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**SUBSIDIARY BODY FOR IMPLEMENTATION**

**Twenty-sixth session**

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**Item 14 (a–d) of the provisional agenda**

**Arrangements for intergovernmental meetings**

**Thirteenth session of the Conference of the Parties**

**Third session of the Conference of the Parties**

**serving as the meeting of the Parties to the Kyoto Protocol**

**Future sessional periods**

**Observer organizations in the Convention process**

**Arrangements for intergovernmental meetings**

**Note by the Executive Secretary**

*Summary*

This document addresses three main issues:

- The thirteenth session of the Conference of the Parties (COP) and the third session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP): information on the sessions is presented, including an organizational scenario and possible elements of the provisional agendas.
- Future sessional periods: guidance is invited on the possible venue for COP 14 and CMP 4, and as well as for COP 15 and CMP 5. Guidance is also invited on the dates for the two sessional periods in 2012.
- Observer organizations in the Convention process: guidance is invited on possible ways to further enhance the participation of observer organizations in the Convention process, drawing on the outcomes of the consideration by the United Nations General Assembly of the recommendations of the Secretary-General.

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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”. To make the necessary arrangements for intergovernmental meetings, the secretariat periodically seeks guidance from Parties.

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

2. The Subsidiary Body for Implementation (SBI) may wish to consider the matters raised in this note and:
- (a) Provide advice on possible elements of the provisional agendas for the thirteenth session of the Conference of the Parties (COP) and the third session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP);
  - (b) Provide guidance on the organization of the work at COP 13 and CMP 3, including the sessions of the subsidiary bodies and arrangements for joint meetings during the high-level segment with participation by ministers and other heads of delegation;
  - (c) Recommend a draft decision for adoption by the COP, at its thirteenth session, on the venue of COP 14 and CMP 4, and consider any offers already made to host COP 15 and CMP 5;
  - (d) Provide guidance on the proposed dates for the two sessional periods in 2012;
  - (e) Provide guidance on the participation of observer organizations in the Convention process, if required.

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

### **A. Date and venue**

3. In accordance with decision 9/CP.12, the Bureau decided, based on a report by the Executive Secretary, to accept with gratitude the generous offer of the Government of Indonesia to host COP 13 and CMP 3 at the Bali International Convention Centre in Nusa Dua, Bali, from 3 to 14 December 2007. This acceptance was communicated to all Parties in an information note dated 13 February 2007. The Bureau also noted that additional investments in infrastructure will be required in order for the conference to be held, and welcomes the decision of the Government of Indonesia to build temporary structures and provide additional services as required within an appropriate time frame.

### **B. Possible elements of the provisional agendas**

4. Rule 9 of the draft rules of procedure being applied provides that: “In agreement with the President, the secretariat shall draft the provisional agenda of each session”.<sup>1</sup> Possible elements of the provisional agendas for COP 13 and for CMP 3 have been prepared by the secretariat, after consulting the Bureau, and are contained in annexes I and II to this document.

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<sup>1</sup> FCCC/CP/1996/2.

5. The possible elements of the provisional agenda for COP 13 have been modelled on the provisional agendas for recent COP sessions. The possible elements for the provisional agenda for CMP 3 include issues specified by the Kyoto Protocol, as well as issues arising from decisions taken at CMP 1 and CMP 2. The possible elements also address organizational and procedural matters, as well as the arrangements for the high-level segment for ministers and other heads of delegation.

### **C. Organizational matters**

#### **1. Organization of the sessional period**

6. The sessional period would be organized as follows:
- (a) The President of COP 12 would open COP 13 on Monday, 3 December. 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 item 2, including the election of the President of the COP 13, the adoption of the agenda and the organization of work. The COP would refer items of its agenda to the subsidiary bodies as appropriate. Statements are not envisaged except for those made on behalf of groups. The opening meeting would then be adjourned;
  - (b) CMP 3 would then be opened and the CMP would take up item 1 of its provisional agenda, as well as some procedural sub-items under agenda item 2, including the adoption of the agenda and the organization of work. The CMP would refer items on its agenda to the subsidiary bodies as appropriate. Statements are not envisaged except for those made on behalf of groups;
  - (c) The Subsidiary Body for Scientific and Technological Advice (SBSTA), the SBI and the resumed Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG) would be convened on Monday, 3 December, in the afternoon. They would continue their sessions until Tuesday, 11 December. They would finalize as many matters as possible, and transmit their results to the COP and the CMP;
  - (d) The COP would convene in plenary on Wednesday, 5 December, to take up the items on its agenda not referred to the SBSTA and the SBI. Following this meeting, the CMP would then convene in plenary to take up the items on its agenda not referred to the SBSTA and SBI;
  - (e) Joint meetings of the COP and the CMP would be convened during the high-level segment to be held from 12 to 14 December. The joint meetings would be attended by ministers and other heads of delegation, who would deliver national statements. The 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 its Kyoto Protocol, would speak only once; and that no decisions would be taken in joint meetings;
  - (f) Statements would be made by heads of United Nations bodies and programmes, specialized agencies and related organizations, and by representatives of intergovernmental and non-governmental organizations;
  - (g) The high-level segment would conclude on Friday, 14 December, with separate meetings of the COP and the CMP to adopt decisions and conclusions emerging from the current sessions.

## 2. Possible action by the Subsidiary Body for Implementation

7. The SBI is invited to provide advice on the possible elements of the provisional agendas for COP 13 and CMP 3, and guidance on the organization of the work at COP 13 and CMP 3, including arrangements for joint meetings during the high-level segment.

## 3. Officers

8. Informal consultations on the nomination of officers of the Bureau of COP 13 and officers of the subsidiary bodies, as appropriate, will be held during the twenty-sixth sessions of the subsidiary bodies. If necessary, consultations will be held on the nomination of members of any constituted bodies established under the Kyoto Protocol.

9. At the first meeting at COP 13, the President 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 the COP at its thirteenth session 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.

## **III. Future sessional periods**

### **A. Fourth workshop under the dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention, and the fourth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol**

10. Decision 9/CP.12 invited the Bureau to decide, by 15 February 2007, based on the report by the Executive Secretary, on the date and venue for the intersessional meetings of the fourth workshop under the dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention (the Dialogue) and of the fourth session of the AWG.

11. In accordance with decision 9/CP.12, the Bureau decided to accept, with appreciation, the offer by the Government of Austria to host the intersessional meetings from 3 to 7 September 2007 at the Austria Centre Vienna, subject to the completion of financial arrangements. It encouraged the Executive Secretary to continue his efforts to make arrangements for the intersessional meetings and conclude a Host Country Agreement, and to report to the Bureau at its next meeting.

### **B. Date and venue of future sessions of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

12. 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. Article 13, paragraph 6, of the Kyoto Protocol provides that, following CMP 1: "Subsequent ordinary sessions of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be held every year and in conjunction with ordinary sessions of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Protocol."

13. Sessions of the COP are traditionally held during the second sessional period of the year. Accordingly, COP 14 would be held in conjunction with CMP 4, from 1 to 12 December 2008.

14. Decision 9/CP.12 noted with appreciation the expression of interest by the Government of Poland to host COP 14 and CMP 4. In keeping with the principle of rotation among regional groups, the President of COP 14 would come from the Eastern European Group. Decision 9/CP.12 also noted with appreciation the offer by the Government of Denmark to host COP 15 and CMP 5, subject to consultations among the regional groups.

15. Poland made a formal offer to host COP 14 and CMP 4 in a communication to the secretariat dated 11 December 2006. At the time of writing, the secretariat is planning to undertake a fact-finding mission to Poland and will provide further information at SBI 26.

16. The SBI may wish to consider the information provided by the secretariat and determine next steps, with a view to recommending a draft decision for adoption by the COP, at its thirteenth session, on the venue of COP 14 and CMP 4. The SBI may also wish to consider any offers already made to host COP 15 and CMP 5, and take action as appropriate.

### **C. Calendar of meetings**

17. The COP, at its twelfth session, adopted the dates for the sessional periods for 2011. The calendar of meetings of Convention bodies for 2008–2011 is as follows:

- 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 to 11 December
- First sessional period in 2010: 31 May to 11 June
- Second sessional period in 2010: 8–19 November
- First sessional period in 2011: 6–17 June
- Second sessional period in 2011: 28 November to 9 December.

18. 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 2012 and recommend them for adoption by the COP at its thirteenth session:

- First sessional period in 2012: 14–25 May
- Second sessional period in 2012: 5–16 November.

## **IV. Observer organizations in the Convention process**

19. The SBI, at its twenty-second session,<sup>2</sup> requested the secretariat to identify possible ways to further enhance the participation of observer organizations in the Convention process, drawing on the outcomes of the consideration by the General Assembly of the recommendations of the Secretary-General. The SBI agreed to consider, at its twenty-sixth session, the participation of observer organizations in the Convention process, based on a report from the secretariat on the experience gained from current arrangements and any relevant developments of good practice within the United Nations system.

20. The Report of the Secretary-General in response to the report of the Panel of Eminent Persons on United Nations–Civil Society Relations<sup>3</sup> was considered by the General Assembly at its fifty-ninth session. Since that time, some institutional changes have been made to strengthen the capacity of civil society for multilateral engagement and address the North–South imbalance.

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<sup>2</sup> FCCC/SBI/2005/10, paragraphs 71 and 72.

<sup>3</sup> A/59/354, 13 September 2004.

21. The United Nations Development Group established a Working Group on Civil Society to take forward the recommendations of the Secretary-General to establish civil society focal points in each United Nations country office and to establish a United Nations Civil Society Trust Fund. The focal points will coordinate civil society engagement by the United Nations at the country level. The Trust Fund will focus on actions to stimulate and implement innovative initiatives and strategies for greater engagement between the United Nations and civil society organizations.
22. Further developments have taken place under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters (Aarhus Convention) of 1998. In May 2005, the Parties to the Aarhus Convention adopted the Almaty Guidelines, which promote the principles of access to information, public participation and access to justice in international forums dealing with matters relating to the environment. A task force has been established by the Parties to the Aarhus Convention to consult with international forums to gain their views on the Almaty Guidelines and to learn from any relevant experience.<sup>4</sup>
23. The secretariat has reviewed the Almaty Guidelines and found that many of its well established practices uphold the principles of the Almaty Guidelines. A key practice is the pragmatic use of the website, to provide and solicit information, as a cost-effective tool in reaching out to civil society. Additional opportunities for direct interaction by the various constituencies with officials of the intergovernmental process occur during the sessions and allow for an open exchange of ideas and opinions which is invaluable in enriching the intergovernmental process.
24. Observer organizations regularly use the opportunity, as far as their resources allow, to participate in the growing number of workshops, provide submissions and make interventions on matters of concern during sessions.
25. The SBI may wish to take note of the information provided in this note and request the secretariat to monitor and incorporate into its current practices any relevant development of good practices within the United Nations system in order to further enhance the participation of observer organizations.

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<sup>4</sup> Further information on these guidelines may be found in document ECE/MP.PP/2005/2/Add.1  
<<http://www.unece.org/env/documents/2005/pp/ece/ece.mp.pp.2005.2.add.1.e.pdf>>

Annex I

**Possible elements of the provisional agenda for the thirteenth session of the Conference of the Parties**

1. Opening of the session.
2. Organizational matters:
  - (a) Election of the President of the Conference at its thirteenth session;
  - (b) Adoption of the rules of procedure;
  - (c) Adoption of the agenda;
  - (d) Election of officers other than the President;
  - (e) Admission of organizations as observers;
  - (f) Organization of work, including the sessions of the subsidiary bodies;
  - (g) Date and venue of the fourteenth session of the Conference of the Parties and the calendar of meetings of Convention bodies;
  - (h) 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. Report of the co-facilitators of the dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention.
5. Fourth assessment report of the Intergovernmental Panel on Climate Change.
6. 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) Capacity-building under the Convention;
  - (e) Implementation of Article 4, paragraphs 8 and 9, of the Convention:
    - (i) Implementation of the Buenos Aires programme of work on adaptation and response measures (decision 1/CP.10);
    - (ii) Matters relating to the least developed countries;
  - (f) Other matters referred to the Conference of the Parties by the subsidiary bodies.
7. Reducing emissions from deforestation in developing countries.



8. Second review of the adequacy of Article 4, paragraph 2 (a) and (b), of the Convention.<sup>1</sup>
9. Administrative, financial and institutional matters:
  - (a) Income and budget performance in the biennium 2006–2007;
  - (b) Programme budget for the biennium 2008–2009.
10. High-level segment.
11. Statements by observer organizations.
12. Other matters.
13. Conclusion of the session:
  - (a) Adoption of the report of the Conference on its thirteenth 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 up to and including the twelfth 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 twelfth session, the COP decided to include the item in the provisional agenda for its thirteenth session, with an appropriate explanatory footnote (FCCC/CP/2006/5).

Annex II

**Possible elements of the provisional agenda for the third session of the  
Conference of the Parties serving as the meeting  
of the Parties to the Kyoto Protocol**

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. Fourth assessment report of the Intergovernmental Panel on Climate Change.
6. Issues relating to the clean development mechanism.
7. Issues relating to joint implementation.
8. Report of the Compliance Committee.
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. Second review of the Kyoto Protocol pursuant to its Article 9: scope and content.
13. Capacity-building under the Kyoto Protocol.
14. Adaptation Fund.
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) Income and budget performance in the biennium 2006–2007;
  - (b) Programme budget for 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:
  - (a) Report of the President of the Conference of the Parties serving as the meeting of the Parties at its second session on the workshop on the proposal by the Russian Federation;
  - (b) Any 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 on its third session;
  - (b) Closure of the session.

Annex III

**Possible scenario for the thirteenth session of the Conference of the Parties and the third session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

| <b>Monday<br/>3 December</b>   | <b>Tuesday<br/>4 December</b>                               | <b>Wednesday<br/>5 December</b>             | <b>Thursday<br/>6 December</b>                           | <b>Friday<br/>7 December</b>  | <b>Saturday<br/>8 December</b>      |  |
|--|---|---|--|-------------------------------|-------------------------------------|--|
| COP 13 opening<br><br>CMP 3 opening<br><br>SBSTA 27 opening<br><br>SBI 27 opening<br><br>Resumed AWG 4 opening | SBSTA 27 plenary<br><br>SBI 27 plenary<br><br>AWG 4 plenary | COP 13 plenary<br><br>CMP 3 plenary         | COP 13, CMP 3, SBSTA 27, SBI 27, AWG 4 informal meetings |                               |                                     |  |
| <b>Monday<br/>10 December</b>  | <b>Tuesday<br/>11 December</b>                              | <b>Wednesday<br/>12 December</b>            | <b>Thursday<br/>13 December</b>                          | <b>Friday<br/>14 December</b> |                                     |  |
| COP 13<br>CMP 3<br>SBSTA 27,<br>SBI 27<br>AWG 4<br><br>informal meetings                                       | SBSTA 27 closing<br><br>SBI 25 closing<br><br>AWG 4 closing | High-level segment of COP 13 and CMP 3      |  |                               | COP 13 closing<br><br>CMP 3 closing |  |
|  |   | Opening ceremony<br><br>National statements | National statements                                      |                               |                                     |  |

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