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Item 4 of the provisional agenda

Development and transfer of technologies

**Summary of the outcomes of the informal consultations on issues
relating to possible actions for enhancing the implementation
of the technology transfer framework**

Note by the Chair of the Subsidiary Body for Scientific and Technological Advice

Summary

This note provides information on informal consultations organized by the secretariat under the guidance of the Chair of the Subsidiary Body for Scientific and Technological Advice (SBSTA) to consider the set of possible actions for enhancing the implementation of the technology transfer framework contained in the annex II to the report of the SBSTA at its twenty-fourth session, and the submissions from Parties on the review of the Expert Group on Technology Transfer (EGTT). The views of participants on the above-mentioned set of possible actions and on the review of the EGTT are summarized.

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I. Introduction

A. Mandate

1. The Conference of the Parties (COP), by its decision 4/CP.7, adopted the framework for meaningful and effective actions to enhance the implementation of Article 4, paragraph 5, of the Convention (hereinafter referred to as the technology transfer framework) and established the Expert Group on Technology Transfer (EGTT) with a provision to review its status and mandate at the twelfth session of the COP.
2. The COP, by its decision 6/CP.10, requested the EGTT to make recommendations for enhancing the implementation of the technology transfer framework prior to the twenty-fourth session of the Subsidiary Body for Scientific and Technological Advice (SBSTA). These recommendations are contained in document FCCC/SBSTA/2006/INF.4. The SBSTA, at its twenty-fourth session, welcomed the recommendations by the EGTT, contained in annex II to the SBSTA report,¹ and recognized that they constitute a set of possible actions for enhancing the implementation of the technology transfer framework that could be considered by the COP for a possible decision on this issue at its twelfth session or at any future sessions. It endorsed the recommendation that the five themes listed in the framework, and the structure, definitions and purpose of the current technology transfer framework, continue to provide a solid basis for enhancing the implementation of Article 4, paragraph 5, of the Convention, and welcomed in particular the sub-themes that the EGTT had identified under the fifth theme, on mechanisms for technology transfer.
3. The COP, by its decision 6/CP.11, invited Parties to submit to the secretariat their views and suggestions on the status and continuation of the EGTT by addressing, inter alia, the progress and achievements of the EGTT in enhancing the implementation of the technology transfer framework, adequacy of the terms of reference (ToR) of the EGTT, and availability and allocation of resources for the EGTT and the secretariat in enhancing the implementation of the framework and addressing issues mandated by the SBSTA. The COP, by the same decision, requested the secretariat to compile the submissions of Parties into a miscellaneous document and make it available for consideration by the SBSTA at its twenty-fifth session. The secretariat has received twelve such submissions which have been compiled in document FCCC/SBSTA/2006/MISC.10 and Add.1.
4. The SBSTA, at its twenty-fourth session, requested its Chair to hold informal consultations to consider the set of possible actions for enhancing the implementation of the technology transfer framework contained in annex II to the SBSTA report, and the submissions from Parties on the review of the EGTT, with a view to facilitating discussion of this issue at COP 12.

B. Scope of the note

5. This note has been prepared in consultation with the Chair of the SBSTA and provides information on the informal consultations organized by the secretariat under the guidance of the Chair of the SBSTA in response to the above mandate and summarizes views of the participants in these consultations.

II. Proceedings

6. The informal consultations were held in Geneva, Switzerland, from 10 to 11 September 2006 with support from the Government of Switzerland and the European Commission. Nineteen participants

¹ FCCC/SBSTA/2006/5.

from 18 Parties took part. Participants were provided with the background information contained in document FCCC/SBSTA/2006/MISC.10 and Add.1.

7. The consultations were chaired by the Chair of the SBSTA, Mr. Kishan Kumarsingh (Trinidad and Tobago). In his welcoming remarks, Mr. Kumarsingh stressed that the main objective of the meeting was to facilitate further discussion on this issue at COP 12 in Nairobi, Kenya. He noted that technology will be high on the agenda at COP 12 and pointed out some of the constraints anticipated in Nairobi, including relating to the time available for negotiations, and therefore the importance of these consultations. He encouraged participants not to enter into negotiation of text but to concentrate on exchanging views on the issues before them. Mr. Kumarsingh thanked the Government of Switzerland for hosting the meeting and for the excellent facilities provided.

8. The secretariat outlined the background and context of technology transfer activities under the UNFCCC process, focusing on key achievements and progress made under the five themes of the technology transfer framework, the recommendations of the EGTT to enhance this framework, the new focus under each theme of the framework as well under new sub-themes, and key challenges for future activities. It also presented a summary of the above-mentioned submissions from Parties prepared to facilitate the discussions during the informal consultations. The summary focused on views expressed with regard to support for the continuation of the EGTT, adequacy of its ToR, availability and allocation of resources for EGTT work, and issues and activities to be considered in future. Several participants provided clarifications on key points from their submissions and made recommendations for improving the summary. A revised version taking into account these recommendations was prepared by the secretariat and circulated after the meeting.

9. The discussions that took place on the first day focused mainly on: clarifying the information contained in Parties' submissions; exchanging views on status, continuation and possible future mandate of the EGTT; and exchanging views on issues relating to the set of possible actions for enhancing the implementation of the technology transfer framework.

10. The chair outlined his views on the structure of a possible COP decision on technology, which could include an annex I containing a set of actions for enhancing the implementation of the framework, based on the set of possible actions identified in annex II to the SBSTA 24 report, and an annex II containing a revised ToR for the EGTT. With regard to the first annex, the secretariat explained the need to reformat the text containing the above-mentioned set of actions into a format and language appropriate for a COP decision. Following a request by the chair, the secretariat prepared such a draft annex and distributed it to participants who were requested to provide their reflections on the draft.

III. Summary of the outcomes

A. Status and continuation of the Expert Group on Technology Transfer

11. The informal consultations highlighted the achievements of the EGTT to date and the successful role it has played in furthering the implementation of the technology transfer framework. Participants noted the in-depth technical work and analysis undertaken by the EGTT and its role in promoting an improved understanding of the mechanisms involved in achieving the sustained transfer of technology across and within national boundaries, and key issues and barriers that currently impede such transfer. While recognizing the good work performed by the EGTT over the past five years, participants stressed that there are still many activities that need to be carried out.

12. Several participants called for strengthening the role of the EGTT as a resource for the Convention on technology related issues and for the EGTT, in its future work, to be cognizant of, and

draw upon, the dialogue on long-term cooperative action on climate change² and the Ad-hoc working group on further commitments for Annex I Parties under the Kyoto Protocol. Other participants called for targets and indicators to monitor and assess the progress of technology transfer.

13. One participant proposed the discontinuation of the EGTT and tabled a proposal for a fundamental transformation of the approach to technology transfer, including the establishment of a technology development and transfer board that would report directly to the COP and would be authorized by the COP to make decisions. The board's main task for the first two years would be to prepare its short-, medium- and long-term strategy for technology development and transfer; to assess, inter alia, the potential for the adoption by Parties of an international agreement for technology development and transfer, and the creation of the necessary enabling environment by the Parties included in Annex I to the Convention ("push" factors to ensure easy access to technologies by Parties not included in Annex I to the Convention); and to provide guidance to the COP to deal with the issue of intellectual property rights.

14. The following summarizes key common views of participants:

- (a) There is support for having a constituted body to continue work on technology issues under the Convention. Most participants supported the continuation of the EGTT with the same composition of members to be nominated by Parties as provided for in decision 4/CP.7 with minor modifications to its functions. They also expressed satisfaction with the progress made by the EGTT in enhancing the implementation of the technology transfer framework and recommended that Parties continue to draw on the EGTT's expertise;
- (b) The constituted body should have a rolling programme of work for 2 or 3 years and report to the COP annually to ensure transparency;
- (c) The participation of international and other organizations in the work of the constituted body should be strengthened and its ToR should offer flexibility for the participation of resource persons, including at its meetings;
- (d) The continuity of the work on technology should be ensured and the momentum created by the achievements of the EGTT to date should be maintained. The new mandate for both the set of possible actions and the constituted body should extend for a period of five years.

15. Participants discussed the need for monitoring and for establishing indicators to assess the implementation of the technology transfer framework. Some participants favoured monitoring the implementation of the EGTT work programme using only the EGTT reports to the SBSTA. Other participants called for clear monitoring and performance indicators to track progress of recommended activities.

B. Actions for enhancing the implementation of the technology transfer framework

16. An important part of the discussions at the informal consultations focused on how to take forward the recommendations of the EGTT for enhancing the technology transfer framework which were endorsed by the SBSTA at its twenty-fourth session. Two options for how the COP should treat these recommendations were discussed:

² Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention (decision 1/CP.11).

- (a) Take note of the set of possible actions and encourage all actors to implement them; concrete actions would be selected and prioritized by the EGTT in the context of its multi-year work programme to be adopted by the SBSTA at subsequent sessions;
- (b) Consider the recommendations and adopt them as concrete actions that would be included in an annex to a COP decision (set of complementary actions to decision 4/CP.7).

C. Potential outcome on technology at the twelfth session of the Conference of the Parties

17. Several participants called for a decision that would recognize: the good work of the EGTT; that the five thematic areas of work of the technology transfer framework continue to provide a solid basis for implementing the provisions of the Article 4, paragraph 5, of the Convention; and that the EGTT recommendations and the set of actions are a positive step forward for enhancing the implementation of Article 4, paragraph 5. Several participants called for including, in annex I to the decision, the elements that were taken into account when developing the set of possible actions (included in the EGTT recommendations).

18. The consultations highlighted the lack of a common understanding on the possible outcome at COP 12 on the issue of technology, in particular with regard to: how the decision should deal with taking forward the EGTT recommendations; the continuation of the EGTT; and the proposals that were considered by some participants as going beyond the suggested timeframe for the implementation of the set of actions (medium term, five years).
