procedure being applied, the item was included in the provisional agenda for the sixth, seventh, eighth, ninth and tenth sessions with a footnote reflecting a proposal made by the Group of 77 and China to amend the item to read “Review of the adequacy of implementation of Article 4, paragraph 2 (a) and (b), of the Convention”. At its tenth session, the COP decided to include the item in the provisional agenda for its tenth session, with an appropriate explanatory footnote (FCCC/CP/2004/10).

Annex II**Possible elements of the provisional agenda for COP/MOP 1**

1. Opening of the session
2. Organizational matters:
  - (a) Status of ratification of the Kyoto Protocol
  - (b) Application of the rules of procedure of the Conference of the Parties
  - (c) Adoption of the agenda
  - (d) Election of replacement officers
  - (e) Organization of work, including the sessions of the subsidiary bodies
  - (f) Date and venue of the second session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
3. Adoption of decisions forwarded by the Conference of the Parties to the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
4. Report of the Executive Board of the clean development mechanism and the election of members of the Executive Board
5. Implementation of Article 6 of the Kyoto Protocol, including election of the members of the Article 6 Supervisory Committee
6. Issues relating to registry systems under Article 7, paragraph 4, of the Kyoto Protocol
7. Procedures and mechanisms relating to compliance under the Kyoto Protocol, including the election of the members of the Compliance Committee
8. Capacity-building under the Kyoto Protocol
9. Operationalization of the Adaptation Fund
10. Matters relating to Article 2, paragraph 3 of the Kyoto Protocol<sup>1</sup>
11. Administrative and financial matters
  - (a) Income and budget performance in the biennium 2004–2005
  - (b) Programme budget for the biennium 2006–2007
12. Article 3, paragraph 9, of the Kyoto Protocol: consideration of commitments for subsequent periods for Parties included in Annex I to the Convention
13. Other matters referred to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol by the subsidiary bodies

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<sup>1</sup> At the request of Saudi Arabia, this item was included in the provisional agenda for COP 8. The COP was unable to reach a conclusion on the matter and decided to include this item in the provisional agenda for its ninth session accompanied by an appropriate explanatory footnote. At COP 9 and COP 10, Parties were unable to reach a conclusion on the matter and decided to include this item in the provisional agenda for its next session, accompanied by an appropriate explanatory footnote (FCCC/CP/2003/6, paras. 25–26). As it pertains to the Kyoto Protocol, it is included in the provisional agenda for COP/MOP.

14. Reports of the subsidiary bodies and decisions and conclusions arising therefrom:
  - (a) Report of the Subsidiary Body for Scientific and Technological Advice
  - (b) Report of the Subsidiary Body for Implementation
15. High-level segment
16. Statements by observer organizations
17. Other matters
18. Conclusion of the session:
  - (a) Adoption of the report of the Conference of the Parties serving as the meeting of the Parties on its first session
  - (b) Closure of the session.

Annex III

**Possible scenario for COP 11 and COP/MOP 1  
(28 November – 9 December 2005)**

Monday 28 November	Tuesday 29 November	Wednesday 30 November	Thursday 1 December	Friday 2 December	Saturday 3 December
Welcoming ceremony	SBSTA 23 and SBI 23				
COP 11 opens		COP 11 plenary			
COP/MOP 1 opens		COP/MOP 1 plenary			
SBSTA 23 and SBI 23 open					
Monday 5 December	Tuesday 6 December	Wednesday 7 December	Thursday 8 December	Friday 9 December	Saturday 10 December
SBSTA 23 SBI 23	SBSTA 23 and SBI 23 close	High-level segment of COP 11 and COP/MOP 1			
		Opening ceremony	National statements	COP 11 decisions and conclusions and closing	
		National statements		COP/MOP 1 decisions and conclusions and closing	

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