



UNITED
NATIONS



Framework Convention
on Climate Change

Distr.
GENERAL

FCCC/SBI/2009/8
5 August 2009

Original: ENGLISH

SUBSIDIARY BODY FOR IMPLEMENTATION

**Report of the Subsidiary Body for Implementation
on its thirtieth session,
held in Bonn from 1 to 10 June 2009**

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Addendum – FCCC/SBI/2009/8/Add.1

Draft decisions forwarded for adoption by the Conference of the Parties and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

Draft decision -/CP.15. Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention

Draft decision -/CP.15. Programme budget for the biennium 2010–2011

Draft decision -/CMP.5. Adaptation Fund

Draft decision -/CMP.5. Updated training programme for members of expert review teams participating in annual reviews under Article 8 of the Kyoto Protocol

Draft decision -/CMP.5. Programme budget for the biennium 2010–2011

I. Opening of the session

(Agenda item 1)

1. The thirtieth session of the Subsidiary Body for Implementation (SBI) was held at the Maritim Hotel, Bonn, Germany, from 1 to 10 June 2009.
2. The Chair of the SBI, Ms. Liana Bratasida (Indonesia), opened the session and welcomed all Parties and observers.

II. Organizational matters

(Agenda item 2)

A. Adoption of the agenda

(Agenda item 2 (a))

3. At its 1st and 4th meetings, on 1 and 3 June, respectively, the SBI considered a note by the Executive Secretary containing the provisional agenda and annotations (FCCC/SBI/2009/1). Statements were made by representatives of 10 Parties, including two speaking on behalf of the Group of 77 and China, one on behalf of the European Community and its member States, and two on behalf of the Umbrella Group.
4. At the 4th meeting, the agenda was adopted as amended with sub-item 4 (b) held in abeyance:
 1. Opening of the session.
 2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of the work of the session.
 3. National communications from Parties included in Annex I to the Convention: status report on the review of fourth national communications.
 4. National communications from Parties not included in Annex I to the Convention:
 - (a) Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention;
 - (b) *Agenda item held in abeyance*;¹
 - (c) Provision of financial and technical support.
 5. Financial issues:
 - (a) Fourth review of the financial mechanism;
 - (b) Assessment of the Special Climate Change Fund;
 - (c) Adaptation Fund under the Kyoto Protocol.

¹ As there was no consensus to include this item on the agenda, it was held in abeyance. On a proposal by the Chair, the SBI decided to include this item on the provisional agenda of its thirty-first session with an appropriate footnote.

6. Matters relating to Article 4, paragraphs 8 and 9, of the Convention:
 - (a) Progress on the implementation of decision 1/CP.10;
 - (b) Matters relating to the least developed countries.
7. Development and transfer of technologies.
8. Capacity-building under the Convention.
9. Capacity-building under the Kyoto Protocol.
10. Reporting and review of information submitted by Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol.
11. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol.
12. Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance.
13. Arrangements for intergovernmental meetings:
 - (a) Fifteenth session of the Conference of the Parties;
 - (b) Fifth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol;
 - (c) Future sessional periods;
 - (d) Organization of the intergovernmental process;
 - (e) Observer organizations.
14. Administrative, financial and institutional matters:
 - (a) Budget performance for the biennium 2008–2009;
 - (b) Programme budget for the biennium 2010–2011;
 - (c) Implementation of the Headquarters Agreement;
 - (d) Privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol.
15. Other matters.
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B. Organization of the work of the session

(Agenda item 2 (b))

5. The SBI considered this sub-item at its 1st meeting, on 1 June, at which the Chair drew attention to the proposed programme of work posted on the UNFCCC website. On a proposal by the Chair, the SBI agreed to proceed on the basis of that programme of work. The Chair invited Parties to take into account information contained in document FCCC/SB/2007/INF.2, on the relationship of various provisions of the Mauritius Strategy to the work of the Convention and its Kyoto Protocol, when considering relevant agenda items. Statements were made by representatives of five Parties, one speaking on behalf of the Group of 77 and China, one on behalf of the least developed countries (LDCs), one on

behalf of the Umbrella Group, one on behalf of the Alliance of Small Island States (AOSIS) and one on behalf of the European Community and its member States.

6. The SBI agreed to the provisional admittance of observer organizations that had applied to join the process,² on the basis of provisions of Article 7, paragraph 6, of the Convention, without prejudice to subsequent action by the Conference of the Parties (COP).

III. National communications from Parties included in Annex I to the Convention: status report on the review of fourth national communications

(Agenda item 3)

7. The SBI considered this item at its 1st meeting, on 1 June. It had before it document FCCC/SBI/2009/INF.6. Statements were made by representatives of two Parties. On a proposal by the Chair, the SBI decided to take note of this document.

IV. National communications from Parties not included in Annex I to the Convention

(Agenda item 4)

A. Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention

(Agenda item 4 (a))

1. Proceedings

8. The SBI considered this sub-item at its 2nd and 5th meetings, on 2 and 10 June, respectively. It had before it documents FCCC/SBI/2007/10/Add.1 and FCCC/SBI/2007/MISC.7 and Add.1 and 2. Statements were made by representatives of 17 Parties, including one speaking on behalf of the Group of 77 and China, one on behalf of AOSIS and one on behalf of the European Community and its member States.

9. At its 2nd meeting, the SBI agreed to consider this sub-item together with sub-item 4 (c) in a contact group co-chaired by Ms. Marie Jaudet (France) and Ms. Julia Martinez Fernandez (Mexico). At the 5th meeting, Ms. Martinez Fernandez reported on the contact group's consultations.

2. Conclusions

10. At its 5th meeting, the SBI considered and adopted conclusions³ proposed by the Chair, by which the SBI decided to recommend a draft decision⁴ for adoption by the COP at its fifteenth session.

B. Agenda item held in abeyance (Agenda item 4 (b) *held in abeyance*)

² The observer organizations requesting provisional admittance were listed on pages 14 and 15 of the Daily Programme for 1 June 2009 (FCCC/2009/II/OD/1).

³ Adopted as document FCCC/SBI/2009/L.3/Rev.1.

⁴ For the final text see document FCCC/SBI/2009/8/Add.1.

C. Provision of financial and technical support

(Agenda item 4 (c))

1. Proceedings

11. The SBI considered this sub-item at its 2nd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/INF.5. Statements were made by representatives of two Parties, including one speaking on behalf of the Group of 77 and China.

12. At the 2nd meeting, the Chair invited the representative of the Global Environment Facility (GEF) secretariat to make a statement.

13. At the same meeting, the SBI agreed to consider this sub-item in a contact group together with sub-item 4 (a) (see para. 9 above).

14. At its 5th meeting, the SBI considered and adopted conclusions⁵ proposed by the Chair.

2. Conclusions

15. The SBI took note of the information on financial support provided by the secretariat of the GEF for the preparation of national communications from Parties not included in Annex I to the Convention (non-Annex I Parties).⁶

16. The SBI invited the GEF to continue to provide information, ensuring that it is detailed, accurate, timely and complete, on its activities relating to the preparation of national communications by non-Annex I Parties, including information on the dates of approval of funding and disbursement of funds, for consideration by the SBI at its thirty-first session.

17. The SBI noted with appreciation that 10 second national communications have been submitted by non-Annex I Parties, and that 67 other non-Annex I Parties expect to complete their draft national communications by the end of 2009, while 37 have stated that their draft national communications will be completed by the end of 2010.

18. The SBI encouraged those non-Annex I Parties that have already received funding for their second or, where appropriate, third national communications to make all efforts to submit their national communications in accordance with decision 8/CP.11, paragraph 3. Parties that are LDCs may submit their national communications at their discretion.

19. The SBI reiterated the request to the GEF made by the COP in its decisions 7/CP.13 and 4/CP.14 to assist, as appropriate, non-Annex I Parties in formulating and developing project proposals identified in their national communications in accordance with Article 12, paragraph 4, of the Convention and decision 5/CP.11, paragraph 2. It invited the GEF to report on such submitted or approved project proposals in its report to the COP at its fifteenth session.

20. The SBI took note of the proposal from the GEF secretariat to reallocate funds from its fourth replenishment. It urged the GEF, in accordance with decision 4/CP.14, to ensure, as a top priority, that sufficient financial resources are provided to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1, of the Convention, noting and welcoming that a number of non-Annex I Parties plan to initiate the preparation of their third or fourth national communications by the end of the fourth replenishment of the GEF.

⁵ Adopted as document FCCC/SBI/2009/L.12.

⁶ FCCC/SBI/2009/INF.5.

21. The SBI encouraged non-Annex I Parties to submit project proposals for the funding of their subsequent national communications before completion of their current national communications, in order to avoid a lack of continuity in project financing.
22. The SBI noted the concerns expressed by several Parties that the funding provided for national communications through the expedited procedures may not be adequate for some non-Annex I Parties to implement activities that they are to undertake as part of the process of preparation of their national communications.

V. Financial issues

(Agenda item 5)

A. Fourth review of the financial mechanism

(Agenda item 5 (a))

1. Proceedings

23. The SBI considered this sub-item at its 4th and 5th meetings, on 3 and 10 June, respectively. Statements were made by representatives of five Parties, including one speaking on behalf of the Group of 77 and China.
24. At the 4th meeting, the Chair invited the representative of the GEF secretariat to make a statement on behalf of Ms. Monique Barbut, Chief Executive Officer and Chairperson of the GEF.
25. At the same meeting, the SBI agreed to consider this sub-item together with sub-item 5 (b) in a contact group co-chaired by Mr. Zaheer Fakir (South Africa) and Mr. Jukka Uoskainen (Finland). At the 5th meeting, Mr. Fakir reported on the contact group's consultations.
26. At its 5th meeting, the SBI considered and adopted conclusions⁷ proposed by the Chair.

2. Conclusions

27. The SBI decided to continue its consideration of issues under this agenda item at its thirty-first session on the basis of the draft text contained in annex I, with a view to recommending a draft decision for adoption by the COP at its fifteenth session.
28. The SBI invited Parties to make submissions to the secretariat, by 28 September 2009, on the operation of funds under the GEF as an operating entity of the financial mechanism, as well as the Special Climate Change Fund and the Least Developed Countries Fund, to inform the fourth review of the financial mechanism, for compilation into a miscellaneous document for consideration by the SBI at its thirty-first session.

B. Assessment of the Special Climate Change Fund

(Agenda item 5 (b))

1. Proceedings

29. The SBI considered this sub-item at its 4th and 5th meetings, on 3 and 10 June, respectively. A statement was made by a representative of one Party speaking on behalf of the Group of 77 and China.
30. At its 4th meeting, the SBI agreed to consider this sub-item in a contact group together with sub-item 5 (a) (see para. 25 above).
31. At its 5th meeting, the SBI considered and adopted conclusions⁸ proposed by the Chair.

⁷ Adopted as document FCCC/SBI/2009/L.15/Rev.1.

⁸ Adopted as document FCCC/SBI/2009/L.14.

2. Conclusions

32. The SBI, in the context of decision 1/CP.12, paragraph 3, invited Parties to submit their views and recommendations to the secretariat, by 28 September 2009, on the assessment of the implementation of paragraph 2 (a–e) of decision 1/CP.12.

33. The SBI agreed that this assessment should be carried out with a view to considering further guidance on how the Special Climate Change Fund shall support concrete implementation projects in accordance with paragraphs 22–29 of decision 5/CP.7.

34. The SBI requested the secretariat to compile the views and recommendations submitted by Parties referred to in paragraphs 32 and 33 above into a miscellaneous document for consideration by the SBI at its thirty-first session.

C. Adaptation Fund under the Kyoto Protocol

(Agenda item 5 (c))

1. Proceedings

35. The SBI considered this sub-item at its 4th and 5th meetings, on 3 and 10 June, respectively. A statement was made by a representative of one Party speaking on behalf of the Group of 77 and China.

36. At its 5th meeting, the SBI considered and adopted conclusions⁹ proposed by the Chair.

2. Conclusions

37. The SBI, in accordance with decision 1/CMP.3, paragraphs 32–34, on the review of all matters relating to the Adaptation Fund, including the institutional arrangements referred to in paragraphs 19 and 23 of the same decision, invited Parties to submit to the secretariat, by 22 March 2010, their views and recommendations on the possible terms of reference for this review, which will be undertaken at the sixth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP).

38. The SBI requested the secretariat to compile the views and recommendations submitted by Parties and referred to in paragraph 37 above into a miscellaneous document. It further requested the secretariat, on the basis of these submissions, to prepare draft terms of reference for consideration by the SBI at its thirty-second session with a view to the SBI endorsing the terms of reference at the same session.

39. The SBI decided to recommend a draft decision¹⁰ on this subject for adoption by the CMP at its fifth session.

⁹ Adopted as document FCCC/SBI/2009/L.16.

¹⁰ FCCC/SBI/2009/L.16/Add.1. For the final text see document FCCC/SBI/2009/8/Add.1.

VI. Matters relating to Article 4, paragraphs 8 and 9, of the Convention

(Agenda item 6)

A. Progress on the implementation of decision 1/CP.10

(Agenda item 6 (a))

1. Proceedings

40. The SBI considered this sub-item at its 2nd and 5th meetings, on 2 and 10 June, respectively. Statements were made by representatives of two Parties, including one speaking on behalf of AOSIS.
41. At its 2nd meeting, the SBI agreed to consider this sub-item in informal consultations convened by Mr. Leon Charles (Grenada). At the 5th meeting, Mr. Charles reported on these consultations.
42. At its 5th meeting, the SBI considered and adopted conclusions¹¹ proposed by the Chair.

2. Conclusions

43. The SBI noted the views of Parties on the status of implementation of Article 4, paragraph 8, of the Convention and decisions 5/CP.7 and 1/CP.10. It also noted that further work is needed on this matter.
44. The SBI agreed to continue its consideration of this matter, taking into account the draft text (contained in annex II) prepared by the chair of the contact group on this matter at SBI 29. Other inputs for consideration include:
- (a) The Chair's summary of the round table held at SBI 29 (contained in annex III);
 - (b) Previous submissions and documents on this matter, including FCCC/SBI/2008/MISC.4, FCCC/SBI/2008/MISC.9 and Add.1, FCCC/SBI/2008/MISC.10 and documents referred to in annex III to the report of the SBI on its twenty-eighth session;¹²
 - (c) Further submissions as referred to in paragraph 45 below.
45. The SBI invited Parties and relevant organizations to submit to the secretariat, by 28 September 2009, with the option to make further submissions by 22 March 2010, their views on possible further action on this matter. These submissions may address, inter alia:

With regard to the adverse effects of climate change:

- (a) Financial resources;
- (b) Vulnerability and adaptation assessments;
- (c) Adaptation planning and implementation;
- (d) Risk management and risk reduction;
- (e) Regional collaboration and cross-cutting issues;

¹¹ Adopted as document FCCC/SBI/2009/L.13.

¹² FCCC/SBI/2008/8.

- (f) Capacity-building, education, training and public awareness;
- (g) Data, systematic observation and monitoring;

With regard to the impact of the implementation of response measures:

- (h) Financial risk management;
- (i) Modelling;
- (j) Economic diversification.

46. The SBI requested the secretariat to compile the submissions referred to in paragraph 45 above into a miscellaneous document for consideration by the SBI at its thirty-first or thirty-second session.¹³

47. The SBI requested its Chair to prepare a draft decision text on further actions based on the documents referred to in paragraphs 44 and 46 above with a view to adopting a decision at the sixteenth session of the COP.

B. Matters relating to the least developed countries

(Agenda item 6 (b))

1. Proceedings

48. The SBI considered this sub-item at its 2nd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/6. Statements were made by representatives of 10 Parties, including one speaking on behalf of the LDCs.

49. At its 2nd meeting, the SBI agreed to consider this sub-item in informal consultations convened by Ms. Margaret Mukahanana-Sangarwe (Zimbabwe). At the 5th meeting, Ms. Mukahanana-Sangarwe reported on these consultations.

50. At the 2nd meeting, the Chair invited Mr. Fred Onduri (Uganda), Chair of the Least Developed Countries Expert Group (LEG), to make a statement.

51. At its 5th meeting, the SBI considered and adopted conclusions¹⁴ proposed by the Chair.

2. Conclusions

52. The SBI took note of the oral report by the Chair of the LEG, and welcomed the report on the fifteenth meeting of the LEG held in Cotonou, Benin, from 3 to 5 March 2009.¹⁵

53. The SBI thanked the Government of Benin for hosting the fifteenth meeting of the LEG, and expressed its gratitude to the Governments of Canada, Ireland and Sweden for providing financial resources in support of the work of the LEG.

54. The SBI welcomed the submission of 41 national adaptation programmes of action (NAPAs) to the secretariat as at 5 June 2009. The SBI noted the important role played by the LEG in assisting LDCs with the preparation of NAPAs, and stressed the need for the LEG to continue to assist the LDCs that have not yet completed NAPAs to complete and submit these as soon as possible, in collaboration with the GEF and its agencies.

¹³ The SBI will consider this miscellaneous document at the next SBI session at which this agenda item is considered.

¹⁴ Adopted as document FCCC/SBI/2009/L.4.

¹⁵ FCCC/SBI/2009/6.

55. The SBI expressed its appreciation to the LEG for the support it provides to LDCs in the implementation of NAPAs. The SBI encouraged the LEG to complete and distribute the “Step-by-step guide for implementation of national adaptation programmes of action”.
56. The SBI further encouraged the LEG to organize, in accordance with the LEG work programme and subject to the availability of funding, training on the design of NAPA implementation strategies and preparation of projects based on the step-by-step guide.
57. The SBI encouraged the LEG to continue the effective dialogue with the GEF and its agencies on the NAPA process, in particular on the process for accessing funds, in order to adequately respond to the urgent and immediate nature of NAPA priority activities and projects.
58. The SBI encouraged LDC Parties, United Nations agencies and other relevant actors to provide to the LEG, through the ongoing LEG survey on the status of implementation of NAPAs,¹⁶ information on progress made, problems faced and proposals for addressing these problems, including ideas on how the implementation of NAPAs could be further facilitated.
59. The SBI requested the LEG to keep it informed of the efforts of the LEG in implementing its work programme over the period 2008–2010.
60. The SBI invited Parties in a position to do so to continue to provide resources in support of the implementation of the LEG work programme, including for the training workshops on NAPA implementation.

VII. Development and transfer of technologies

(Agenda item 7)

1. Proceedings

61. The SBI considered this item at its 2nd and 5th meetings, on 2 and 10 June, respectively. It had before it documents FCCC/SBI/2009/3, FCCC/SBI/2009/INF.1, FCCC/SBI/2009/INF.4, FCCC/SBI/2009/MISC.4, FCCC/SB/2009/1 and Summary, FCCC/SB/2009/2 and Summary and FCCC/SB/2009/3 and Summary. Statements were made by representatives of 12 Parties, including one speaking on behalf of the Group of 77 and China and one on behalf of the European Community and its member States.
62. At the 2nd meeting, the Chair invited Mr. Bruce Wilson (Australia), Vice-Chair of the Expert Group on Technology Transfer (EGTT), to report on the group’s activities. At the same meeting, the Chair invited the representative of the GEF secretariat to report on progress made in carrying out the Poznan strategic programme on technology transfer.
63. Also at the 2nd meeting, the SBI agreed to consider this item in a joint contact group with the Subsidiary Body for Scientific and Technological Advice (SBSTA), co-chaired by Mr. Carlos Fuller (Belize) and Mr. Holger Liptow (Germany). At the 5th meeting, Mr. Liptow reported on the joint contact group’s consultations.
64. At its 5th meeting, the SBI considered and adopted conclusions¹⁷ proposed by the Chair.

¹⁶ FCCC/SBI/2008/14, annex I.

¹⁷ Adopted as document FCCC/SBI/2009/L.8.

2. Conclusions

65. The SBI and the SBSTA welcomed the election of Mr. Arthur Rolle (Bahamas) as Chair and Mr. Wilson as Vice-Chair of the EGTT for 2009.

66. The SBI and the SBSTA took note of the oral report by the Vice-Chair of the EGTT on the outcomes of the group's meetings held from 24 to 26 February 2009 and from 13 to 14 May 2009, in Bonn. The SBI and the SBSTA commended the EGTT for providing its reports to this session. The SBI and the SBSTA welcomed the initiative of the EGTT to hold an informal dialogue with the business community in conjunction with its meeting in May 2009, during which representatives of the international business community communicated their positions and expressed their desire to play an even more active role, which is essential to the success of the process. The SBI and the SBSTA noted that further thought should be given to establishing an effective means of engaging the private sector more fully in this process. The SBI and the SBSTA encouraged the EGTT to continue engaging with other relevant stakeholders, including public and private financial institutions, non-governmental organizations and academia, in its work, as appropriate.

67. The SBI and the SBSTA welcomed the reports of the EGTT on financing options¹⁸ and a long-term strategy,¹⁹ and the draft report of the EGTT on performance indicators.²⁰

68. The SBI and the SBSTA looked forward to the final report of the EGTT on performance indicators, to be made available at their thirty-first sessions. This report will contain a set of indicators that could be used by the SBI as one of the tools to conduct the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention, and to regularly monitor and evaluate the effectiveness of the implementation of the technology transfer framework,²¹ as requested by decision 4/CP.13.

69. The SBI and the SBSTA noted that the EGTT reports on financing options and a long-term strategy contain a wealth of information and a range of important findings that could inform Parties in their deliberations on matters relating to technology development and transfer as part of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA). The SBI and the SBSTA invited the AWG-LCA to consider, as appropriate, information contained in these reports. The SBI and the SBSTA also invited the AWG-LCA to consider, as appropriate, the report referred to in paragraph 68 above once it is finalized.

70. The SBI noted the interim report²² of the GEF on the progress made in carrying out the Poznan strategic programme on technology transfer.²³ The SBI requested the GEF to expedite this work, particularly in providing financial support for developing country Parties in conducting and updating their technology needs assessments and in acting on the results. The SBI invited the GEF and its implementing agencies to promote, when providing support under the Poznan strategic programme on technology transfer, the use of the updated handbook *Conducting Technology Needs Assessments for Climate Change*²⁴ by non-Annex I Parties. The SBI looked forward to receiving a further progress report by the GEF on this programme at its thirty-first session, as requested by decision 2/CP.14.

¹⁸ FCCC/SB/2009/2 and Summary.

¹⁹ FCCC/SB/2009/3 and Summary.

²⁰ FCCC/SB/2009/1 and Summary.

²¹ The framework for meaningful and effective actions to enhance the implementation of Article 4, paragraph 5, of the Convention.

²² FCCC/SBI/2009/3.

²³ Decision 2/CP.14.

²⁴ <<http://unfccc.int/ttclear/pdf/TNA%20Handbook%20-%20Advance%20Document%20June09.pdf>>.

71. The SBI noted the views²⁵ submitted by Parties and relevant organizations on the areas of focus set out in section IV of the terms of reference for the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention and the synthesis report of these views²⁶ prepared by the secretariat. It also noted the draft interim report²⁷ prepared by the secretariat on progress of this review and assessment.

72. The SBI recalled decision 2/CP.14, paragraph 3, and invited Parties and relevant organizations, particularly those that have not done so, to submit to the secretariat, by 15 February 2010, their views on the areas of focus referred to in paragraph 71 above.

73. The SBI agreed to consider matters relating to the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention at its thirty-second session, in accordance with the terms of reference referred to in decision 2/CP.14, taking into account submissions from Parties and relevant organizations,²⁸ the updated report referred to in paragraph 74 (a) below and all relevant work of the EGTT, including the final report by the EGTT on performance indicators.

74. The SBI requested the secretariat, subject to the availability of resources:

- (a) To update the synthesis report on the views of Parties and relevant organizations referred to in paragraph 71 above and make it available for consideration by the SBI at its thirty-second session;
- (b) To initiate activities identified in paragraph 19²⁹ of the draft interim report referred to in paragraph 71 above, and to initiate preparatory work required, as appropriate, to support the timely completion of the review referred to in paragraph 73 above, including through the preparation of a list of data gaps relative to the performance indicators once they are finalized;
- (c) To widely disseminate, in electronic and printed forms, the two reports of the EGTT on financing options and a long-term strategy referred to in paragraph 67 above and the report on performance indicators referred to in paragraph 68 above, once it is finalized.

VIII. Capacity-building under the Convention

(Agenda item 8)

75. The SBI considered this item at its 1st and 5th meetings, on 1 and 10 June, respectively. It had before it documents FCCC/SBI/2009/4, FCCC/SBI/2009/5, FCCC/SBI/2009/MISC.1 and FCCC/SBI/2009/MISC.2. Statements were made by representatives of 10 Parties, including one speaking on behalf of the Group of 77 and China, one on behalf of the European Community and its member States and one on behalf of the Umbrella Group.

76. At its 1st meeting, the SBI agreed to consider this item in a contact group co-chaired by Mr. Helmut Hojesky (Austria) and Mr. Philip Gwage (Uganda). At the 5th meeting, Mr. Gwage reported on the contact group's consultations.

²⁵ FCCC/SBI/2009/MISC.4.

²⁶ FCCC/SBI/2009/INF.1.

²⁷ FCCC/SBI/2009/INF.4.

²⁸ FCCC/SBI/2009/MISC.4, FCCC/SBI/2008/MISC.1 and Add.1 and FCCC/SBI/2008/7.

²⁹ This work involves further analysing the information contained in a number of sources, with a view to identifying lessons learned, good practices, challenges faced and the remaining gaps identified in the implementation of Article 4, paragraphs 1(c) and 5, of the Convention and of decisions 4/CP.7, 3/CP.13 and 4/CP.13, as per the terms of reference.

77. As the group could not reach conclusions on this matter, the SBI agreed to include this item on the provisional agenda for SBI 31, in accordance with rule 16 of the draft rules of procedure being applied.

IX. Capacity-building under the Kyoto Protocol

(Agenda item 9)

78. The SBI considered this item at its 1st and 5th meetings, on 1 and 10 June, respectively. It had before it documents FCCC/SBI/2009/4, FCCC/SBI/2009/5, FCCC/SBI/2009/MISC.1 and FCCC/SBI/2009/MISC.2. Statements were made by representatives of four Parties, including one speaking on behalf of the Group of 77 and China, one on behalf of the European Community and its member States and one on behalf of the Umbrella Group.

79. At its 1st meeting, the SBI agreed to consider this item in a contact group co-chaired by Mr. Hojesky and Mr. Gwage. At the 5th meeting, Mr. Gwage reported on the contact group's consultations.

80. As the group could not reach conclusions on this matter, the SBI agreed to include this item on the provisional agenda for SBI 31, in accordance with rule 16 of the draft rules of procedure being applied.

X. Reporting and review of information submitted by Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol

(Agenda item 10)

1. Proceedings

81. The SBI considered this item at its 3rd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/INF.2. Statements were made by representatives of three Parties.

82. At its 3rd meeting, the SBI agreed to consider this item in informal consultations convened by Ms. Anke Herold (Germany). At the 5th meeting, Ms. Herold reported on these consultations.

83. At its 5th meeting, the SBI considered and adopted conclusions³⁰ proposed by the Chair.

2. Conclusions

84. The SBI took note of the information contained in document FCCC/SBI/2009/INF.2 and its annex on activities relating to the review of information submitted by Parties included in Annex I to the Convention (Annex I Parties) under the Kyoto Protocol on greenhouse gas (GHG) emission inventories and other elements of annual reporting, which includes information on the planned and prioritized activities to manage the reporting and review processes for 2010–2011. It also noted the information on the planned and prioritized activities to manage the reporting and review processes under the Convention in 2010–2011, as presented in document FCCC/SBSTA/2009/INF.2.

85. The SBI re-emphasized the urgent need to strengthen the secretariat's capacity to manage the reporting and review processes (including the training for members of expert review teams (ERTs) participating in annual reviews under Article 8 of the Kyoto Protocol, planning and conducting the reviews, organizing the lead reviewers' meetings and the further development of the GHG information system) and to prioritize these fundamental activities.³¹

86. The SBI requested the secretariat to continue to support the reporting and review processes by implementing the following activities:

³⁰ Adopted as document FCCC/SBI/2009/L.5.

³¹ FCCC/SBI/2008/19, paragraphs 113 and 114.

- (a) Facilitate the work of the lead reviewers, including by organizing their annual meetings and preparing analytical materials on review activities under the Kyoto Protocol;
- (b) Implement the updated training programme under the Kyoto Protocol referred to in paragraph 91 below;
- (c) Manage the reporting and review processes, including through the provision of data reports and review tools under the Kyoto Protocol to the ERTs and by improving these reports and tools based on feedback from ERTs and lead reviewers.

87. The SBI requested the secretariat to implement the following additional activities, subject to the availability of resources:

- (a) Enhance the training for members of ERTs participating in annual reviews under Article 8 of the Kyoto Protocol, by providing instructors for the courses for one of the training periods in a year, as referred to in the annex to the draft decision referred to in paragraph 91 below;
- (b) Prepare analytical materials on review activities under Article 3, paragraphs 3 and 4, of the Kyoto Protocol, including adjustments procedures, for the lead reviewers' meetings.

88. The SBI invited Annex I Parties in a position to do so to provide the necessary supplementary funding for the activities referred to in paragraph 87 above.

89. The SBI reiterated its request to Parties to nominate experts to the roster of experts and to update the roster at least once a year. The SBI encouraged Parties to make available as many GHG inventory review experts as feasible for the review process.

90. The SBI requested the secretariat to add a dedicated page on its website with information on the training for members of ERTs participating in annual reviews under Article 8 of the Kyoto Protocol, including procedures for the nomination of experts to the roster of experts, scheduled courses and periods for the online examinations.

91. The SBI decided to recommend a draft decision³² on the training programme for members of ERTs participating in annual reviews under Article 8 of the Kyoto Protocol, for adoption by the CMP at its fifth session.

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

(Agenda item 11)

1. Proceedings

92. The SBI considered this item at its 3rd and 5th meetings, on 2 and 10 June, respectively.

93. At the 3rd meeting, the SBI agreed to establish a joint contact group to consider this agenda item and the SBSTA agenda item "Matters relating to Article 2, paragraph 3, of the Kyoto Protocol", co-chaired by Mr. Eduardo Calvo Buendia (Peru) and Ms. Kristin Tilley (Australia). At the 5th meeting, Mr. Calvo Buendia reported on the joint contact group's consultations.

94. At its 5th meeting, the SBI considered and adopted conclusions³³ proposed by the Chair.

2. Conclusions

³² FCCC/SBI/2009/L.5/Add.1. For the final text see document FCCC/SBI/2009/8/Add.1.

³³ Adopted as document FCCC/SBI/2009/L.11.

95. A joint contact group was set up to discuss the SBI agenda item “Matters relating to Article 3, paragraph 14, of the Kyoto Protocol” and the SBSTA agenda item “Matters relating to Article 2, paragraph 3, of the Kyoto Protocol” during the thirtieth sessions of the SBI and the SBSTA. In the establishment of this joint contact group, the Chairs of the SBI and the SBSTA directed that equal time be allocated to the consideration of each item.

96. The SBI and the SBSTA agreed to continue their discussions on these matters in a joint contact group to be established by the SBI and the SBSTA at their thirty-first sessions. They agreed to resume the consideration of these matters at their thirty-first sessions, based on the draft text contained in annex IV.

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

(Agenda item 12)

97. The SBI considered this item at its 3rd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/KP/CMP/2005/2.

98. At the 3rd meeting, the Chair announced that she would consult with interested Parties and report on the outcome of these consultations to the SBI at its closing plenary. At the 5th meeting, the Chair reported that there was agreement to continue to discuss this matter further at SBI 32 and to include this item on the provisional agenda for that session.

XIII. Arrangements for intergovernmental meetings

(Agenda item 13)

A. Fifteenth session of the Conference of the Parties

(Agenda item 13 (a))

Fifth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

(Agenda item 13 (b))

1. Proceedings

99. The SBI considered these sub-items together at its 2nd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/7. Statements were made by representatives of five Parties, including one speaking on behalf of the Group of 77 and China.

100. The Chair thanked the representative of the Government of Denmark for information on the preparations to host sessions of the Convention bodies in December.

101. At its 2nd meeting, the SBI agreed to consider these sub-items together with sub-items 13 (c), (d) and (e) in a contact group co-chaired by Mr. Georg Børsting (Norway) and Mr. Richard Muyungi (United Republic of Tanzania). At the 5th meeting, Mr. Muyungi reported on the contact group’s consultations.

102. At its 5th meeting, the SBI considered and adopted conclusions³⁴ proposed by the Chair.

³⁴ Adopted as document FCCC/SBI/2009/L.10, paragraphs 1–4.

2. Conclusions

Arrangements for the sessions

103. The SBI took note of the information provided by the Government of Denmark on the preparations being made to convene the fifteenth session of the COP and the fifth session of the CMP at the Bella Center in Copenhagen from 7 to 18 December 2009. The SBI expressed its appreciation to the Government of Denmark for these efforts.

104. The SBI requested the secretariat to take note of the views expressed by Parties on the possible elements of the provisional agendas for COP 15 and CMP 5.

105. The SBI recommended that arrangements be made for the delivery of concise national statements by ministers and heads of delegation³⁵ in the joint meetings of the COP and the CMP during the high-level segment to be held from 16 to 18 December 2009.

106. The SBI invited the Bureau of COP 14 to finalize the details of the arrangements for COP 15 and CMP 5, including arrangements for the high-level segment, in collaboration with the President designate of COP 15 and CMP 5 and the secretariat. The SBI stressed the importance of the principles of transparency and inclusiveness in the lead-up to and during COP 15 and CMP 5.

B. Future sessional periods

(Agenda item 13 (c))

Organization of the intergovernmental process

(Agenda item 13 (d))

1. Proceedings

107. The SBI considered these sub-items together at its 3rd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/7. Statements were made by representatives of six Parties, including one speaking on behalf of the Group 77 and China and one on behalf of the European Community and its member States.

108. At its 2nd meeting, the SBI had agreed to consider these sub-items in a contact group together with sub-items 13 (a), (b) and (e) (see para. 101 above).

109. At its 5th meeting, the SBI considered conclusions³⁶ proposed by the Chair and adopted them as amended in the course of the meeting.

2. Conclusions

Earlier sessions in 2009

110. The SBI expressed its gratitude to the Government of Germany for its generous financial support for the seventh session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) and the fifth session of the AWG-LCA, held from 29 March to 8 April 2009 at the Maritim Hotel in Bonn.

111. The SBI took note of the information provided by the secretariat on the preparations for the informal meetings to be held from 10 to 14 August 2009 at the Maritim Hotel, and noted that the Chairs of the AWG-KP and the AWG-LCA are undertaking consultations on these preparations.

³⁵ Statements may also be made by other high-level representatives.

³⁶ Adopted as document FCCC/SBI/2009/L.10, paragraphs 5–11.

112. The SBI also expressed its gratitude to the Government of Thailand for hosting the first part of the ninth session of the AWG-KP and the first part of the seventh session of the AWG-LCA from 28 September to 9 October 2009 at the United Nations Conference Centre at the United Nations Economic and Social Commission for Asia and the Pacific in Bangkok. The SBI took note of information provided by the secretariat on the preparations for these sessions and requested the Executive Secretary to continue consultations with the Government of Thailand and conclude the necessary legal arrangements by 15 August 2009.

113. The SBI further expressed its gratitude to the Government of Spain for hosting the resumed ninth session of the AWG-KP and the resumed seventh session of the AWG-LCA from 2 to 6 November 2009 at the Fira Barcelona Convention Centre in Barcelona. The SBI took note of information provided by the secretariat on the preparations for these sessions and requested the Executive Secretary to continue consultations with the Government of Spain and conclude the necessary legal arrangements by 15 September 2009.

114. The SBI noted that organizing these additional sessions will require resources that have not been provided for in the core budget of the UNFCCC for 2008–2009 or in the United Nations allocation for conference services for the UNFCCC. Parties are therefore urged to make voluntary contributions as soon as possible to cover both the organizational aspect of these sessions and the participation of delegates from eligible Parties. The SBI expressed its appreciation to those Parties that have already made a financial contribution to support these sessions. It also noted the desirability of permanent conference facilities for the use of the UNFCCC and others coming into operation as soon as possible.

Organization of the intergovernmental process

115. The SBI recalled its recommendation in previous conclusions³⁷ that future sessions be scheduled from mid-week to mid-week, where possible, in order to reduce the amount of weekend travel time required. The SBI agreed that all meetings end by 6 p.m., particularly to give Parties and regional groups sufficient time to prepare for daily meetings, but may, in exceptional circumstances, and on a case by case basis, continue for two to three hours.

116. The SBI re-emphasized the importance of key documents being translated into all official United Nations languages well in advance of the relevant sessions.

C. Observer organizations

(Agenda item 13 (e))

1. Proceedings

117. The SBI considered this sub-item at its 3rd and 5th meetings, on 2 and 10 June, respectively. It had before it document FCCC/SBI/2009/7.

118. Statements were made on behalf of the environmental and trade union non-governmental organizations.

119. At its 2nd meeting, the SBI had agreed to consider this sub-item in a contact group together with sub-items 13 (a), (b), (c) and (d) (see para. 101 above).

120. At its 5th meeting, the SBI considered and adopted conclusions³⁸ proposed by the Chair.

³⁷ FCCC/SBI/2008/8, paragraph 136.

³⁸ Adopted as document FCCC/SBI/2009/L.10, paragraph 12.

2. Conclusions

Observer organizations

121. The SBI took note of the information on the positive developments in the practices for the participation of observer organizations in the UNFCCC process, contained in document FCCC/SBI/2009/7.

XIV. Administrative, financial and institutional matters

(Agenda item 14)

A. Budget performance for the biennium 2008–2009

(Agenda item 14 (a))

1. Proceedings

122. The SBI considered this sub-item at its 1st and 5th meetings, on 1 and 10 June, respectively. It had before it documents FCCC/SBI/2009/INF.3 and FCCC/SBI/2009/INF.7.

123. At the 1st meeting, the Chair proposed to draft conclusions on this sub-item, with the assistance of the secretariat and in consultation with interested Parties. At its 5th meeting, the SBI considered and adopted conclusions³⁹ proposed by the Chair.

2. Conclusions

124. The SBI took note of the interim financial statements for the biennium 2008–2009 as at 31 December 2008.⁴⁰

125. The SBI took note of the information relating to the status of contributions as at 15 May 2009⁴¹ and expressed its appreciation to the Parties that had paid their indicative contributions to the core budget and for the international transaction log (ITL) on time, and particularly to those Parties that had made voluntary contributions to the Trust Fund for Participation in the UNFCCC Process and the Trust Fund for Supplementary Activities. The SBI also expressed concern over outstanding contributions and urged those Parties that have not yet paid their contributions to do so as soon as possible.

B. Programme budget for the biennium 2010–2011

(Agenda item 14 (b))

1. Proceedings

126. The SBI considered this sub-item at its 1st and 5th meetings, on 1 and 10 June, respectively. It had before it documents FCCC/SBI/2009/2 and Add.1–3, FCCC/SBI/2009/MISC.3 and FCCC/SBI/2009/MISC.3/Add.1. Statements were made by representatives of three Parties.

127. At its 1st meeting, the SBI agreed to consider this sub-item in a contact group chaired by Mr. Quamrul Islam Chowdhury (Bangladesh). At the 5th meeting, Mr. Chowdhury reported on the contact group's consultations.

128. At its 5th meeting, the SBI considered conclusions⁴² proposed by the Chair and adopted them as amended in the course of the meeting.

³⁹ Adopted as document FCCC/SBI/2009/L.6.

⁴⁰ FCCC/SBI/2009/INF.3.

⁴¹ FCCC/SBI/2009/INF.7.

⁴² Adopted as document FCCC/SBI/2009/L.9.

2. Conclusions

129. The SBI considered the proposed programme budget for the biennium 2010–2011⁴³ and the information relating to the collection of fees for the ITL.⁴⁴

130. The SBI decided to recommend that the COP approve, at its fifteenth session, a core programme budget of EUR 44,200,099 for the biennium 2010–2011.

131. The SBI authorized the Executive Secretary to notify Parties of their 2010 contributions in euros, based on the budget amount shown in paragraph 130 above, after taking into account the special annual contribution from the Host Government of EUR 766,938 and a drawing of EUR 700,000 annually from the unspent balances or contributions (carry-over) from previous financial periods.

132. The SBI recognized the possible need for additional resources to cover costs of activities resulting from decisions that may be taken by the COP at its fifteenth session, and urged Parties to make voluntary contributions as necessary for the timely implementation of these activities. The SBI also recommended the COP to authorize the Executive Secretary to implement decisions that may be taken at COP 15 for which provisions are not made under the approved budget, using voluntary contributions and resources available under the core budget.

133. The SBI took note of the contingency budget contained in document FCCC/SBI/2009/2 and invited the Executive Secretary to propose to the session of the SBI that follows COP 15 an additional budget to cover potential activities related to decisions taken at COP 15.

134. The SBI took note of the concerns expressed by some Parties over the challenges that they may face if their indicative contributions increase as a result of the revision of the United Nations scale of assessments by the General Assembly. It urged Parties in a position to do so to make additional voluntary contributions to the core budget, which would reduce the indicative contributions.

135. The SBI also authorized the Executive Secretary to notify concerned Parties of their annual fee for 2010 for the connection of their national registry to, and use of, the ITL and for the related activities of the ITL administrator.

136. The SBI decided to recommend a draft decision⁴⁵ on the programme budget for the biennium 2010–2011 for adoption by the COP at its fifteenth session, and a draft decision⁴⁶ on the programme budget for the biennium 2010–2011 as it applies to the Kyoto Protocol for adoption by the CMP at its fifth session.

137. The SBI encouraged the Executive Secretary to continue with his efforts to ensure equitable geographical distribution and gender balance among secretariat staff at the Professional level and above.

C. Implementation of the Headquarters Agreement

(Agenda item 14 (c))

1. Proceedings

138. The SBI considered this sub-item at its 1st and 5th meetings, on 1 and 10 June, respectively. Statements were made by a representative of the Host Government and by the Executive Secretary.

⁴³ FCCC/SBI/2009/2 and Add.1–3.

⁴⁴ FCCC/SBI/2009/MISC.3 and Add.1.

⁴⁵ FCCC/SBI/2009/L.9/Add.1, pages 1–11. For the final text see document FCCC/SBI/2009/8/Add.1.

⁴⁶ FCCC/SBI/2009/L.9/Add.1, pages 12–19. For the final text see document FCCC/SBI/2009/8/Add.1.

139. At the 1st meeting, the Chair proposed to draft conclusions on this sub-item, with the assistance of the secretariat and in consultation with interested Parties. At its 5th meeting, the SBI considered and adopted conclusions⁴⁷ proposed by the Chair.

2. Conclusions

140. The SBI took note of the statement made by the representative of the Host Government confirming that the new conference facilities in Bonn will be ready to provide a full service in 2010 and that construction of the new premises for the secretariat in Bonn is scheduled to be completed in two stages: the first stage by the end of 2011 and the second stage, which will include an additional building to accommodate expected staff growth over the next few years, in 2014.

141. The SBI took note of the statement made by the Executive Secretary in which he reported that the secretariat and delegates have benefited from a good relationship with the Host Government. He welcomed the Host Government's plan to expand the new premises to take into account the expected increase in the number of secretariat staff.

142. The Executive Secretary explained that an acceptable solution to the current shortage of office space has not yet been found with the Host Government. He expressed his hopes that this will be resolved. In this respect, the SBI noted that a number of options are being explored by the Host Government for providing adequate office space until the secretariat moves to its new premises. The Executive Secretary proposed to report on this matter at the thirty-first session of the SBI, should further action be needed in the absence of any progress.

143. The SBI invited the Host Government and the Executive Secretary to report to it at its thirty-second session on further progress made in this and other aspects of the implementation of the Headquarters Agreement.

D. Privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol

(Agenda item 14 (d))

1. Proceedings

144. The SBI considered this sub-item at its 1st and 5th meetings, on 1 and 10 June, respectively. It had before it document FCCC/SBI/2009/MISC.5 and Add.1–2. Statements were made by the representatives of seven Parties, including one speaking on behalf of the European Community and its member States and one on behalf of AOSIS.

145. At its 1st meeting, the SBI agreed to consider this item in a contact group chaired by Ms. Tamara Curll (Australia). At the 5th meeting, Ms. Curll reported on the contact group's consultations.

146. At its 5th meeting, the SBI considered and adopted conclusions⁴⁸ proposed by the Chair.

147. The SBI decided to continue the consideration of this sub-item at its thirty-first session, in accordance with rule 16 of the draft rules of procedure being applied.

⁴⁷ Adopted as document FCCC/SBI/2009/L.2.

⁴⁸ Adopted as document FCCC/SBI/2009/L.7/Rev.1, which will serve as a basis for further consideration of this sub-item.

2. Conclusions

148. The SBI took note of the submissions from Parties made pursuant to agenda item 14 (d) on privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol.⁴⁹

149. The SBI also took note of the draft treaty arrangements developed by the contact group, as contained in annex V.

XV. Other matters

(Agenda item 15)

150. The SBI considered this item at its 4th meeting, on 3 June. A representative of Argentina made a statement on the Falkland Islands (Malvinas), the full text of which is contained in document FCCC/SBI/2009/MISC.6. A representative of the United Kingdom of Great Britain and Northern Ireland also made a statement on the Falkland Islands (Malvinas), the full text of which is contained in document FCCC/SBI/2009/MISC.7.

XVI. Report on the session

(Agenda item 16)

151. At its 5th meeting, on 10 June, the SBI considered and adopted the draft report on its thirtieth session.⁵⁰ At the same meeting, on a proposal by the Chair, the SBI authorized the Rapporteur, Mr. Kadio Ahossane (Côte d'Ivoire), to complete the report on the session, with the assistance of the secretariat and under the guidance of the Chair.

XVII. Closure of the session

152. At the 5th meeting, on 10 June, the Executive Secretary shared with the SBI a preliminary evaluation of the administrative and budgetary implications of conclusions adopted during the session. This follows decision 16/CP.9, paragraph 20, which requests the Executive Secretary to provide an indication of the administrative and budgetary implications of decisions⁵¹ if these cannot be met from existing resources within the core budget.

153. The Executive Secretary informed delegates that, apart from the additional sessions of the AWG-KP and the AWG-LCA scheduled prior to COP 15, most of the work that is being done, and that the secretariat has been requested to do, has been clearly anticipated. There are no significant budgetary implications of the SBI conclusions adopted at this session that are not covered by resources available in 2009 by the proposed programme budget for 2010–2011.

154. In this regard, the Executive Secretary expressed his appreciation to all Parties for considering his budget proposal favourably. He believed that the EUR 44.2 million that the Parties have recommended for approval under the core budget and their taking note of the requirements under the supplementary fund would go a long way to meeting the cost of the activities the secretariat has been asked to deliver.

155. The Executive Secretary also expressed his appreciation to the Parties for their recommendation that he be authorized to propose an additional budget, if necessary, to cover activities arising from decisions taken at COP 15. He considered this a demonstration of Parties' commitment to providing financial support for any output the secretariat may be asked to produce in the future.

⁴⁹ FCCC/SBI/2009/MISC.5 and Add.1–3.

⁵⁰ Adopted as document FCCC/SBI/2009/L.1.

⁵¹ While decision 16/CP.9 refers to "decisions", it also has implications for conclusions of the subsidiary bodies.

156. At the same meeting, the Chair thanked delegates, the chairs of contact groups and facilitators of informal consultations for their contributions. She also thanked the secretariat for its support.

157. Closing statements were made by three Parties, namely, one speaking on behalf of the Group of 77 and China, one on behalf of AOSIS and one on behalf of the LDCs.

Annex I

[ENGLISH ONLY]

**Text for a draft decision for consideration by the Subsidiary Body
for Implementation at its thirty-first session**

Draft decision [-/CP.15]

Fourth review of the financial mechanism

[The Conference of the Parties,

Recalling Article 4, paragraphs 3, 4, 5, 8, and 9, of the Convention and taking fully into account Article 11 of the Convention, in particular its sub-paragraph 1,

Recalling also its decisions 11/CP.1, 12/CP.2, 3/CP.4, 6/CP.13, and 3/CP.14,

Pursuant to Article 7.2 (h) of the Convention,

[Noting that multilateral and bilateral agencies have scaled up financial resources related to the implementation of the Convention,]

Noting the Annual Reports of the Global Environment Facility to the COP,

[Noting the Fourth Overall Performance Study of the Global Environment Facility interim report, [and particularly its paragraphs 4, [5] and 6]]

Further taking into account the mid-term review of the Resource Allocation Framework,

[Taking note of the [assessment of the status of the implementation] [review] of the Special Climate Change Fund,]

[Gravely concerned over the huge gaps of financing [needed by developing] [provided by developed] countries, in particular for adaptation, and the amount made available through an operating entity of the financial mechanism of the Convention, the Global Environment Facility,]

[Conscious of the need to scale up the level of [public] [and private] financing for the implementation of the climate change convention [based on past and present experience as well as on relevant literature on future financial and investment needs,]

[Recognizing] *[Seriously aware]* that most of the financing for activities under the Convention are done through financial institutions outside of the framework of the financial mechanism of the Convention,

[Taking into account the continued difficulties faced by developing countries with the financing through the Global Environment Facility, in particular due to the requirement for co-financing, the application of the concept of incremental costs, and the Resource Allocation Framework,]

Noting [with serious concern the continued problems faced by developing countries due to] [concerns from a number of Parties regarding] the functioning of the Implementing Agencies of the Global Environment Facility,

[*Noting* the need to increase [the amount of resources for] capacity building [, [and] institutional strengthening [[and] [to enhance] enabling environments[for catalyzing investment in, and the transfer of, sustainable technologies that mitigate greenhouse gas emissions, and for enhancing resilience to climate change]] in developing countries,]

1. *[Takes note* of the OPS4 interim report findings that:
 - i) GEF support continues to be in line with guidance from the Convention
 - ii) GEF support has been crucial in enabling countries to integrate climate change into their national development agenda
 - iii) GEF support has helped developing countries to introduce policies to address climate change and reduce and avoid GHG emissions
 - iv) GEF's move towards country level programming has increased country ownership to some extent, but the current resource allocation modalities need improvement
 - v) there is scope to further simplify and streamline the procedures, particularly the project identification phase and improve timeliness throughout the project cycle;
 - vi) GEF needs a knowledge management strategy to improve learning and sharing best practice;
 - vii) GEF has played an important role in scaling up resources to address climate change,]
2. *[Further decides* to assess the adequacy and predictability of financing channelled through the Global Environment Facility as an operating entity of the financial mechanism of the Convention for the implementation of commitments under Article 4, paragraph 3 of the Convention,]
3. *[Requests* the Global Environment Facility to ensure a successful fifth Replenishment in order to assist that adequate and predictable funding is available,] [Calls upon developed country Parties and invites other Parties that make financial contributions to the Global Environment Facility to secure a successful fifth replenishment of the Global Environment Facility,] [Calls upon donors to the Global Environment Facility to ensure a successful fifth replenishment in order to assist in providing adequate and predictable funding,]
4. *Requests* the Global Environment Facility, as an operating entity of the financial mechanism, to ensure active participation of recipient partners in the replenishment process,
5. *[Request* the Global Environmental Facility to align its fifth replenishment cycle, as well as its climate change operational program with the investment and financial needs identified by Parties and by authorized studies and reports,]
6. *[Further requests* information from the GEF on the changes in the project management cycle, the number of projects funded, and the number of projects which were rejected, as well as the modalities by which a particular funding decision may be reconsidered, in the light of the guidance of the Conference of the Parties, in accordance with Article 11, paragraph 3 (b) of the Convention,]
7. *[Also requests* the Global Environment Facility to provide additional information to the Conference of the Parties on the reforms planned or being undertaken, in particular as concerns allocation of resources,]
8. *[Requests* the GEF Secretariat to present an option paper with recommendations to the GEF Council at its next meeting on reconsidering the requirement for co-financing, in particular for

adaptation projects, to developing countries particularly in small island developing states (SIDS) and the least developed countries (LDCs) amongst them,]

9. [Invites bilateral, regional and other multilateral agencies to continue scaling up financial related to the implementation of the Convention,]

10. [Calls upon the Implementing Agencies of the GEF to comply with their role as implementing agencies, and to comply with the guidance provided by the Conference of the Parties on policies, programme priorities and eligibility criteria for funding,]

11. [Decides that the GEF has provided and should continue to provide support to developing countries in:

- i) supporting developing countries to meet their commitments under the Convention
- ii) strengthening national capacity building, including the development of policies and environmental legislation and regulatory frameworks
- iii) the application and diffusion, including transfer, of technologies, practices and processes for mitigation that control, reduce or prevent anthropogenic emissions
- iv) ensuring that its activities in all focal areas take into account low carbon development and adaptation needs
- v) developing synergies between the MEAs addressing the interaction between the components of the climate system,]

12. [Decides also that the GEF should continue to provide support for the implementation of adaptation activities, including the implementation of National Adaptation Plans of Action, through the LDCF and SCCF,]

13. [Requests the GEF to continue improvements in its modalities to improve the responsiveness, effectiveness and efficiency of its support, including:

- i) enhancing modalities which reinforce country ownership and improve the allocation of resources
- ii) further simplifying and improving its procedures, particularly in respect of activity identification, preparation and approval
- iii) ensuring that access to resources is expeditious and timely
- iv) enabling a programmatic approach, where appropriate
- v) ensuring consistency and complementarity with other financing activities
- vi) promoting private sector financing and investment for climate change activities
- vii) reinforcing its knowledge management approach to share best practice,]

14. [Invites the Global Environmental Facility to look into options for enhancing consistency and improving the complementarity with others sources and means of financing for climate change, as indicated in Article 11, paragraph 5 of the Convention,]

15. [Decides [to examine all options available, in particular through processes under the Convention] [to take into consideration the ongoing discussions on financing in the framework of the AWG-LCA] , to scale up the funding available for the implementation of obligations under Articles 4.3, 4.4 and 4.5 of the Convention,]

16. [Decides to provide further guidance on possible additional functions and modalities for the GEF, within its mandate, as defined through the AWG/LCA,]

17. *[Requests the GEF, in its regular report to the Conference of the Parties, to include information on the steps it has taken to implement the guidance provided in paragraphs 3, 4, 5, 6 and 7 above.]*

Annex II

[ENGLISH ONLY]

[Draft text on SBI 28 agenda item 6 (a)]**Progress on the implementation of decision 1/CP.10****version of 8 December 2008 at 15:17**

1. The Subsidiary Body for Implementation (SBI) held a round table on experiences, lessons learned and best practices in addressing adverse effects of climate change and the impact of the implementation of response measures. The SBI noted the constructive exchange of views by Parties and observer organizations at the round table. A summary of the views exchanged is included in annex xx.
2. The SBI conducted an assessment of the status of implementation of Article 4, paragraph 8, of the Convention and decisions 5/CP.7 and 1/CP.10. The SBI noted the progress made in the implementation of activities to address the adverse effects of climate change and the impact of the implementation of response measures, and that work is still ongoing on these matters. The SBI further noted that further work is needed; this work should take into consideration the outcome of the assessment and negotiations under this agenda item.
3. The SBI noted that the activities for the implementation of decision 1/CP.10 that were agreed at its twenty-eighth session are ongoing, and encouraged relevant organizations, institutions, experts and communities to continue their engagement in these activities.
4. The SBI recognized the potential relevance and usefulness of the work under this agenda item for the ongoing deliberations taking place in the context of the Bali Action Plan (decision 1/CP.13).
5. The SBI decided to recommend a draft decision for adoption on this subject by the Conference of the Parties at its fourteenth session (for the text of the decision, see FCCC/SBI/2008/L.x/Add.x).

Addendum**Recommendation of the Subsidiary Body for Implementation**

The Subsidiary Body for Implementation, at its twenty-ninth session, decided to recommend the following draft decision adoption by the [Conference of the Parties at its fourteenth session]:

Draft decision [-/CP.14]**Implementation of the Buenos Aires programme of work on adaptation and response measures**

The Conference of the Parties,

Recalling Article 4, paragraph 8, of the Convention,

Recalling also decisions 5/CP.7 and 1/CP.10,

1. *Invites* relevant organizations, institutions, experts and communities to participate in the implementation of activities identified in this decision

2. *Urges* relevant organizations, institutions, experts and communities to undertake their own activities and share the outcomes at subsequent sessions of the Subsidiary Body for Implementation, as appropriate.

3. *Requests* the secretariat to strive to engage relevant organizations, institutions, experts and communities in the implementation of activities identified in this decision.

4. *Requests* the Subsidiary Body for Implementation to consider, at its thirty-second session, the outcomes of the activities identified in this decision and to make recommendations, as appropriate, to the Conference of the Parties, at its sixteenth session;

I. Adverse effects of climate change

5. *Decides* that implementation of Article 4, paragraph 8, of the Convention and decisions 5/CP.7 and 1/CP.10, as they relate to the adverse effects of climate change, should be furthered, including through the following activities:

- (a) Providing resources for establishing and/or enhancing the capacity of regional centers to provide support to national level adaptation activities in areas of knowledge access and dissemination, technical support and capacity building;
- (b) Encouraging Parties to participate in and make use of the results of the technical workshop, to be held under Nairobi Work Programme on impacts, vulnerability and adaptation to climate change, on how regional centres and networks undertaking work relevant to climate change could collaborate, to facilitate implementation of the activities identified in this decision;
- (c) Providing support for activities aimed at strengthening adaptation planning and implementation that are carried out by developing country Parties or groups of these countries;
- (d) Providing support for pilot or demonstration projects aimed at how adaptation planning and assessment can be translated into practical projects that provide real benefits, and may be integrated into national policy and sustainable development plans that are carried out by developing country Parties or groups of these countries;
- (e) Facilitating sharing of information and knowledge of best practices and lessons learned;
- (f) Providing support for activities aimed at strengthening systematic observation and rescue, archiving, analysis and dissemination of data at the national and regional levels;

6. *Decides* to further the implementation of the activities referred to in the Report of the Subsidiary Body for Implementation at its twenty-eighth session (FCCC/SBI/2008/8, paragraph 38(a)), that address the adverse effects of climate change, including by:

- (a) Enhancing the web-based interface on the UNFCCC website in order to improve information on accessing funds for adaptation, including for the implementation of national adaptation programmes of action;
- (b) Enhancing action on risk management approaches, including through collaborative work between the UNFCCC process and agencies working in the area of disaster risk reduction, including in the context of the Hyogo Framework for Action and the United Nations International Strategy for Disaster Reduction;

7. *Encourages* Parties included in Annex II to the Convention (Annex II Parties) to increase their contributions towards the implementation of activities related to addressing the adverse effects of climate change;

8. *Further encourages* Annex II Parties as well as relevant organizations to review their procedures for disbursement of funding for adaptation activities with a view to expediting approval and disbursement;

9. *Requests* the secretariat to coordinate, in collaboration with relevant organizations, regional training workshops, subject to the availability of resources, aimed at enhancing the capacity of developing country Parties to implement adaptation activities;

10. *Agrees* that these workshops should cover, inter alia, the development of national adaptation plans, integration of national adaptation plans into national development planning, technologies for adaptation and other matters deemed relevant at the national and/or regional level;

11. *Invites* Annex II Parties, and relevant international and regional organizations, to provide financial and technical support for the efforts of developing country Parties to integrate adaptation into their national and sectoral planning and policies;

12. *Requests* the Subsidiary Body for Implementation to continue, at its thirty-second session, its consideration of ways and means to enhance access to existing funds for adaptation under the Convention;

II. Impact of the implementation of response measures

13. *Decides* to further the implementation of Article 4, paragraph 8, of the Convention, decisions 5/CP.7 and 1/CP.10, as they relate to the impact of the implementation of response measures, including through the following activities:

- (a) Promoting further understanding of this matter by encouraging Parties to share experiences and concerns arising from the impact of the implementation of response measures;
- (b) Prioritizing the consideration of the impact of the implementation of response measures on the poorest and most vulnerable developing countries in assessments and reports prepared in accordance with this decision;
- (c) Encouraging Parties to take benefit from technical workshop, to be held under Nairobi Work Programme on impacts, vulnerability and adaptation to climate change, on how regional centres and networks undertaking work relevant to climate change could collaborate, to facilitate implementation of the activities identified in this decision;

14. *Decides* to further the implementation of the activities referred to in Report of the Subsidiary Body for Implementation at its twenty-eighth session (FCCC/SBI/2008/8, paragraph 38(b)), that address the impact of the implementation of response measures, including by enhancing practical approaches to address economic diversification across a range of sensitive sectors in the context of sustainable development, such as exchanging information and experiences in best practices and lessons learned;

15. *Requests* the secretariat to prepare a synthesis report on the needs and concerns of Parties not included in Annex I (Non-Annex I Parties) to the Convention arising from the impact of the implementation of response measures, and on responses by Annex II Parties to these needs and concerns, drawing upon information contained in national communications and other relevant documents produced under the UNFCCC process, for consideration at its thirty-second session.]

Annex III

[ENGLISH ONLY]

**Chair's summary of the round-table discussion
Decision 1/CP.10
3 December 2008**

Adverse effects of climate change

1. On progress made and positive experiences:

- A lot of information has been generated in response to the provisions of Article 4, paragraph 8, of the Convention and its subsequent process (including through the Nairobi work programme on impacts, vulnerability and adaptation to climate change).
- Developing countries have made progress in the conceptual understanding of adaptation and in conducting assessments at the national level (national adaptation programmes of action and national communications were highlighted as very positive experiences). Good practices have been identified, which can be replicated and/or scaled up.
- Developed countries are providing some support for adaptation, both through multilateral funding channels and bilaterally.
- International organizations have also been increasing their engagement in the adaptation process and identifying good practices that can be replicated on a larger scale.
- Work has been carried out on integrating adaptation with other national priorities, including through development initiatives such as poverty reduction strategy papers (PRSPs).

2. On the possible enabling role of the UNFCCC process:

- The UNFCCC process could enable further action through:
 - Promoting the sharing of experiences.
 - Promoting implementation of the elements of the least developed countries programme of work that have not yet been addressed.
 - Highlighting socio-economic information related to climate change and links with relevant sectors.
 - Providing more information on access to funding.
 - Enhancing institutional arrangements that support education, training and public awareness.
 - Promoting outreach and networking with other sectors.

3. On the gaps and barriers that need more work:

- Implementation lags behind assessment. More work is needed on the practical aspects of adaptation.
- Funding is insufficient, and there are difficulties in accessing the existing funding and support under the UNFCCC process (problems with co-financing, delays in obtaining Global Environment Facility funding, etc.). Adequate funding provided through simplified, expedited procedures is needed for the period up to 2012 and beyond.
- Significant gaps in capacity exist in planning, programming and implementing at all levels.
- There are also gaps in information and data sets, particularly information and data that are sector-specific (including non-traditional sectors) and historical. Decision-support tools, especially tools for costbenefit analysis of the socio-economic implications of climate change, are needed.

- There is a need for regional centres and/or other institutional arrangements to respond to technical requirements.
- More has to be done to promote integration of adaptation with other development priorities, identify synergy between them and engage a wider range of stakeholders in the adaptation process.
- There is a need for specific support to particularly vulnerable regions, such as Africa.

Impact of the implementation of response measures

1. On progress made and positive experiences:

- The level of understanding of the issue has improved.
- Examples of efforts to minimize the impact of the implementation of response measures include economic diversification through development of tourism. In some sectors, this issue is being addressed in collaboration with the industry concerned as well as other stakeholders.
- Capacity-building is taking place for assessing the impact of the implementation of response measures, although not significantly.

2. On the possible enabling role of the UNFCCC process:

- The UNFCCC process could enable further work through:
 - Facilitating the development of methodologies.
 - Assessing the impact of implementation of response measures, especially through enhancing modelling and economic diversification.
 - Addressing the impact of the implementation of response measures and recommending decisions through an entity set up under Subsidiary Body for Implementation (e.g. a forum, mechanism or body).

3. On the gaps and barriers that need more work:

- There is a need for better assessment of the impact of implementation of response measures (given the difficulties in measuring them in isolation from other economic and political factors) and assistance in measuring these impacts.
- Better modelling and supportive assessments are required.
- There is a need for capacity-building, sharing of experiences and greater understanding of risk.
- Economic diversification is key. Transitions within sectors need to be just (some lose jobs while others gain). To ensure political sustainability, the climate change regime should anticipate the costs and strive to minimize the negative impacts due to this transformation.

Annex IV

[ENGLISH ONLY]

Text for further consideration by the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice**Matters relating to Article 3, paragraph 14, of the Kyoto Protocol**

1. [The Subsidiary Body for Implementation (SBI) [and the Subsidiary Body for Scientific and Technological Advice (SBSTA)] welcomed the constructive exchange of views on addressing issues relevant to Article 3, paragraph 14, [and Article 2, paragraph 3,] of the Kyoto Protocol and on the efforts being made under the SBI with regard to [this issue] [opportunities for further action] [in order to implement decision 31/CMP.1].
2. The SBI [and the SBSTA] emphasized that better understanding of these issues is essential in [order to strive to minimize the adverse impacts of the implementation of the Kyoto Protocol] [minimizing the adverse impacts of the implementation of the commitments mentioned in Article 3, paragraph 1, of the Kyoto Protocol], in particular for [the poorest and most vulnerable developing country Parties that are the least capable of addressing them] [those countries referred to in Article 4, paragraphs 8, 9 [and 10], of the Convention].
 - 2 bis. The SBI [and the SBSTA] emphasized the value of taking a phased approach to establish[ing] a process for the implementation of [decision 31/CMP.1,] [relating to] [Article 2, paragraph 3, and] [Article 3, paragraph 14, of the Kyoto Protocol].
3. The SBI [and the SBSTA] acknowledged related discussions under other UNFCCC bodies such as the Ad Hoc Working Group on Long-term Cooperative Action under the Convention and the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol, and encouraged Parties to ensure coordination of activities and information across the bodies in order [to ensure a coherent and consistent approach] to better address the issues mentioned in paragraph 2 above.
 - 3 bis. The SBI and the SBSTA noted the complexities of assessing the attribution and causation of the [adverse] impacts of policies and measures.
4.
 - Option 1: The SBI [and the SBSTA] noted the need to share information on reporting methodologies on ways to minimize adverse social, environmental and economic impacts on developing country Parties of the implementation of policies and measures by Parties included in Annex I to the Convention in achieving their quantified emission limitation and reduction commitments under Article 3, paragraph 1, of the Kyoto Protocol.
 - Option 2: The SBI and the SBSTA noted the need to continue to share information on the nature of impacts of response measures experienced by Parties and the steps Parties are taking to minimize any negative impacts.
- 4 bis. The SBI [and the SBSTA] noted that national communications under Article 12, paragraph 1, of the Convention would be an appropriate means for sharing the information referred to in paragraph 4 above.
5. The SBI [and the SBSTA] also noted the work of the Intergovernmental Panel on Climate Change (IPCC) on international spillover effects as described in its Fourth Assessment Report. [It invited the IPCC to [assess this issue further in its Fifth Assessment Report.] [provide, in its Fifth Assessment Report, further information on these effects[, including on actual adverse impacts of the commitments

mentioned in Article 3, paragraph 1, of the Kyoto Protocol on other Parties and possible measures to minimize them.]

5 bis. The SBI further invited the IPCC to develop guidelines to help determine if Parties included in Annex I to the Convention are striving to minimize adverse effects including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially developing country Parties, and in particular those identified in Article 4, paragraphs 8 and 9, of the Convention.

6. The SBI [and the SBSTA] noted that further discussion is needed on this matter, and invited Parties and relevant organizations to submit to the secretariat, by XXX, further information and views on [issues relevant to Article 2, paragraph 3, and Article 3, paragraph 14, of the Kyoto Protocol.] [the reporting methodologies referred to in decision 31/CMP.1, paragraph 3.]

7. The SBI [and the SBSTA] requested the secretariat to compile the submissions referred to in paragraph 6 above into a miscellaneous document [and prepare a synthesis report] for its consideration.

8. The SBI [and the SBSTA] agreed to continue its consideration of these issues at its XX session [[in a joint contact group], [including consideration of the need for a workshop] to share further information among Parties and the information contained in the submissions referred to in paragraph 6 above] [and the synthesis report referred to in paragraph 7 above].]

Annex V

[ENGLISH ONLY]

Privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol**Draft treaty arrangements developed by the Contact Group**

1. Individuals serving on constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [annex] [appendix] [x] shall be accorded such [privileges and] immunities as are necessary for the independent [and efficient performance] [exercise] of their official functions. [In particular,] they shall, while exercising their official functions, including the time spent on journeys in connection with their official functions, be accorded:
 - (a) [[Immunity from personal arrest or detention;]
 - (b) [Exemption from inspection of personal baggage, unless there are serious grounds for believing that the baggage contains articles not for personal use or articles the import and export of which is prohibited by law or controlled by the quarantine regulations of the Party concerned; inspection in such a case shall be conducted in the presence of the individual concerned;]
 - b bis. [The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys;]
 - (c) Immunity from legal process of every kind in respect of words spoken or written and acts done by them in the course of the performance of their official functions. This immunity from legal process shall continue to be accorded to the individuals referred to in this paragraph notwithstanding that they have ceased to exercise their official functions;
 - (d) Inviolability for all papers and documents [in whatever form];
 - (e) [For the purpose of their communications [in whatever form] with the constituted bodies and other entities listed in [annex] [appendix] [x] and with the secretariat, the right to use codes and to receive papers or correspondence by courier or in sealed bags;]
 - e bis. [For the purpose of their communication with the constituted bodies and other entities listed in [annex] [appendix] [x] and with the secretariat, the right to use codes and to receive and send papers and documents in whatever form and materials relating to their official functions by courier or in sealed bags or electronic means;]
 - (f) [The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;]
 - (g) [The same repatriation facilities in time of international crisis as are accorded to diplomatic agents under the Vienna Convention;]
 - (h) [Applications for visas by the individuals referred to in this paragraph, when accompanied by a document from the secretariat confirming that they are travelling on

the business of the constituted bodies and other entities listed in [annex] [appendix] [x], shall be dealt with as speedily as possible and granted free of charge.]]

2. [Individuals invited by the constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [appendix] [annex] [x] to provide expert advice at meetings of these constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [appendix] [annex] [x] shall, during the period of their service to the relevant constituted body or other entity, including the time spent on journeys in connection with their service, be accorded the [privileges and] immunities referred to in subparagraph[s] [x] of paragraph 1 above.]
3. The individuals referred to in paragraph [1] above are those individuals elected, selected or appointed to serve on the constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [appendix] [annex] [x].
4. [Privileges and] immunities are granted to the individuals referred to in paragraphs [1] [and [2]] above for the independent [and efficient performance] [exercise] of their official functions [and the effective implementation of [the Kyoto Protocol] [this agreement] [the United Nations Framework Convention on Climate Change and its related legal instruments]] and not for the personal benefit of the individuals themselves. The [Executive Secretary of the secretariat [in consultation with xxx]] shall have the right and the duty to waive the immunity of any individual referred to in paragraphs [1] [and [2]] above in any case where, in his or her opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the [operation and implementation of [the Kyoto Protocol] [this agreement]] [operation and implementation of the United Nations Framework Convention on Climate Change and its related legal instruments].
5. [The list contained in [appendix] [annex] [x] may be revised [through a decision of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol.]
- 5 bis. [The list contained in [appendix] [annex] [x] may be revised in accordance with the following procedure:¹
 - (a) Any Party may propose amendments to [appendix] [annex] [x];
 - (b) Amendments to [annex] [appendix] [x] shall be adopted at an ordinary session of the [supreme body of the agreement]. The text of any proposed amendment to [annex] [appendix] [x] shall be communicated to the Parties by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate the text of any proposed amendment to [annex] [appendix] [x] to the Parties and signatories to the Convention and, for information, to the Depositary;
 - (c) The Parties shall make every effort to reach agreement on any proposed amendment to [annex] [appendix] [x] by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment to [annex] [appendix] [x] shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting. The adopted amendment to [annex] [appendix] [x] shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance;

¹ This paragraph shall be revisited in the light of the overall discussions of the amendment procedures.

- (d) An amendment to [annex] [appendix] [x] that has been adopted in accordance with paragraph 5 bis (b) and (c) above shall enter into force for all Parties to this [agreement] six months after the date of the communication by the Depositary to such Parties of the adoption of the amendment to the [annex] [appendix] [x], except for those Parties that have notified the Depositary, in writing, within that period of their non-acceptance of the amendment to [annex] [appendix] [x]. The amendment to [annex] [appendix] [x] shall enter into force for Parties which withdraw their notification of non-acceptance on the ninetieth day after the date on which withdrawal of such notification has been received by the Depositary;
- (e) If the adoption of an amendment to [annex] [appendix] [x] involves an amendment to this [agreement], that amendment to [annex] [appendix] [x] shall not enter into force until such time as the amendment to this [agreement] enters into force;
- (f) [Annex] [Appendix] [x] to this [agreement] shall form an integral part thereof and, unless otherwise expressly provided, a reference to this [agreement] constitutes at the same time a reference to [annex] [appendix] [x].]

[[APPENDIX] [ANNEX] [x]

1. Executive Board of the clean development mechanism.
2. Compliance Committee.
3. Joint Implementation Supervisory Committee.
4. Adaptation Fund Board.
5. Expert review teams established under Article 8 of this Protocol.
6. Committees, panels or groups established by the entities listed in 1–4 above.

And other relevant constituted bodies and entities agreed through the post-2012 process.]

Annex VI**Documents before the Subsidiary Body for Implementation
at its thirtieth session****Documents prepared for the session**

| | |
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| FCCC/SBI/2009/1 | Provisional agenda and annotations. Note by the Executive Secretary |
| FCCC/SBI/2009/2 | Proposed programme budget for the biennium 2010–2011. Note by the Executive Secretary |
| FCCC/SBI/2009/2/Add.1 | Proposed programme budget for the biennium 2010–2011. Note by the Executive Secretary. Addendum. Work programme for the secretariat for the biennium 2010–2011 |
| FCCC/SBI/2009/2/Add.2 | Proposed programme budget for the biennium 2010–2011. Note by the Executive Secretary. Addendum. Activities to be funded from supplementary sources |
| FCCC/SBI/2009/2/Add.3 | Proposed programme budget for the biennium 2010–2011. Note by the Executive Secretary. Addendum. Trust Fund for the International Transaction Log |
| FCCC/SBI/2009/3 | Interim report of the Global Environment Facility on the progress made in carrying out the Poznan strategic programme on technology transfer. Note by the secretariat |
| FCCC/SBI/2009/4 | Analysis of progress made in, and the effectiveness of, the implementation of the framework for capacity-building in developing countries in support of the second comprehensive review of the capacity-building framework. Note by the secretariat |
| FCCC/SBI/2009/5 | Synthesis of experiences and lessons learned in the use of performance indicators for monitoring and evaluating capacity-building at the national and global levels. Note by the secretariat |
| FCCC/SBI/2009/6 | Report on the fifteenth meeting of the Least Developed Countries Expert Group. Note by the secretariat |
| FCCC/SBI/2009/7 | Arrangements for intergovernmental meetings. Note by the Executive Secretary |
| FCCC/SBI/2009/INF.1 | Synthesis report on views on the areas of focus set out in section IV of the terms of reference for the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention agreed at the twenty-ninth session of the Subsidiary Body for Implementation. Note by the secretariat |
| FCCC/SBI/2009/INF.2 | Activities relating to the review of information submitted by Annex I Parties under the Kyoto Protocol on greenhouse gas inventories and other elements of annual reporting, including the training of review experts, planning and conduct of the reviews and organization of lead reviewers' meetings. Note by the secretariat |

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|----------------------------------|---|
| FCCC/SBI/2009/INF.3 | Interim financial statements for the biennium 2008–2009 as at 31 December 2008. Note by the Executive Secretary |
| FCCC/SBI/2009/INF.4 | Draft interim report on progress of the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention. Note by the secretariat |
| FCCC/SBI/2009/INF.5 | Information on financial support provided by the Global Environment Facility for the preparation of national communications from Parties not included in Annex I to the Convention. Note by the secretariat |
| FCCC/SBI/2009/INF.6 | Status of submission and review of fourth national communications and of reports demonstrating progress. Note by the secretariat |
| FCCC/SBI/2009/INF.7 | Status of contributions as at 15 May 2009. Note by the secretariat |
| FCCC/SBI/2009/MISC.1 | Information on experiences and lessons learned in the use of performance indicators for monitoring and evaluating capacity-building at the national and global levels. Submissions from Parties and intergovernmental organizations |
| FCCC/SBI/2009/MISC.2 | Additional or updated information and views relevant to the completion of the second comprehensive review of the capacity-building framework. Submissions by Parties |
| FCCC/SBI/2009/MISC.3 and Add.1 | Approach to be taken by the Executive Secretary with regard to the collection of fees for the international transaction log. Submissions from Parties |
| FCCC/SBI/2009/MISC.4 | Views on the areas of focus set out in section IV of the terms of reference for the review and assessment of the effectiveness of the implementation of Article 4, paragraphs 1(c) and 5, of the Convention agreed at the twenty-ninth session of the Subsidiary Body for Implementation. Submissions from Parties and relevant organizations |
| FCCC/SBI/2009/MISC.5 and Add.1–3 | Appropriate treaty arrangements relating to privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol. Submissions from Parties |
| FCCC/SBI/2009/MISC.6 | Other matters. Submission from Argentina |
| FCCC/SBI/2009/MISC.7 | Other matters. Submission from the United Kingdom of Great Britain and Northern Ireland |
| FCCC/SB/2009/1 and Summary | Performance indicators to monitor and evaluate the effectiveness of the implementation of the technology transfer framework. Draft report by the Chair of the Expert Group on Technology Transfer |
| FCCC/SB/2009/2 and Summary | Recommendations on future financing options for enhancing the development, deployment, diffusion and transfer of technologies under the Convention. Report by the Chair of the Expert Group on Technology Transfer |

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|-------------------------------|---|
| FCCC/SB/2009/3 and Summary | Strategy paper for the long-term perspective beyond 2012, including sectoral approaches, to facilitate the development, deployment, diffusion and transfer of technologies under the Convention. Report by the Chair of the Expert Group on Technology Transfer |
| FCCC/SBI/2009/L.1 | Draft report of the Subsidiary Body for Implementation on its thirtieth session |
| FCCC/SBI/2009/L.2 | Implementation of the Headquarters Agreement. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.3/Rev.1 | Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. Revised draft conclusions proposed by the Chair. Recommendation of the Subsidiary Body for Implementation |
| FCCC/SBI/2009/L.4 | Matters relating to the least developed countries. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.5 | Reporting and review of information submitted by Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.5/Add.1 | Reporting and review of information submitted by Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol. Draft conclusions proposed by the Chair. Addendum. Recommendation of the Subsidiary Body for Implementation |
| FCCC/SBI/2009/L.6 | Budget performance for the biennium 2008–2009. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.7/Rev.1 | Privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol. Revised draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.8 | Development and transfer of technologies. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.9 | Programme budget for the biennium 2010–2011. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.9/Add.1 | Programme budget for the biennium 2010–2011. Draft conclusions proposed by the Chair. Addendum. Recommendation of the Subsidiary Body for Implementation |
| FCCC/SBI/2009/L.10 | Arrangements for intergovernmental meetings. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.11 | Matters relating to Article 3, paragraph 14, of the Kyoto Protocol. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.12 | Provision of financial and technical support. Draft conclusions proposed by the Chair |
| FCCC/SBI/2009/L.13 | Matters relating to Article 4, paragraph 8 and 9, of the Convention: Progress on the implementation of decision 1/CP.10. Draft conclusions proposed by the Chair |

- FCCC/SBI/2009/L.14 Assessment of the Special Climate Change Fund. Draft conclusions
- FCCC/SBI/2009/L.15/Rev.1 Fourth review of the financial mechanism. Revised draft conclusions
- FCCC/SBI/2009/L.16 Adaptation Fund under the Kyoto Protocol. Draft conclusions proposed by the Chair
- FCCC/SBI/2009/L.16/Add.1 Adaptation Fund under the Kyoto Protocol. Draft conclusions proposed by the Chair. Addendum. Recommendation of the Subsidiary Body for Implementation

Other documents before the session

- FCCC/KP/CMP/2005/2 Proposal from Saudi Arabia to amend the Kyoto Protocol. Note by the secretariat
- FCCC/SBI/2008/8 Report of the Subsidiary Body for Implementation on its twenty-eighth session, held in Bonn from 4 to 13 June 2008
- FCCC/SBI/2008/19 Report of the Subsidiary Body for Implementation on its twenty-ninth session, held in Poznan from 1 to 10 December 2008
- FCCC/SBI/2008/8/Add.1 Report of the Subsidiary Body for Implementation on its twenty-eighth session, held in Bonn from 4 to 13 June 2008. Addendum. Draft decisions forwarded for adoption by the Conference of the Parties and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
- FCCC/SBI/2008/MISC.7 Experiences with and lessons learned from the review of initial reports under the Kyoto Protocol, including recommendations for improvements. Submissions from Parties
- FCCC/SBI/2008/MISC.9 and Add.1 Status of implementation of Article 4, paragraph 8, of the Convention, decision 5/CP.7 and decision 1/CP.10. Submissions from Parties and relevant organizations
- FCCC/SBI/2007/10/Add.1 Report on the activities of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. Note by the Chair of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. Addendum. Outcomes of the stocktaking exercise for the period 2003 to 2007
- FCCC/SBI/2007/MISC.7 and Add.1 and 2 Views on the mandate and terms of reference of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. Submissions from Parties
- FCCC/SB/2007/INF.2 Relationship of various provisions of the Mauritius Strategy to the work of the Convention and its Kyoto Protocol. Note by the secretariat