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**CONFERENCE OF THE PARTIES SERVING AS THE
MEETING OF THE PARTIES TO THE KYOTO PROTOCOL**
Fourth session
Poznan, 1–12 December 2008

Agenda item 22 (a)
Conclusion of the session
Adoption of the report of the Conference of the Parties
serving as the meeting of the Parties to the Kyoto Protocol on its fourth session

**Draft report of the Conference of the Parties serving as the meeting of the
Parties to the Kyoto Protocol on its fourth session**

Rapporteur: Ms. Karen Nicole Smith (Barbados)

Part one: Proceedings

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Annexes

[to be completed]

Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fourth session

[to be completed]

I. Opening of the session

(Agenda item 1)

1. The fourth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), convened pursuant to Article 13, paragraph 6, of the Kyoto Protocol, was opened at the Poznan International Fair, Poznan, Poland, on 1 December 2008, by the Minister of the Environment of Poland, Mr. Maciej Nowicki, President of the CMP at its fourth session.¹

II. Organizational matters

(Agenda item 2)

A. Adoption of the agenda

(Agenda item 2 (a))

2. For its consideration of this sub-item at its 1st meeting,² on 1 December, the CMP had before it a note by the Executive Secretary containing the provisional agenda and annotations (FCCC/KP/CMP/2008/1). The provisional agenda had been prepared in agreement with the President of the CMP at its third session, taking into account views expressed by Parties during the twenty-eighth session of the Subsidiary Body for Implementation and by members of the Bureau of the Conference of the Parties (COP).

3. Following the proposal of the President, the CMP adopted the agenda as follows:

1. Opening of the session.
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Election of replacement officers;
 - (c) Organization of work, including the sessions of the subsidiary bodies;
 - (d) Approval 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. Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol.
5. Issues relating to the clean development mechanism.
6. Issues relating to joint implementation.
7. Report of the Compliance Committee.
8. Report of the Adaptation Fund Board.

¹ The fourth session of the CMP was held in conjunction with the fourteenth session of the Conference of the Parties (COP). The proceedings of the COP are contained in a separate report. References to statements and an address of welcome made at the opening of the United Nations Climate Change Conference are contained in the report of the COP. The proceedings of the joint meetings of the COP and CMP convened during the high-level segment of the sessions are reproduced in both reports.

² Meetings of the CMP referred to in this report are plenary meetings.

9. Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance.
10. Report of the administrator of the international transaction log under the Kyoto Protocol.
11. National communications from Parties included in Annex I to the Convention: reporting and review.
12. Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol.
13. Second review of the Kyoto Protocol pursuant to its Article 9.
14. Capacity-building under the Kyoto Protocol.
15. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol.
16. Matters relating to Article 2, paragraph 3, of the Kyoto Protocol.
17. Administrative, financial and institutional matters:
 - (a) Audited financial statements for the biennium 2006–2007;
 - (b) Budget performance in the biennium 2008–2009.
18. Other matters referred to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol by the subsidiary bodies.
19. High-level segment.
20. Statements by observer organizations.
21. Other matters.
22. Conclusion of the session:
 - (a) Adoption of the report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its fourth session;
 - (b) Closure of the session.

B. Election of replacement officers

(Agenda item 2 (b))

4. At the 1st meeting, on 1 December, the President recalled that, under the Kyoto Protocol, any member of the Bureau representing a Party to the Convention but, at that time, not a Party to the Kyoto Protocol, shall be replaced by an additional member to be elected by and from among the Parties to the Kyoto Protocol. The elections to the Bureau of the COP at its fourteenth session had not yet been completed. Therefore this sub-item would be taken up at a later meeting.

[to be completed]

C. Organization of work, including the sessions of the subsidiary bodies

(Agenda item 2 (c))

5. In introducing this sub-item at the 1st meeting, on 1 December, the President drew the attention of the CMP to the annotations to the provisional agenda contained in document FCCC/KP/CMP/2008/1. He noted that the subsidiary bodies would be convened with the aim of developing, before the closure of their sessions on 10 December, draft decisions and conclusions for submission to the CMP.

6. On a proposal by the President, the CMP decided to refer items to the subsidiary bodies for consideration and the submission of appropriate draft decisions or conclusions, as follows:

Subsidiary Body for Implementation

- Item 9 Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance
- Item 10 Report of the administrator of the international transaction log under the Kyoto Protocol
- Item 11 National communications from Parties included in Annex I to the Convention: reporting and review
- Item 12 Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol
- Item 14 Capacity-building under the Kyoto Protocol
- Item 15 Matters relating to Article 3, paragraph 14, of the Kyoto Protocol
- Item 17 (a) Audited financial statements for the biennium 2006–2007
- Item 17 (b) Budget performance in the biennium 2008–2009

Subsidiary Body for Scientific and Technological Advice

- Item 16 Matters relating to Article 2, paragraph 3, of the Kyoto Protocol

7. With regard to agenda item 4, “Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol”, the President proposed that the CMP request the Chair of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), Mr. Harald Dovland (Norway), to consult delegations informally on the action to be taken by the CMP, including a CMP decision, and to report to him on the outcome of these consultations by 11 December 2008.

8. The President also proposed that the CMP elect the new Chair and Vice-Chair of the AWG-KP at its final plenary meeting on 12 December. This would allow the incumbent Chair to report on the work of the AWG-KP at the beginning of the high-level segment of the session on 11 December 2008.

9. The CMP agreed to proceed on the basis of the proposals made by the President.

D. Approval of the report on credentials

(Agenda item 2 (d))

[to be completed]

**III. Reports of the subsidiary bodies and decisions
and conclusions arising therefrom**

(Agenda item 3)

[to be completed]

**IV. Report of the Ad Hoc Working Group on Further Commitments
for Annex I Parties under the Kyoto Protocol**

(Agenda item 4)

10. The Chair of the AWG-KP reported on the work of the group in 2008 and on its work programme for 2009 at the opening of the high-level segment on 11 December.

[to be completed]

V. Issues relating to the clean development mechanism

(Agenda item 5)

11. At its 2nd meeting, on 3 December, the CMP had before it documents FCCC/KP/CMP/2008/4 and FCCC/KP/AWG/2008/3.
12. Introducing this item, the President recalled that the clean development mechanism (CDM) is a unique mechanism for global collaboration that seeks to mitigate climate change while, at the same time, assisting host countries in achieving sustainable development through CDM projects.
13. Upon the invitation of the President, the Chair of the Executive Board of the CDM, Mr. Rajesh Kumar Sethi, provided an overview of the Board's annual report to the CMP,³ which covers activities in the period from 20 October 2007 to 24 October 2008 and contains a number of recommendations for decisions to be adopted by the CMP at its fourth session, including recommendations prepared in response to requests by the CMP at its third session.
14. Following the report by the Chair of the Executive Board, representatives of 14 Parties made statements, including one speaking on behalf of the African Group. Statements were also made by representatives of non-governmental organizations from three constituencies: indigenous peoples organizations; business and industry organizations; and environmental groups. A representative of a specialized agency also made a statement.
15. The President stated that, in order to acknowledge the work of the Executive Board and guide future work, the CMP would need to adopt a decision under this agenda item at its fourth session. On his proposal, the CMP decided to establish a contact group on this agenda item, co-chaired by Ms. Christiana Figueres (Costa Rica) and Mr. Georg Børsting (Norway). The contact group would consider operational aspects of the CDM on the basis of the report of the CDM Executive Board, and ways and means of enhancing equitable regional distribution of CDM projects. The President requested the co-chairs to work closely with the co-chairs of the contact group on item 13 of the CMP agenda in order to avoid duplication of work.
16. The President also reminded Parties that several members and alternate members of the Executive Board needed to be elected by the CMP at the session. Ms. Karen Nicole Smith (Barbados) would continue to undertake consultations on the matter. The President reminded Parties that nominations should be submitted in writing by those constituencies that had not already done so.

[to be completed]

VI. Issues relating to joint implementation

(Agenda item 6)

17. At its 2nd meeting, on 3 December, the CMP had before it documents FCCC/KP/CMP/2008/3 and FCCC/KP/AWG/2008/3.
18. The President recalled that joint implementation (JI) provides the opportunity for Parties included in Annex I to the Convention with a commitment inscribed in Annex B to the Kyoto Protocol to acquire emission reduction units resulting from projects aimed at reducing emissions of greenhouse gases or enhancing removals by sinks hosted by any other such Party.

³ FCCC/KP/CMP/2008/4.

19. Upon the invitation by the President, the Chair of the Joint Implementation Supervisory Committee (JISC), Mr. Børsting, provided an overview of the report of the JISC to the CMP,⁴ which covers activities in the period from 20 October 2007 to 12 September 2008. He highlighted the tasks and achievements of the JISC during the last year and the challenges ahead.
20. Following the report by the Chair of the JISC, the floor was given to the secretariat to inform Parties of the status of JI under Track 1, which is not within the mandate of the JISC.
21. A representative of one Party made a statement.
22. The President stated that, in order to acknowledge the work accomplished and to guide further work, a decision would need to be adopted by the CMP under this agenda item at its fourth session. On his proposal, the CMP decided to establish a contact group on this agenda item, co-chaired by Mr. William Kojo Agyemang-Bonsu (Ghana) and Mr. Pedro Martins Barata (Portugal).
23. The President also reminded Parties that several members and alternate members of the JISC needed to be elected by the CMP at the session. Ms. Smith would undertake consultations on the matter. The President reminded Parties that nominations should be submitted in writing by those constituencies that had not already done so.

[to be completed]

VII. Report of the Compliance Committee

(Agenda item 7)

24. At its 3rd meeting, on 4 December, the CMP had before it document FCCC/KP/CMP/2008/5, containing the third annual report of the Compliance Committee, which provides information on the activities of the Compliance Committee during its third year of operation, from 8 September 2007 to 9 October 2008.
25. The President recalled that the CMP, at its first session, had adopted decision 27/CMP.1 and its annex containing the procedures and mechanisms relating to compliance under the Kyoto Protocol. Under section III, paragraph 2 (a), of those procedures and mechanisms relating to compliance, the plenary of the Compliance Committee is required to report to each ordinary session of the CMP.
26. Upon the invitation by the President, the co-chair of the Compliance Committee and chair of its enforcement branch, Mr. Sebastian Oberthür, introduced the third annual report of the Compliance Committee.
27. Following the report, representatives of two Parties made statements.
28. The President stated that a decision would need to be adopted by the CMP under this agenda item. On his proposal, the CMP decided to establish a contact group on this agenda item, co-chaired by Mr. Eric Mugurusi (Tanzania) and Mr. Jürgen Lefevere (European Community).
29. The President reminded Parties that the CMP needed to elect a member of the Compliance Committee at the session to fill a vacancy in the facilitative branch. Ms. Smith would undertake consultations on the matter. The President reminded Parties that nominations should be submitted in writing during the consultations to be held for the purpose.

[to be completed]

⁴ FCCC/KP/CMP/2008/3.

VIII. Report of the Adaptation Fund Board

(Agenda item 8)

30. At its 2nd meeting, on 3 December, the CMP had before it document FCCC/KP/CMP/2008/2.
31. Upon the invitation by the President, the Chair of the Adaptation Fund Board, Mr. Richard Muyungi, provided an overview of the report of the Adaptation Fund Board to the CMP,⁵ which covers activities in the period from March to September 2008. The report contains, inter alia, draft documents prepared for approval by the CMP in accordance with decision 1/CMP.3.
32. Following the report by the Chair of the Board, representatives of 15 Parties made statements, including representatives speaking on behalf of the African Group, the Group of 77 and China, the European Community and its member States and the Alliance of Small Island States.
33. The President said that, in order to acknowledge the work accomplished and guide further work, a decision would need to be adopted by the CMP at its fourth session. On his proposal, the CMP decided to establish a contact group on this agenda item, co-chaired by Mr. Karsten Sach (Germany) and Mr. Surya Sethi (India).
34. The President reminded Parties that several members and alternate members of the Adaptation Fund Board needed to be elected by the CMP at the session. Ms. Smith would undertake consultations on the matter. The President reminded Parties that nominations should be submitted in writing by those constituencies that had not already done so.

[to be completed]

IX. Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance

(Agenda item 9)

[to be completed]

X. Report of the administrator of the international transaction log under the Kyoto Protocol

(Agenda item 10)

[to be completed]

XI. National communications from Parties included in Annex I to the Convention: reporting and review

(Agenda item 11)

[to be completed]

XII. Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol

(Agenda item 12)

[to be completed]

⁵ FCCC/KP/CMP/2008/2.

XIII. Second review of the Kyoto Protocol pursuant to its Article 9

(Agenda item 13)

35. At its 2nd meeting, on 3 December, the CMP had before it documents FCCC/KP/CMP/2008/6, FCCC/KP/CMP/2008/INF.1, FCCC/KP/CMP/2008/INF.2, FCCC/KP/CMP/2008/INF.3, FCCC/KP/CMP/2008/MISC.1, FCCC/KP/CMP/2008/MISC.2, FCCC/KP/CMP/2008/MISC.3, FCCC/SBI/2008/8 and Add.1, and FCCC/TP/2008/6.

36. The President recalled that the first review of the Kyoto Protocol, pursuant to its Article 9, took place at CMP 2. The CMP, through its decision 7/CMP.2, had decided that the second review of the Kyoto Protocol was to take place at the fourth session of the CMP. The scope and content of the second review was determined at CMP 3 and was contained in decision 4/CMP.3.

37. The President also recalled that the CMP, by its decision 4/CMP.3, had requested the Subsidiary Body for Implementation (SBI) at its twenty-eighth session to undertake preparatory work relating to the second review.

38. Upon the invitation by the President, the Chair of the SBI, Mr. Bagher Asadi (Islamic Republic of Iran), reported on the work of the SBI on this matter.

39. Noting that a successful outcome on this agenda item would be essential to the overall success of the session, the President invited Parties to express their views.

40. Statements were made by representatives of 21 Parties, including representatives speaking on behalf of the European Community and its member States,⁶ the Environmental Integrity Group and the African Group.

41. On the proposal of the President, the CMP decided to establish a contact group on this agenda item, co-chaired by Mr. Adrian Macey (New Zealand) and Ms. Ana Maria Kleymeyer (Argentina), to continue discussion on the matter. The President asked the group to prepare a draft decision on this item to be considered for adoption by the CMP. The contact group would focus on the scope, effectiveness and functioning of the Kyoto mechanisms. In order to make full use of the limited time available at this session, Parties would also consider issues related to privileges and immunities under Article 9 of the Kyoto Protocol together with the discussions on privileges and immunities under agenda item 14 (d) of SBI 29. The CMP requested the SBI to forward any relevant outcome of those discussions to the contact group established on the second review of the Kyoto Protocol, as described above, for inclusion in the draft decision, as appropriate.

[to be completed]

XIV. Capacity-building under the Kyoto Protocol

(Agenda item 14)

[to be completed]

XV. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol

(Agenda item 15)

[to be completed]

⁶ The position expressed in this statement was supported by Albania, Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia.

XVI. Matters relating to Article 2, paragraph 3, of the Kyoto Protocol

(Agenda item 16)

[to be completed]

XVII. Administrative, financial and institutional matters

(Agenda item 17)

[to be completed]

XVIII. Other matters referred to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol by the subsidiary bodies

(Agenda item 18)

[to be completed]

XIX. High-level segment

(Agenda item 19)

42. The joint high-level segment of the COP at its fourteenth session and the CMP at its fourth session was opened by the President of the COP and the CMP at the 2nd meeting of the COP and the 4th meeting of the CMP, on 11 December.

A. Statements by Heads of State or Government

43. During the high-level segment, statements were made by the following individuals:

President of Poland	Mr. Lech Kaczyński
President of Guyana	Mr. Bharrat Jagdeo
Prime Minister of Tuvalu	Mr. Apisai Ielemia
Prime Minister of Sweden	Mr. Fredrik Reinfeldt

B. Statements by United Nations officials

44. The Secretary-General of the United Nations, Mr. BAN Ki-moon, made a statement during the high-level segment. The Executive Secretary of the UNFCCC also made a statement.

C. Statements by ministers and other heads of delegation

[to be completed]

XX. Statements by observer organizations

(Agenda item 20)

[to be completed]

XXI. Other matters

(Agenda item 21)

[to be completed]

XXII. Conclusion of the session

(Agenda item 22)

[to be completed]

Annexes

[to be completed]
