



United Nations

FCCC/KP/AWG/2010/9



Framework Convention on Climate Change

Distr.: General
15 July 2010

Original: English

Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol

Thirteenth session

Bonn, 2-6 August 2010

Item 2 (b) the provisional agenda

Organizational matters

Organization of the work of the session

Scenario note on the thirteenth session

Note by the Chair*

I. Introduction

1. By its decision 1/CMP.5, the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP) requested the Ad-Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) to deliver the results of its work pursuant to decision 1/CMP.1 to the CMP for adoption at its sixth session.

2. At its twelfth session, the AWG-KP recalled the iterative nature of its work programme and agreed to focus its work in 2010 on the issues identified in paragraph 49 (a) (“consideration of the scale of emission reductions to be achieved by Annex I Parties in aggregate”) and (b) (“consideration of the contribution of Annex I Parties, individually or jointly, consistent with Article 4 of the Kyoto Protocol, to the scale of emission reductions to be achieved by Annex I Parties in aggregate”) of document FCCC/KP/AWG/2008/8. It also agreed to continue to work on the issues identified in paragraph 49 (c) (“other issues arising from the implementation of the work programme, with due attention to improving the environmental integrity of the Kyoto Protocol”) of the same document.

3. The work of the AWG-KP has resulted in documentation to facilitate negotiations, which includes draft texts on various issues under consideration (see para. 12 below). These draft texts do not reflect consensus, as the AWG-KP still has to agree on the wording of a

* This document was submitted after the due date owing to the short interval between the twelfth and thirteenth sessions of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol.

number of paragraphs for which options have been identified. The main objective of the AWG-KP at its thirteenth session will be to continue with the discussions carried out at its twelfth session on narrowing down these options, with a view to carrying out more focused, substantive work on the remaining issues.

II. Overview and organizational matters

A. Proposals for the organization of the session

4. The provisional agenda for the session¹ contains one substantive item, namely item 3 (“Consideration of further commitments for Annex I Parties under the Kyoto Protocol”). It is the expectation of the Chair that a simplified agenda will lead, in 2010, to consolidating the work of the group on other issues identified in paragraph 49 (c) of the report of the AWG-KP on its resumed sixth session², including the matters relating to the treatment of land-use, land-use change and forestry (LULUCF), emissions trading and the project-based mechanisms, and other methodological issues into discussions on the scale of emission reductions to be achieved by Annex I Parties in aggregate and individually or jointly.

5. Arrangements for two plenary meetings have been made as follows:

(a) An opening plenary, scheduled for Monday, 2 August, to open the session, adopt the agenda, agree on the organization of the work of the session and hear opening statements from groups of Parties and take up agenda items 3 and 4.

(b) A closing plenary, scheduled for Friday, 6 August, at which the AWG-KP will take stock of the work done at the session and adopt any draft conclusions and its draft report.

6. It is the Chair’s view that some of the substantive issues under discussion still require further consideration. Therefore the Chair proposes that the arrangements for contact groups at AWG-KP 13 remain similar to those established at AWG-KP 12. The focus of work shall be the same as was agreed at AWG-KP 11.

7. The Chair further proposes that contact groups on the following issues be established, bearing in mind the agreement reached by the AWG-KP at its resumed ninth session on the time allotted to each group:

(a) The scale of emission reductions to be achieved by Annex I Parties in aggregate as well as on the contribution of Annex I Parties to this scale;

(b) Other matters;

(c) Legal matters.

8. The contact group referred to in paragraph 7 (a) above will be given priority with regard to time allocation. As agreed by the AWG-KP at its resumed ninth session, discussions on LULUCF under other matters will be held in parallel with the meetings of this group to the extent possible.

9. The contact group referred to in paragraph 7 (c) above was established at AWG-KP 12 to conduct an analysis of the legal aspects of the entry into force of proposed amendments to

¹ FCCC/KP/AWG/2010/8.

² FCCC/KP/AWG/2008/8.

the Kyoto Protocol pursuant to its Article 3, paragraph 9, to avoid a gap between the end of the first commitment period and the beginning of the second commitment period. The Chair proposes that the contact group on legal matters continue consideration of the work on legal matters initiated at the twelfth session, drawing, inter alia, on the paper³ prepared by the secretariat.

10. The Chair will consult with delegates on arrangements to finalize work on the consideration of information on potential environmental, economic and social consequences, including spillover effects, of tools, policies, measures and methodologies available to Annex I Parties (see para. 21 (d) below).

11. A pre-sessional workshop on forest management accounting will be held on Friday, 30 July, and an in-session workshop on the scale of emission reductions to be achieved by Annex I Parties in aggregate and the contribution of Annex I Parties, individually or jointly, to this scale will be held on 2 August. More detailed information on both workshops is provided in section D below.

B. Documents prepared for the session

12. At its eleventh session, the AWG-KP requested its Chair to prepare documentation to facilitate negotiations on the basis of the annex to the report of the AWG-KP on its tenth session, taking into consideration the work undertaken and decisions adopted by the CMP at its fifth session on the basis of the report of the AWG-KP on its tenth session.⁴ This documentation includes documents FCCC/KP/AWG/2010/6 and FCCC/KP/AWG/2010/6/Add.1–5.

13. At its twelfth session, the AWG-KP took note of the views of Parties on the documentation to facilitate negotiations contained in document FCCC/KP/AWG/2010/6/Add.1. It invited Parties to submit to the secretariat, by 12 July 2010, their views on this document for consideration at AWG-KP 13 with a view to facilitating the updating of the document at least two weeks before AWG-KP 14. The views of Parties are compiled in document FCCC/KP/AWG/2010/MISC.5.

14. Parties were invited to submit to the secretariat, if possible by 2 July 2010, their views on the topics to be covered and the organizations/experts to be invited to the in-session workshop at its thirteenth session on the scale of emission reductions to be achieved by Annex I Parties in aggregate and the contribution of Annex I Parties, individually or jointly, to this scale. The views from Parties are compiled in document FCCC/KP/AWG/2010/MISC.2.

15. The AWG-KP invited Parties to submit to the secretariat, if possible by 2 July 2010, proposals to address the implications of the issues identified in the work programme of the AWG-KP, as specified in paragraph 49 (c) of document FCCC/KP/AWG/2008/8, for the scale of emission reductions to be achieved by Annex I Parties in aggregate and for the contribution of Annex I Parties, individually or jointly, to this scale. The proposals from Parties are compiled in document FCCC/KP/AWG/2010/MISC.3.

³ FCCC/KP/AWG/2010/10.

⁴ FCCC/KP/AWG/2010/3, paragraph 27 (a).

16. Also at its twelfth session, the AWG-KP requested the secretariat to update:

(a) The paper compiling pledges for emission reductions and related assumptions provided by the Parties to date and the associated emission reductions⁵ using data and information from the submissions referred to in paragraph 29 of document FCCC/KP/AWG/2010/7; this document has been made available as document FCCC/KP/AWG/2010/INF.2;

(b) The technical paper laying out issues relating to the transformation of pledges for emission reductions into quantified emission limitation and reduction objectives⁶ on the basis of information provided by Parties and work undertaken at AWG-KP 12; this document has been made available as document FCCC/TP/2010/3.

17. In the context of decision 1/CMP.1, the AWG-KP requested the secretariat to prepare a paper for consideration at its thirteenth session, made available as document FCCC/KP/AWG/2010/10, that:

(a) Identifies and explores all the legal options available, including proposals by Parties, inter alia as contained in document FCCC/KP/AWG/2010/6/Add.1, aiming at ensuring that there is no gap between the first and subsequent commitment periods;

(b) Identifies the legal consequences and implications of a possible gap between the first and subsequent commitment periods.

18. The AWG-KP further invited Annex I Parties in a position to do so to submit to the secretariat, by 2 July 2010, available new data and information on their expected use in the next commitment period of LULUCF and emissions trading and the project-based mechanisms, including expected carry-over of units from the first commitment period to the next commitment period, as well as related assumptions made when presenting their pledges for emission reduction targets, for compilation into a miscellaneous document and for consideration by the AWG-KP at its thirteenth session. The submissions are compiled in document FCCC/KP/AWG/2010/MISC.4.

19. Parties continued to provide informal submissions on forest management accounting options and requested the secretariat to make these available on the UNFCCC website.⁷

C. Proposals on the scheduling of meetings

20. As agreed at AWG-KP 11, the scale of emission reductions to be achieved by Annex I Parties (so called “numbers”) is and will continue to be at the core of the work of the AWG-KP. The Chair notes that the mode of work adopted by the AWG-KP to further advance the work on numbers at its twelfth session has been very useful. In this regard, the Chair would like to propose that the work on numbers at the thirteenth session be structured along the lines of the approach taken at its twelfth session, with a focus on the specific matters relating to the aggregate and individual scale of emission reductions to be achieved by Annex I Parties. In particular, time allocated to this group during the thirteenth session could be devoted:

(a) To considering latest available data and information on pledges for emission reductions, including assumptions made when presenting their pledges, and the expected use of

⁵ FCCC/KP/AWG/2010/INF.1.

⁶ FCCC/TP/2010/2.

⁷ See: <http://unfccc.int/meetings/ad_hoc_working_groups/kp/items/4907.php>.

emissions trading and project-based mechanisms and LULUCF with a view to exploring their relationship with numbers, in particular how the rules on mechanisms and LULUCF could strengthen the level of ambition of Annex I Parties, and also how these rules could constitute an incentive for domestic action by Annex I Parties;

(b) To continuing discussions on efforts and achievements to date, with a view to identifying options to deal with this issue;

(c) To advancing discussions on transforming pledges into quantified emission limitation and reduction objectives (QELROs);

(d) To revising the documentation to facilitate negotiations among Parties with a view to narrowing down options to that point at which a political choice needs to be made.

21. Work on other issues arising from the implementation of the work programme, with due attention to improving the environmental integrity of the Kyoto Protocol, will need to be completed before the group can take the last steps on agreeing on further commitments for Annex I Parties under the Kyoto Protocol. It is likely that several options relating to other issues would need to be considered and agreed together with the issue of numbers. Bearing this in mind, the Chair proposes the following for the consideration of other issues during AWG-KP 13:

(a) On LULUCF, the group could continue its work on finalizing the LULUCF rules and modalities for the second commitment period of the Kyoto Protocol. In this regard, the group will work on the basis of document FCCC/KP/AWG/2010/6/Add.2, taking into account the outcomes from the pre-session workshop on forest management accounting rules and modalities, any revised or new information on different accounting rules and modalities submitted informally by Parties and discussions held during AWG-KP 13. The Chair suggests that Parties reduce and clarify the options to the extent possible at this session;

(b) On emissions trading and the project-based mechanisms and methodological issues, the Chair understands that the draft decision texts on these issues are generally well developed, with well-defined options to represent Parties' views. The Chair suggests that Parties reach agreement on as many of these issues as possible at this session;

(c) On legal matters arising from the mandate of the AWG-KP, Parties may recall the understanding that this contact group would consider legal issues referred to it by other contact groups. At its twelfth session, the contact group on legal matters was constituted to consider an analysis of the legal aspects of the entry into force of proposed amendments to the Kyoto Protocol pursuant to its Article 3, paragraph 9, to avoid a gap between the end of the first commitment and the beginning of the second commitment period. The Chair suggests that Parties continue work on the analysis requested, with a view to completing this work at this session and thereby facilitating advancement of the work on numbers;

(d) On potential consequences, the Chair notes that an agreement is still to be reached on one remaining paragraph within the draft text. The Chair will consult with Parties during the thirteenth session on how to reach agreement on this paragraph, including on whether interested Parties could resolve this issue informally in the course of the session;

(e) The Chair would finally like to propose that any other issues be considered at the next session.

22. More generally, the Chair would like to bring to the attention of Parties the issue of capturing progress and reaching consensus as negotiations progress. The Chair would like to

propose that the work of the contact groups focus on the documentation referred to in paragraph 12 above and that, if agreed, progress be reflected in revisions to the documentation to facilitate negotiations. In light of the repeated requests from a number of Parties, the Chair will consult informally on the feasibility of designating the current “documentation to facilitate negotiations” as the “negotiating text” for the AWG-KP.

23. The Chair, in consultation with the Chair of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), proposes to continue consultations on a proposal made by Parties to address issues of common concern to the AWG-LCA and the AWG-KP.

24. The Chair would like to remind Parties of the discussions at AWG-KP 11 on the possibility of moving into a single contact group at AWG-KP 12 to advance work on all substantive issues. Despite strong support for this option, not all Parties were prepared to agree to such an arrangement. Since the work on numbers is closely linked to other issues being considered by the AWG-KP, the Chair would, with a view to moving discussions forward, like to propose once again that Parties consider the option of moving into a single contact group as of AWG-KP 14.

D. Pre-sessional and in-session workshops

25. The AWG-KP, at its twelfth session, requested the secretariat to organize, before its thirteenth session, subject to the availability of supplementary resources, a pre-sessional workshop on forest management accounting, including any new available information, taking into account progress made during its twelfth session regarding the use of reference levels.

26. The workshop will be held in Hotel Maritim, Bonn, on Friday, 30 July, and will be chaired by Mr. Adrian Macey, Vice-Chair of the AWG-KP. The workshop will be divided into three sessions. The first and third sessions of the workshop shall be open to all, including Parties and observer organizations. The second session shall be open to Parties only.

27. A preliminary agenda for the workshop is presented in annex I. The final agenda for the workshop will be issued in due course.

28. The AWG-KP, at its twelfth session, also requested the secretariat to organize, under the guidance of the Chair of the AWG-KP and taking into consideration the views of Parties referred to in paragraph 29 (a) of document FCCC/KP/AWG/2010/7 as well as discussions during AWG-KP 12, an in-session workshop at its thirteenth session on the scale of emission reductions to be achieved by Annex I Parties in aggregate and the contribution of Annex I Parties, individually or jointly, to this scale.

29. At the same session, the AWG-KP agreed that the in-session workshop should allow for a focused technical discussion on the quantitative implications of the proposals and issues identified by Parties in their submissions referred to in paragraph 29 (a) of document FCCC/KP/AWG/2010/7, and for further exploring a possible enhanced scale of emission reductions to be achieved by Annex I Parties, emphasizing that consensus on their overall level of ambition is deemed important.

30. This workshop will take place in Hotel Maritim, Bonn, on Monday, 2 August, after the opening plenary of the AWG-KP. At the invitation of the Chair of the AWG-KP, the in-session workshop will be opened by Mr. Adrian Macey and facilitated by Mr. Leon Charles (Grenada) and Mr. Jürgen Lefevere (European Union), co-chairs of the contact group on the scale of

emission reductions to be achieved by Annex I Parties in aggregate as well as on the contribution of Annex I Parties to this scale.

31. The workshop will be organized under the guidance of the Chair of the AWG-KP and taking into consideration the views of Parties on the topics to be covered and experts/organizations to be invited to the workshop. Proceedings and outcomes from the workshop will serve as an input to discussions undertaken by the contact group on the scale of emission reductions to be achieved by Annex I Parties in aggregate as well as on the contribution of Annex I Parties to this scale.

32. A preliminary agenda for the workshop is presented in annex II. A final agenda will be issued in due course.

Annex I

Preliminary agenda for the pre-sessional workshop on forest management accounting

(Total duration: 7.5 hours)

9.00–9.15 Opening remarks by the Vice-Chair of the AWG-KP

9.15–10.30 Session I

Presentation by NGOs and exchange of views with Parties and observers

Break

10.45–13.00 Session II (*Parties and Observer States only session*)

Introduction by the LULUCF Co-facilitators

Presentations by Parties

General discussion

Break

14.00–17.15 Session II (cont.)

General discussion

Break

17.30–18.00 Session III

Summary by co-facilitators and closing remarks by the Vice-Chair

Annex II

Preliminary agenda for the workshop on the scale of emission reductions to be achieved by Annex I Parties in aggregate and the contribution of Annex I Parties, individually or jointly, to this scale

(Total duration: 4.5 hours)

- 1. Opening**
Objectives and expected outcomes of the workshop
 - 2. Presentations by Parties**
 - Presentations
 - Questions and answers after each presentations
 - 3. Presentations by Organizations and Experts**
 - Presentations
 - Questions and answers after each presentations
 - 4. General discussion**
 - 5. Summary of the workshop**
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