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Item 12 (e) of the provisional agenda
Arrangements for intergovernmental meetings
Organization of the intergovernmental process

Organization of the intergovernmental process

Note by the Executive Secretary

Summary

The Subsidiary Body for Implementation (SBI), at its twenty-second session, agreed to continue its consideration of the organization of the intergovernmental process at its twenty-fourth session. This document contains background information on the history of the discussion by the SBI as well as a brief summary of recent experience, in particular at the 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. It also identifies possible steps towards implementing the existing options for improving the organization of the intergovernmental process. It focuses on the clustering or combining of agenda items and the development of longer-term cycles for agenda items or of multi-year programmes.

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I. Introduction

A. Mandate

1. The Subsidiary Body for Implementation (SBI), at its twenty-second session, agreed to continue its consideration of the organization of the intergovernmental process at its twenty-fourth session in the context of its review of the arrangements made for convening the first session of the Conference of the Parties serving as the meeting of the Parties (COP/MOP 1) in conjunction with the Conference of the Parties (COP). The SBI invited Parties to submit to the secretariat, by 15 November 2005, their views on possible options for further improvement of the organization of the intergovernmental process. It requested the secretariat to identify possible options and make proposals on the organization of the intergovernmental process, taking into account the views submitted by Parties and experience gained at COP/MOP 1, for consideration at its twenty-fourth session.¹

B. Possible action by the Subsidiary Body for Implementation

2. The SBI may wish to consider the matters raised in this note and provide guidance on possible improvements in the intergovernmental process under the Convention and the Protocol. The SBI may also wish to recommend draft decisions to the COP and the COP/MOP on this issue.

II. Background

A. Previous consideration

3. As one outcome of its consideration of the arrangements for the first session of the COP/MOP held in conjunction with a session of the COP, the SBI, at its eighteenth session, invited the Chair of the SBI and the Chair of the Subsidiary Body for Scientific and Technological Advice (SBSTA) to initiate further consideration of the organization of future sessional periods, with a view to ensuring that the workload of the subsidiary bodies can be handled as efficiently and effectively as possible within the time available at a session, while assuring a coherent and responsive approach to issues. It also agreed to continue its discussion at its twentieth session.²

4. At its twentieth session, the SBI reviewed the general state of the organization of the Convention process and requested the secretariat to convene a workshop on the organization of the intergovernmental process in conjunction with the twenty-first session of the SBI.³ Participants at the workshop put forward and supported a number of suggestions and solutions that warranted further exploration.⁴

5. The SBI, at its twenty-second session, took note of the report of the workshop and considered the suggestions for improvement. It agreed that, with the entry into force of the Kyoto Protocol, the time was ripe to address the increasing difficulties facing the intergovernmental process, particularly with respect to extensive agendas and the large number of activities inside and outside the formal process, and to take steps to improve the overall efficiency and effectiveness of each session. The SBI expressed support for many of the concepts highlighted during the workshop and agreed to further explore possible options for improvement, including those identified in documents FCCC/SBI/2005/2 and FCCC/SBI/2005/4 and Corr.1.

¹ A separate document (FCCC/SBI/2006/2) addresses arrangements for COP 12 and COP/MOP 2, including a review of the experience at COP 11 and COP/MOP 1.

² FCCC/SBI/2003/8, paragraph 45 (e).

³ FCCC/SBI/2004/10, paragraphs 93–94.

⁴ FCCC/SBI/2005/2.

6. The options highlighted in these documents included, in particular:
- (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, providing more funding for participation and ensuring timely availability of documents.
7. The SBI, at its twenty-second session, invited Parties to submit to the secretariat, by 15 November 2005, their views on possible options for further improvement of the organization of the intergovernmental process. Two submissions were received in response to this invitation.⁵

B. Recent experience

8. The management of meeting time at COP 11 and COP/MOP 1 in Montreal presented a formidable challenge. The entry into force of the Kyoto Protocol resulted a considerable increase in the number of agenda items to be considered during the sessional period. Furthermore, the time available for discussions in contact groups and informal consultations was limited due to the need for more plenary meetings of the COP, the COP/MOP and the subsidiary bodies. Twenty contact groups and five informal consultations were launched.
9. Efforts have been made to promote efficient use of meeting time. The management of the workload at COP 11 and COP/MOP 1 required more discussions in an informal setting to allow for enhanced flexibility in scheduling. Most contact groups therefore held only two or three meetings. The flexible scheduling of informal meetings was possible because many meeting rooms were available at the conference facilities in Montreal. Concern has been expressed that insufficient time will mean that work on important items will not be completed at a session and therefore will be referred to the following session.
10. The results of COP 11 and COP/MOP 1 will further complicate the future planning of the intergovernmental process. In particular, the workshops on the dialogue on long-term cooperative action to address climate change under the Convention and the sessions of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol will need to be considered. In addition, Parties to the Convention and the Protocol agreed on a large number of workshops, both in and between sessions. It should be recalled that efforts to reduce the number of agenda items to be considered at any single session, in particular by staggering consideration over a number of sessions, was not supported by all Parties.

III. Options for further improvement

11. The SBI has highlighted some general options for the further improvement of the organization of the intergovernmental process, but concrete steps are required to implement them. The following discussion identifies possible steps towards the clustering or combining of agenda items and the

⁵ FCCC/SBI/2006/MISC.8.

development of longer-term cycles for agenda items or of multi-year programmes. All options are presented on the understanding the Parties do not wish to extend the sessional period beyond two weeks.

A. Clustering

12. The aim of clustering or combining similar or related agenda items is to rationalize the organization of the intergovernmental process. Such clustering could help reduce the number of contact groups and informal consultations. The ultimate objective of such a streamlining approach might be that no more than one contact group or informal consultation would be established for each major agenda item, including all of its sub-items.⁶

13. Clustering has to some extent already been pursued by the Executive Secretary when preparing provisional agendas and by the chairs of the subsidiary bodies and the President of the COP and the COP/MOP when establishing contact groups and mandating the conduct of informal consultations. To pursue the clustering of similar or related agenda items more systematically and to exploit the potential for rationalizing the intergovernmental process, the SBI may wish to consider:

- (a) Inviting the Executive Secretary to carefully assess and take into account any potential for clustering or combining agenda items addressing similar or related issues when drafting provisional agendas;
- (b) Making recommendations to the Executive Secretary for clustering or combining specific agenda items;
- (c) Encouraging the chairs of the subsidiary bodies and the President of the COP and the COP/MOP to consider establishing not more than one contact group or informal consultation per main agenda item, and to refer agenda items addressing similar or related issues to the same contact group or informal consultation with a view to limiting the number of groups;
- (d) Inviting Parties, when proposing a new agenda item in accordance with rule 10 (d) of the draft rules of procedure of the COP and the COP/MOP being applied, to leave it to the discretion of the Executive Secretary where to place that item when drafting the provisional agenda.

14. Parties may also wish to consult the annex to this document, which provides an overview of items that have recurred on the agendas of the bodies under the Convention and the Protocol.

15. The extent to which the potential for clustering and combining agenda items can be used will depend partially on the arrangements for future sessions of the COP/MOP in conjunction with sessions of the COP. The arrangements made for COP/MOP 1 called for the separation of agenda items relating to the Convention from those relating to the Kyoto Protocol. They also allowed for the joint consideration of similar or related items relating to both the Convention and the Protocol provided that both the Parties to the Convention and the Parties to the Protocol agreed. However, Parties did not adopt such arrangements at COP 11 and COP/MOP 1. The arrangements for future sessions of the COP/MOP are addressed in document FCCC/SBI/2006/2.

B. Development of longer-term cycles for agenda items and of multi-year programmes

16. The determination of longer-term cycles for agenda items or the elaboration of multi-year programmes aims at ensuring that the workload of the bodies of the Convention and the Kyoto Protocol can be handled as effectively and efficiently as possible. Such an approach would focus on addressing

⁶ See also the submissions contained in document FCCC/SBI/2006/MISC.8.

suitable agenda items at specified intervals (e.g., annually) rather than at every session. Reducing the number of items on a given agenda would free time and resources to allow for deeper discussion for items on the agenda. Longer-term cycles and multi-year programmes could also allow for advancing agenda items more effectively because more time would be available for their preparation and in-depth consideration.

17. The determination of **longer-term cycles for agenda items** would require identifying agenda items that may most appropriately be advanced by addressing them at longer intervals, and then determining appropriate cycles for their consideration based on the time that would be required to implement previous decisions. On a number of occasions, the COP or a subsidiary body has already decided to reconsider a certain item after a longer period of time. However, this has so far been done on an ad hoc basis, rather than systematically.

18. The elaboration of a (rolling) **multi-year programme** would involve a conscious scheduling of the consideration of various relevant agenda items over several sessions. Determining longer-term cycles can be considered a first step towards the elaboration of a multi-year programme.

19. Several multi-year programmes of work focusing on specific agenda items have already been agreed in the intergovernmental process. For example, at COP 8 Parties agreed on the five-year New Delhi work programme on Article 6 of the Convention (decision 11/CP.8) and at COP 11 Parties agreed on a five-year programme of work of the SBSTA on impacts, vulnerability and adaptation to climate change (decision 2/CP.11). Also, under other agenda items, Parties have at times consciously scheduled future work.

20. A more encompassing multi-year programme covering the management of overall agendas would go beyond both longer-term cycles and multi-year work programmes for individual agenda items. It would take into account the interrelationship of various agenda items and aim at a rational planning of overall agendas. Two objectives in particular could guide the elaboration of a multi-year programme:

- (a) Optimizing the use of resources in the Convention and Kyoto Protocol process. The scheduling could aim at preventing the agenda at any one session from being overloaded;
- (b) Maximizing synergy between different items. The scheduling might take into account that the consideration of certain items might be linked or would benefit from the results of discussions on other items.

21. In particular, items that appear on the agenda regularly and reflect continuing implementation tasks under the Convention and the Protocol may lend themselves to a scheduling effort. The annex provides a list of items that have recurred on the agendas of bodies under the Convention and the Kyoto Protocol.

22. The SBI may in particular wish:

- (a) To recommend that all bodies under the Convention and the Protocol consider carefully the timing and frequency of inclusion of specific issues on future agendas, with a view to determining longer-term cycles and multi-year programmes as and when appropriate;
- (b) To recommend that all bodies under the Convention and the Protocol review the frequency of the consideration of agenda items that are being covered by specialized bodies and groups under the Convention and the Protocol (e.g., expert groups), with a view to moving towards an annual cycle;
- (c) To request the Executive Secretary to prepare, and regularly update, an overview of items scheduled for consideration by the subsidiary bodies, the COP and the COP/MOP

during the coming three years in order to facilitate the rational planning of future agendas and the scheduling of particular agenda items;

- (d) To invite the chairs of bodies under the Convention and the Protocol to bring the aforementioned recommendations to the attention of Parties before decisions on the future consideration of particular agenda items are taken.

23. Where items under the Convention and the Protocol are closely related, there are obvious benefits in ensuring that their future scheduling builds on each other and that related discussions are advanced in tandem. The potential for ensuring a consistent approach across the Convention and the Protocol depends also on the future arrangements for sessions of the COP/MOP convened in conjunction with sessions of the COP (see FCCC/SBI/2006/2).

24. A more far-reaching approach toward the development of a multi-year programme would be to prioritize issues for consideration at future sessions. This approach would follow the example of the Convention on Biological Diversity (CBD). Parties to the CBD agreed a five-year programme by determining, for each year of the programme, three priority areas of work and discussions. Such an approach seems particularly valuable where overall agendas remain largely stable over longer periods of time. However, the agendas of the Convention and Protocol bodies are still evolving. Implementing this more far-reaching approach would require political agreement on future priorities, which is likely to require considerable resources and may easily prove divisive and unfeasible. Clustering or combining of agenda items, as discussed under section III.A, could provide an intermediate step toward defining priority areas of work.

C. Further issues

25. One issue identified during the workshop on the organization of the intergovernmental process, held in conjunction with SBI 21, concerned agenda items that provide interesting information but do not result in immediate action. To a large extent, existing practice is not to assign such items to a contact group or address them in informal consultations. Instead, the chair of the body in question prepares conclusions. As with the overall organization of the intergovernmental process, the development of this practice has not been systematic.

26. The SBI may therefore consider:

- (a) Acknowledging that some agenda items provide interesting information or are intended for hearing statements by Parties without requiring further action and that these agenda items do not require consideration in a contact group or in informal consultations, and requesting the secretariat, when preparing the annotated agendas, to indicate such items;
- (b) Inviting the chairs of the subsidiary bodies and the President of the COP and the COP/MOP to carefully assess which agenda items might therefore not require a contact group or informal consultations for their consideration, and to prepare conclusions for these agenda items under their own authority.

Annex

Indicative list of recurring agenda items

COP	COP/MOP	SBI	SBSTA
<ul style="list-style-type: none"> Financial mechanism (annual report of the GEF, additional guidance to the GEF) National communications from Parties included in Annex I to the Convention National communications from Parties not included in Annex I to the Convention (including the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention) Development and transfer of technologies (including Expert Group on Technology Transfer) Capacity-building Article 4.8 and 4.9 (including the Least Developed Countries Expert Group) Article 6 Mitigation Impacts, vulnerability and adaptation Budget/budget performance 	<ul style="list-style-type: none"> Report of the administrator of international transaction log Report of the Joint Implementation Supervisory Committee Report of the Executive Board of the clean development mechanism Report of the Compliance Committee Capacity-building Budget/budget performance Financial mechanism 	<ul style="list-style-type: none"> Report of the administrator of international transaction log National communications from Parties included in Annex I to the Convention National communications from Parties not included in Annex I to the Convention (including the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention) Financial mechanism (Convention; various sub-items) Financial mechanism (Protocol; various sub-items) Article 6 of the Convention Capacity-building under the Convention Capacity-building under the Protocol Article 4.8 and 4.9 (including the Least Developed Countries Expert Group) Budget/budget performance Continuing review of the secretariat 	<ul style="list-style-type: none"> Methodological issues Impacts, vulnerability and adaptation Mitigation of climate change Development and transfer of technologies (including the Expert Group on Technology Transfer) Research and systematic observation Cooperation with relevant international organizations

Note: No exact titles of agenda items (indicative titles); without procedural and organizational agenda items; without agenda items that have so far been carried forward on the basis of rule 16 of the rules of procedure of the COP and the COP/MOP being applied (e.g. emissions from international aviation and maritime transport, Article 2.3 of the Kyoto Protocol, Brazilian proposal).