



## Framework Convention on Climate Change

Distr.: General  
19 September 2011

Original: English

---

### Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol Seventh session Durban, 28 November to 9 December 2011

Item 2(a) of the provisional agenda  
**Organizational matters**  
**Adoption of the agenda**

### Provisional agenda and annotations

#### Note by the Executive Secretary

#### I. Provisional agenda

1. Opening of the session.
2. Organizational matters:
  - (a) Adoption of the agenda;
  - (b) Election of replacement officers;
  - (c) Organization of work, including the sessions of the subsidiary bodies;
  - (d) Approval of the report on credentials.
3. Reports of the subsidiary bodies:
  - (a) Report of the Subsidiary Body for Scientific and Technological Advice;
  - (b) Report of the Subsidiary Body for Implementation.
4. Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol.
5. Consideration of proposals by Parties for amendments to the Kyoto Protocol.
6. Proposal from Kazakhstan to amend Annex B to the Kyoto Protocol.
7. Issues relating to the clean development mechanism.
8. Issues relating to joint implementation:
  - (a) Guidance on joint implementation;
  - (b) Review of the joint implementation guidelines.

9. Matters relating to compliance under the Kyoto Protocol:
  - (a) Report of the Compliance Committee;
  - (b) Appeal by Croatia against a final decision of the enforcement branch of the Compliance Committee in relation to the implementation of decision 7/CP.12;
  - (c) Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance.
10. Adaptation Fund:
  - (a) Report of the Adaptation Fund Board;
  - (b) Review of the Adaptation Fund.
11. Issues relating to the international transaction log.
12. National communications from Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol.
13. Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol.
14. Capacity-building under the Kyoto Protocol.
15. Matters relating to Article 2, paragraph 3, of the Kyoto Protocol.
16. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol.
17. Other matters referred to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol by the subsidiary bodies.
18. Administrative, financial and institutional matters:
  - (a) Budget performance for the biennium 2010–2011;
  - (b) Programme budget for the biennium 2012–2013.
19. High-level segment.
20. Statements by observer organizations.
21. Other matters.
22. Conclusion of the session:
  - (a) Adoption of the report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its seventh session;
  - (b) Closure of the session.

## II. Proposed organization of the sessions: overview

1. A welcoming ceremony will be held on the morning of Monday, 28 November 2011 to mark the opening of the United Nations Climate Change Conference in Durban.
2. The President of the Conference of the Parties (COP) at its sixteenth session will open COP 17. The COP will take up item 1 of the provisional agenda, as well as some procedural matters under item 2, including the election of the President of COP 17, the adoption of the agenda and the organization of work. Statements are not envisaged, except those on behalf of groups. The COP will refer items of its agenda to the subsidiary bodies as appropriate. The opening meeting will then be adjourned.
3. The seventh session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) will then be opened. The CMP will take up item 1 of its provisional agenda, as well as some procedural matters under item 2, including the adoption of the agenda and the organization of work. Statements are not envisaged, except those on behalf of groups. The CMP will refer items of its agenda to the subsidiary bodies as appropriate. The opening meeting will then be adjourned.
4. The following sessions of the subsidiary bodies have been scheduled in conjunction with COP 17 and CMP 7:
  - (a) Thirty-fifth session of the Subsidiary Body for Implementation (SBI);
  - (b) Thirty-fifth session of the Subsidiary Body for Scientific and Technological Advice (SBSTA);
  - (c) Fourth part of its sixteenth session or the seventeenth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP);<sup>1</sup>
  - (d) Fourth part of its fourteenth session or the fifteenth session of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA).<sup>2</sup>
5. Given that six bodies will be meeting during the sessional period, meeting time will be very limited, especially for contact groups. To maximize the time available for negotiations, the presiding officers, in consultation with the Parties, may propose time-saving measures and approaches to expedite work. Such proposals will be based on these consultations, and on relevant submissions and statements made during plenary meetings, and take into account any previous negotiations and/or conclusions.
6. Further information regarding the arrangements for COP 17 and CMP 7 may be provided in an addendum to this document.
7. The COP and the CMP will convene in plenary meetings during the first week to take up the items on their agendas that are not to be referred to the subsidiary bodies.
8. The inauguration of the high-level segment will take place in the afternoon of Tuesday, 6 December. Ministers and other heads of delegation will be invited to deliver national statements to joint meetings of the COP and the CMP on 7–8 December. The high-level segment will continue until Friday, 9 December. Based on experience at previous sessions, a joint COP and CMP meeting is envisaged for statements from observer

---

<sup>1</sup> Decision on the suspension or conclusion of the sixteenth session of the AWG-KP will be taken by the AWG-KP during the third part of the sixteenth session of the AWG-KP.

<sup>2</sup> Decision on the suspension or conclusion of the fourteenth session of the AWG-LCA will be taken by the AWG-LCA during the third part of the fourteenth session of the AWG-LCA.

organizations. Separate meetings of the COP and the CMP will be held on Friday, 9 December to adopt decisions and conclusions emerging from the current sessions.

9. In keeping with the conclusions adopted by the SBI at its thirty-second session,<sup>3</sup> all meetings are scheduled to end at 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.

10. At its thirty-fourth session, the SBI also recalled its conclusions<sup>4</sup> recommending that the secretariat, in organizing future sessional periods, follows the practice of holding no more than two meetings of plenary and/or contact groups concurrently, with the total number of meetings held concurrently, including informals, not exceeding six, to the extent possible.

### III. Annotations to the provisional agenda

#### 1. Opening of the session

11. CMP 7 will be opened by the President of COP 17, Ms. Maite Nkoana-Mashabane, Minister of International Relations and Cooperation of South Africa, who will also serve as President of CMP 7. Ms. Nkoana-Mashabane was nominated by the African Group, in accordance with the rotation of the Presidency among regional groups.

#### 2. Organizational matters

##### (a) Adoption of the agenda

12. *Background:* The secretariat, in agreement with the President of CMP 6, has drafted the provisional agenda for CMP 7, taking into account views expressed by the Parties and the Bureau.

13. *Action:* The CMP will be invited to adopt its agenda.

<p><i>FCCC/KP/CMP/2011/1</i>      <i>Provisional agenda and annotations. Note by the Executive Secretary</i></p>
--

##### (b) Election of replacement officers

14. *Background:* The Kyoto Protocol states: “When the Conference of the Parties serves as the meeting of the Parties to this Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Protocol, shall be replaced by an additional member to be elected by and from amongst the Parties to this Protocol” (Article 13, para. 3).

15. If any member of the Bureau represents a State that is not a Party to the Kyoto Protocol, consultations will be required to identify a nominee representing a Party to the Protocol to replace such a member. Parties are invited to recall decision 36/CP.7 and to give active consideration to the nomination of women for elective posts in any body established under the Convention or its Kyoto Protocol.

---

<sup>3</sup> FCCC/SBI/2010/10, paragraph 165.

<sup>4</sup> FCCC/SBI/2010/10, paragraph 164.

16. *Action:* The CMP will be invited, as necessary, to elect additional members of the Bureau to replace any members representing States that are not Parties to the Kyoto Protocol.

(c) Organization of work, including the sessions of the subsidiary bodies

17. The CMP will be invited to agree upon the organization of the work of the session, including the proposed schedule of meetings (see paras. 1–10 above).

<i>FCCC/KP/CMP/2011/1</i>	<i>Provisional agenda and annotations. Note by the Executive Secretary</i>
<i>FCCC/SBSTA/2011/3</i>	<i>Provisional agenda and annotations. Note by the Executive Secretary</i>
<i>FCCC/SBI/2011/8</i>	<i>Provisional agenda and annotations. Note by the Executive Secretary</i>
<i>FCCC/KP/AWG/2011/X<sup>5</sup></i>	<i>Provisional agenda and annotations. Note by the Executive Secretary</i>

(d) Approval of the report on credentials

18. *Background:* The Bureau will examine the credentials submitted by Parties to the Convention and submit its report on credentials for adoption by the CMP.<sup>6</sup> With regard to the adoption of any amendment to the Protocol, only Parties with valid credentials would be able to participate in its adoption. Parties should further note that in accordance with Article 21, paragraph 7, of the Protocol any amendment to Annex B to the Protocol shall be adopted only with the written consent of the Party concerned. Parties wishing to be included in Annex B are reminded to deposit with the secretariat, prior to the adoption of any amendment to Annex B, a document providing evidence of such written consent issued and signed by the Head of State or Government or Minister of Foreign Affairs or signed by another official with Full Powers to that effect issued by one of the aforementioned qualified authorities. The CMP will receive from the secretariat information on written consents submitted by Parties pursuant to Article 21, paragraph 7, of the Protocol before the adoption of any amendment to Annex B.

19. *Action:* The CMP will be invited to approve the report on credentials of the representatives of Parties attending CMP 7. Representatives may participate provisionally, pending this action.

### 3. Reports of the subsidiary bodies

(a) Report of the Subsidiary Body for Scientific and Technological Advice

20. The CMP will be invited to take note of the report of the SBSTA on its thirty-fourth session. The Chair of the SBSTA will also report back to the CMP on the thirty-fifth session of the SBSTA.

<sup>5</sup> See paragraph 4(c) above.

<sup>6</sup> Decision 36/CMP.1 states that credentials from Parties to the Kyoto Protocol would apply for the participation of their representatives in sessions of the COP and the CMP, and that a single report on credentials would be submitted for approval, following established procedures, by the Bureau of the COP to the COP and to the CMP.

21. The report by the Chair of the SBSTA on the thirty-fifth session of the SBSTA will include any recommendations of draft decisions or conclusions for adoption by the CMP at its seventh session arising from the work conducted by the SBSTA based on the agendas adopted at the thirty-fourth (FCCC/SBSTA/2011/2) and thirty-fifth sessions of the SBSTA (FCCC/SBSTA/2011/3).

22. The report by the Chair of the SBSTA will address matters, inter alia, related to issues that have been mandated for consideration at CMP 7.

FCCC/SBSTA/2011/2	<i>Report of the Subsidiary Body for Scientific and Technological Advice on its thirty-fourth session, held in Bonn from 6 to 16 June 2011</i>
-------------------	--

(b) Report of the Subsidiary Body for Implementation

23. The CMP will be invited to take note of the report of the SBI on its thirty-fourth session. The Chair of the SBI will also report back to the CMP on the thirty-fifth session of the SBI.

24. The report by the Chair of the SBI on the thirty-fifth session of the SBI will include any recommendations of draft decisions or conclusions for adoption by the CMP at its seventh session arising from the work conducted by the SBI based on the agendas adopted at the thirty-fourth (FCCC/SBI/2011/7) and thirty-fifth sessions of the SBI (FCCC/SBI/2011/8).

25. The report by the Chair of the SBI will address matters, inter alia, related to issues that have been mandated for consideration at CMP 7.

FCCC/SBI/2011/7 and Add.1	<i>Report of the Subsidiary Body for Implementation on its thirty-fourth session, held in Bonn from 6 to 17 June 2011</i>
---------------------------	---

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

26. *Background:* The CMP, by its decision 1/CMP.1, established the AWG-KP to consider further commitments for Annex I Parties for the period beyond 2012 in accordance with Article 3, paragraph 9, of the Kyoto Protocol.

27. By its decision 1/CMP.6, the CMP reiterated that the AWG-KP should aim to complete its work pursuant to decision 1/CMP.1 and have its results adopted by the CMP as early as possible and in time to ensure that there is no gap between the first and second commitment periods. The report on AWG-KP work in 2011 is listed below. The AWG-KP will present the outcome of its work to the CMP at its seventh session for adoption.

28. The CMP, by its decision 2/CMP.6, decided to consider the outcomes of the technical assessment of the forest management reference level review at its next session. The AWG-KP will consider the report of the technical assessment at its session in Durban and will forward the outcomes to the CMP for its consideration, through the report of the AWG-KP.

29. *Action:* The CMP will be invited to consider the results of the work by the AWG-KP, including the outcomes of the technical assessment of the forest management reference level review, with a view to their adoption.

FCCC/KP/CMP/2010/12/Add.1	<i>Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its</i>
---------------------------	---

	<i>sixth session, held in Cancun from 29 November to 10 December 2010. Addendum. Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its sixth session</i>
<i>FCCC/KP/AWG/2010/18 and Add.1</i>	<i>Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on its fifteenth session, held in Cancun from 29 November to 10 December 2010</i>
<i>FCCC/KP/AWG/2011/4</i>	<i>Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on the first and second parts of its sixteenth session, held in Bangkok from 5 to 8 April 2011, and Bonn from 7 to 17 June 2011</i>
<i>FCCC/KP/AWG/2011/INF.X</i>	<i>Synthesis report of the technical assessments of the forest management reference level submissions</i>

## 5. Consideration of proposals by Parties for amendments to the Kyoto Protocol

30. *Background:* Article 20, paragraph 1, of the Kyoto Protocol states that “Any Party may propose amendments to this Protocol.” Article 20, paragraph 2, stipulates that “Amendments to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed amendment to this Protocol 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 amendments to the Parties and signatories to the Convention and, for information, to the Depositary.”

31. Article 21, paragraph 2, of the Kyoto Protocol states that “Any Party may make proposals for an annex to this Protocol and may propose amendments to annexes to this Protocol.” Article 21, paragraph 3, provides that “Annexes to this Protocol and amendments to annexes to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed annex or amendment to an annex 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 annex or amendment to an annex to the Parties and signatories to the Convention and, for information, to the Depositary.”

32. In accordance with these provisions, Parties submitted 13 proposals to amend the Kyoto Protocol. Twelve proposals were submitted in 2009 and were communicated to Parties to the Kyoto Protocol and to Parties and signatories to the Convention on 17 June 2009 and sent, for information, to the Depositary on 25 June 2009. One proposal was submitted in 2010 and was communicated to Parties to the Kyoto Protocol and to Parties and signatories to the Convention on 28 May 2010. The text was also sent, for information, to the Depositary on 17 June 2010.

33. The CMP considered the proposals at its sixth session. It decided to keep the matter open and to include this item on the provisional agenda of CMP 7, pursuant to rules 10(c) and 16 of the draft rules of procedure being applied.

34. *Action:* The CMP will be invited to consider the proposals listed below and to take any action it deems appropriate.

<i>FCCC/KP/CMP/2009/2</i>	<i>Proposal from the Czech Republic and the European Commission on behalf of the European Community and its member States for an amendment to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/3</i>	<i>Proposal from Tuvalu for an amendment to the Kyoto Protocol with respect to immunities for individuals serving on constituted bodies established under the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/4</i>	<i>Proposal from Tuvalu for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/5</i>	<i>Proposal from the Philippines for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/6</i>	<i>Proposal from New Zealand for an amendment to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/7</i>	<i>Proposal from Algeria, Benin, Brazil, Burkina Faso, Cameroon, Cape Verde, China, Congo, Democratic Republic of the Congo, El Salvador, Gambia, Ghana, India, Indonesia, Kenya, Liberia, Malawi, Malaysia, Mali, Mauritius, Mongolia, Morocco, Mozambique, Nigeria, Pakistan, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, Sri Lanka, Swaziland, Togo, Uganda, United Republic of Tanzania, Zambia and Zimbabwe for an amendment to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/8</i>	<i>Proposal from Colombia for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/9</i>	<i>Proposal from Belarus for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/10</i>	<i>Proposal from Australia for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/11</i>	<i>Proposal from Japan for an amendment to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/12</i>	<i>Proposal from the Plurinational State of Bolivia on behalf of Malaysia, Paraguay and the Bolivarian Republic of Venezuela for an amendment to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2009/13</i>	<i>Proposal from Papua New Guinea for amendments to the Kyoto Protocol. Note by the secretariat</i>
<i>FCCC/KP/CMP/2010/3</i>	<i>Proposal from Grenada for amendments to the Kyoto Protocol. Note by the secretariat</i>

## 6. Proposal from Kazakhstan to amend Annex B to the Kyoto Protocol

35. *Background:* The procedures for amending an annex to the Kyoto Protocol are contained in Article 21 of the Kyoto Protocol. Article 21, paragraph 2, states “Any Party may make proposals for an annex to this Protocol and may propose amendments to annexes to this Protocol.” Article 21, paragraph 3, stipulates that “Annexes to this Protocol and amendments to annexes to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed annex or amendment to an annex 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 annex or amendment to an annex to the Parties and signatories to the Convention and, for information, to the Depository.”

36. Kazakhstan, by a letter dated 18 September 2009, proposed an amendment to Annex B to the Kyoto Protocol. At its fifth session,<sup>7</sup> the CMP noted the proposal and agreed to place it on the provisional agenda for its sixth session and requested the secretariat to communicate it to the Parties to the Kyoto Protocol, and to Parties and signatories to the Convention. The CMP also requested the SBI to consider the proposal at its thirty-second session and report the outcome to the CMP.

37. In accordance with Article 21, paragraph 3, of the Kyoto Protocol, and at the request of the CMP, the secretariat communicated the proposal to the Parties to the Kyoto Protocol and to Parties and signatories to the Convention in a notification dated 21 January 2010, and for information to the Depository by a letter dated 6 January 2010.

38. At its thirty-second session, the SBI considered the proposal from Kazakhstan; its conclusions on this issue are contained in document FCCC/SBI/2010/10, paragraphs 132–138.

39. The CMP considered the issue at its sixth session<sup>8</sup> and agreed to include this item on the provisional agenda for its next session in order to continue its consideration of the proposal with a view to reaching an agreed outcome and adopting a decision at its seventh session.

40. *Action:* The CMP will be invited to consider the proposal from Kazakhstan to amend Annex B and to take any action it deems appropriate.

<p>FCCC/KP/CMP/2010/4      <i>Proposal from Kazakhstan to amend Annex B to the Kyoto Protocol. Note by the secretariat</i></p>
--

## 7. Issues relating to the clean development mechanism

41. *Background:* In accordance with the provisions of the modalities and procedures of the clean development mechanism (CDM),<sup>9</sup> the Executive Board of the CDM shall report on its activities to each session of the CMP. In exercising its authority over the CDM, the CMP shall review annual reports, provide guidance and take decisions, as appropriate.

42. The seventh report of the Board to the CMP provides information on progress made in the implementation of the CDM arising from action taken by the Board during its tenth

<sup>7</sup> FCCC/KP/CMP/2009/21, paragraphs 84–94.

<sup>8</sup> Decision 8/CMP.6.

<sup>9</sup> Decision 3/CMP.1, annex, paragraphs 2–5.

year of operation.<sup>10</sup> In addition, the report contains a number of recommendations for decisions to be taken by the CMP at its seventh session.

43. The Chair of the Board will provide an oral report, highlighting the tasks and achievements of the Board over the past year and the challenges ahead.

44. *Action:* The CMP will be invited to take note of the report of the Board below and the oral report of the Chair of the Board. The CMP will also be invited to consider this item and to recommend a draft decision for adoption by the CMP at its seventh session.

45. The CMP will also be invited to consider any other issues relating to the CDM resulting from the work of the subsidiary bodies.

46. The CMP may also wish to invite the President to undertake consultations on the nominations of members and alternate members of the Executive Board and to elect these members and alternate members.

FCCC/KP/CMP/2011/3      *Annual report of the Executive Board of the clean development mechanism to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol*

## 8. Issues relating to joint implementation

### (a) Guidance on joint implementation

47. *Background:* In accordance with paragraph 3 of the annex to decision 9/CMP.1 (JI guidelines), the Joint Implementation Supervisory Committee (JISC) shall report on its activities to each session of the CMP. In exercising its authority over joint implementation (JI), the CMP may review annual reports, provide guidance and take decisions, as appropriate.

48. The sixth annual report of the JISC to the CMP provides information on the progress made in the implementation of the JI Track 2 procedure arising from actions taken by the JISC during its sixth year of operation.<sup>11</sup> The report also addresses governance issues, as well as the recommendations by the JISC on specific matters requested by the CMP at its sixth session.<sup>12</sup> In this context, the report contains recommendations on options for building on the approach embodied in JI for the consideration of the CMP as part of the first review of the JI guidelines in accordance with decision 9/CMP.1, paragraph 8.<sup>13</sup>

49. The Chair of the JISC will provide an oral report, highlighting the tasks and achievements of the JISC over the past year and the challenges ahead

50. *Action:* The CMP will be invited to take note of the work on JI, including the annual report of the JISC and the oral report of the Chair of the JISC. The CMP will be invited to consider this item and to recommend a draft decision for adoption by the CMP at its seventh session.

---

<sup>10</sup> Following the requests by the CMP at its second and third sessions, the report of the Board to the CMP covers the period from the previous session of the CMP to the Board meeting that takes place just prior to the one held in conjunction with the session of the CMP (decision 1/CMP.2, para. 11, and decision 2/CMP.3, para. 7).

<sup>11</sup> Although not explicitly requested to do so by the CMP, the JISC has decided to follow a reporting arrangement similar to that of the CDM Executive Board; the report of the JISC to the CMP now covers the period from the previous session of the CMP to the JISC meeting that takes place just prior to the one held in conjunction with the session of the CMP.

<sup>12</sup> Decision 4/CMP.6.

<sup>13</sup> See agenda item 8(b).

51. The CMP may also wish to invite the President to undertake consultations on the nominations of members and alternate members of the JISC and to elect these members and alternate members.

(b) Review of the joint implementation guidelines

52. *Background:* In accordance with decision 4/CMP.6, the CMP decided to initiate the first review of the JI guidelines in accordance with decision 9/CMP.1, paragraph 8, at its seventh session.

53. In addition, the CMP requested the JISC to make recommendations to the CMP, at its seventh session, on options for building on the approach embodied in JI, with a view to considering the recommendations of the JISC as part of the first review of the JI guidelines. The recommendations of the JISC build upon its report on experience with the verification procedure under the JISC and possible improvements to the future operation of JI, as contained in its annual report to the CMP in 2010.<sup>14</sup>

54. *Action:* The CMP will be invited to initiate the first review of the JI guidelines, including considering the recommendations of the JISC on options for building on the approach embodied by JI contained in its annual report and establishing a process and timeline for the review.

<i>FCCC/KP/CMP/2011/4</i>	<i>Annual report of the Joint Implementation Supervisory Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol</i>
---------------------------	---

## 9. Matters relating to compliance under the Kyoto Protocol

(a) Report of the Compliance Committee

55. *Background:* In accordance with decision 27/CMP.1, annex, section III, paragraph 2(a), the plenary of the Compliance Committee is to report to each ordinary session of the CMP. The sixth annual report of the Compliance Committee to the CMP provides information on the activities of the Compliance Committee during its sixth year of operation, from 19 September 2010 to 13 October 2011.

56. *Action:* The CMP will be invited to consider the report of the Compliance Committee below.

57. The CMP may wish to invite the President to undertake consultations on the nominations of members and alternate members of the Compliance Committee and to elect these members and alternate members. The CMP may wish to invite Parties to make contributions to the Trust Fund for Supplementary Activities for the biennium 2012–2013 to support the work of the Compliance Committee.

<i>FCCC/KP/CMP/2011/5</i>	<i>Annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol</i>
---------------------------	---

<sup>14</sup> See documents FCCC/KP/CMP/2010/9, annex I.

(b) Appeal by Croatia against a final decision of the enforcement branch of the Compliance Committee in relation to the implementation of decision 7/CP.12

58. *Background:* On 26 November 2009, the enforcement branch of the Compliance Committee adopted a final decision (document CC-2009-1-8/Croatia/EB),<sup>15</sup> confirming that Croatia was not in compliance with Article 3, paragraphs 7 and 8, of the Kyoto Protocol and the modalities for the accounting of assigned amounts under Article 7, paragraph 4, of the Kyoto Protocol (decision 13/CMP.1). On 14 January 2010, the secretariat received an appeal by Croatia against the final decision of the enforcement branch (FCCC/KP/CMP/2010/2).

59. At its sixth session, the CMP concluded that a common understanding of the procedural and substantive aspects relating to Croatia's appeal was required to ensure fair and due consideration. Given the considerable importance attached by Parties to these issues, and the limited time available, the CMP was not able to complete its consideration of this item at the session. Consequently, in accordance with rule 16 of the draft rules of procedure being applied, it was decided that the item would be included on the provisional agenda for the seventh session of the CMP.

60. The CMP also requested the secretariat to prepare a technical paper outlining the procedural requirements and the scope and content of applicable law for the consideration of appeals under decision 27/CMP.1 and other relevant CMP decisions, as well as the approach taken by bodies constituted under other multilateral environmental agreements and other international bodies in relation to provisions for the consideration of denial of due process. Parties agreed that the findings of the secretariat would be used in their further discussions.

61. On 4 August 2011, the secretariat received a letter from the Minister of Environmental Protection, Physical Planning and Construction of Croatia declaring that Croatia withdraws its appeal against the final decision of the enforcement branch.

62. *Action:* The CMP is invited to consider the withdrawal by Croatia of its appeal and to take any action it deems appropriate with a view to completing the consideration of this item. The CMP is also invited to consider the technical paper referred to in paragraph 60 above and to take any action it deems appropriate.

<i>FCCC/KP/CMP/2010/2</i>	<i>Appeal by Croatia against a final decision of the enforcement branch of the Compliance Committee. Note by the secretariat</i>
<i>FCCC/KP/CMP/2011/2</i>	<i>Withdrawal by Croatia of its appeal against a final decision of the enforcement branch of the Compliance Committee. Note by the secretariat</i>
<i>FCCC/TP/2011/6</i>	<i>Procedural requirements and the scope and content of applicable law for the consideration of appeals under decision 27/CMP.1 and other relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, as well as the approach taken by other relevant bodies relating to denial of due process. Technical paper</i>

<sup>15</sup> This decision is available in all six official languages of the United Nations at <[http://unfccc.int/kyoto\\_protocol/compliance/enforcement\\_branch/items/5456.php](http://unfccc.int/kyoto_protocol/compliance/enforcement_branch/items/5456.php)>.

(c) Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance

63. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

64. *Action:* The CMP will be invited to refer this item to the SBI for its consideration and for recommendation of a draft decision or conclusions for adoption by the CMP at its seventh session.

**10. Adaptation Fund**(a) Report of the Adaptation Fund Board

65. *Background:* The CMP decided at its third session<sup>16</sup> that the Adaptation Fund Board shall report on its activities at each session of the CMP.

66. At its sixth session, the CMP continued to encourage<sup>17</sup> Annex I Parties and international organizations to provide funding to the Adaptation Fund, which will be additional to the share of proceeds from CDM project activities.

67. At the same session, the CMP requested the secretariat, subject to the availability of resources, in consultation with the Adaptation Fund Board, and making use of the Adaptation Fund Accreditation Toolkit, lessons learned and best practices, to conduct up to three regional or subregional, as appropriate, workshops, with the possibility of another, as circumstances permit and as warranted, in order to familiarize Parties with the process and the requirements of the accreditation of national implementing entities. The CMP also requested the secretariat to report to the CMP at its eighth session on efforts to implement decision 5/CMP.6, paragraphs 8–10, and the outcomes of these workshops, in order for Parties to assess the efficiency and effectiveness of these workshops at that session.

68. *Action:* The CMP will be invited to consider the report of the Adaptation Fund Board, including an interim report on the status of the implementation of regional workshops, and to take any action it deems appropriate.

69. The CMP may also wish to invite the President to undertake consultations on the nominations of members and alternate members of the Adaptation Fund Board and to elect these members and alternate members.

<i>FCCC/KP/CMP/2011/6</i>	<i>Report of the Adaptation Fund Board. Note by the Chair of the Adaptation Fund Board</i>
---------------------------	--

(b) Review of the Adaptation Fund

70. *Background:* The CMP decided at its third session to undertake, at its sixth session, a review of all matters relating to the Adaptation Fund in the context of decision 1/CMP.3, paragraphs 32–34, including the institutional arrangements as referred to in paragraphs 19 and 23 of that decision, with a view to ensuring the effectiveness and adequacy thereof, and to adopt an appropriate decision on the outcome of such a review.

71. The CMP, at its sixth session, decided<sup>18</sup> that the review would be undertaken at its seventh session and every three years thereafter. The review will be undertaken in accordance with the terms of reference contained in the annex to decision 6/CMP.6.

<sup>16</sup> Decision 1/CMP.3.

<sup>17</sup> Decision 5/CMP.6.

<sup>18</sup> Decision 6/CMP.6.

72. At the same session, the CMP requested the Adaptation Fund Board to make available, in its report to the CMP at its seventh session, the performance reviews of the interim secretariat and the interim trustee servicing the Adaptation Fund, in accordance with decision 1/CMP.3, paragraph 33. The CMP also invited Parties and international organizations and stakeholders to submit to the secretariat their views on the review of the Adaptation Fund based on the terms of reference annexed to decision 6/CMP.6.

73. *Action:* The CMP will be invited to consider the report of the Adaptation Fund Board on the outcomes of the performance reviews of the interim secretariat and interim trustee servicing the Adaptation Fund and submissions of Parties and interested international organizations and stakeholders on their views on the review of the Adaptation Fund. The CMP will also be invited to undertake the review based on the terms of reference annexed to decision 6/CMP.6 and to take any action it deems appropriate.

<i>FCCC/KP/CMP/2011/6</i>	<i>Report of the Adaptation Fund Board. Note by the Chair of the Adaptation Fund Board</i>
<i>FCCC/KP/CMP/2011/MISC.1</i>	<i>Views on the review of the Adaptation Fund. Submissions from Parties and interested international organizations and stakeholders</i>

## 11. Issues relating to the international transaction log

74. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

75. *Action:* The CMP will be invited to refer this sub-item to the SBI for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

<i>FCCC/KP/CMP/2011/7</i>	<i>Annual report of the administrator of the international transaction log under the Kyoto Protocol. Note by the secretariat</i>
---------------------------	--

## 12. National communications from Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol

76. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

77. *Action:* The CMP will be invited to refer this sub-item to the SBI for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

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

78. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

79. *Action:* The CMP will be invited to refer the consideration of the 2011 compilation and accounting report to the SBI and to consider the outcome and take action as appropriate.

<i>FCCC/KP/CMP/2011/8 and</i>	<i>Annual compilation and accounting report for Annex</i>
-------------------------------	---

Add.1

*B Parties under the Kyoto Protocol for 2011. Note by the secretariat*

#### **14. Capacity-building under the Kyoto Protocol**

80. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

81. *Action:* The CMP will be invited to refer this sub-item to the SBI for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

#### **15. Matters relating to Article 2, paragraph 3, of the Kyoto Protocol**

82. *Background:* See the SBSTA 35 provisional agenda and annotations (FCCC/SBSTA/2011/3).

83. *Action:* The CMP will be invited to refer this sub-item to the SBSTA for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

#### **16. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol**

84. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

85. *Action:* The CMP will be invited to refer this sub-item to the SBI for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

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

86. *Background:* Any other matters concerning the Kyoto Protocol referred by the subsidiary bodies to the CMP may be taken up under this item, including draft decisions and conclusions completed at the thirty-fourth and thirty-fifth sessions of the subsidiary bodies.

87. *Action:* The CMP will be invited to adopt draft decisions or conclusions pertaining to the Kyoto Protocol forwarded by the SBSTA or the SBI at their thirty-fourth and thirty-fifth sessions.

#### **18. Administrative, financial and institutional matters**

##### **(a) Budget performance for the biennium 2010–2011**

88. *Background:* See the SBI 35 provisional agenda and annotations (FCCC/SBI/2011/8).

89. *Action:* The CMP will be invited to refer this sub-item to the SBI for its consideration and for recommendation of draft decisions or conclusions for adoption by the CMP at its seventh session.

(b) Programme budget for the biennium 2012–2013

90. *Background:* The SBI, at its thirty-fourth session, recommended a draft decision on this issue for adoption by the CMP at its seventh session (FCCC/SBI/2011/7/Add.1).

91. *Action:* The CMP will be invited to adopt the recommended draft decision mentioned in paragraph 90 above.

## 19. High-level segment

92. The inauguration of the high-level segment will take place in the afternoon of Tuesday, 6 December 2011. National statements will be heard in joint meetings of the COP and the CMP during the high-level segment on 7–8 December. The high-level segment will continue until Friday, 9 December 2011.

93. The SBI, at its thirty-fourth session, agreed that arrangements be made for the delivery of concise national statements by ministers and other heads of delegation,<sup>19</sup> with a recommended time limit of three minutes, and also concise statements by representatives of intergovernmental organizations and non-governmental organizations, with a recommended time limit of two minutes, in the joint meetings of the COP and the CMP during the high-level segment.<sup>20</sup> Statements on behalf of groups, where the other members of the group do not speak, are strongly encouraged and additional time will be provided for these. The full texts of the official statements will be circulated in plenary if sufficient numbers of copies are provided to the secretariat in the course of the session. Statements will also be posted on the UNFCCC website if a scanned copy is provided to the secretariat in the course of the session.

94. The list of speakers will be open from Wednesday, 28 September to Friday, 11 November 2011.<sup>21</sup> Information about the list, including a registration form, will be included in the notification to Parties for the sessions.

95. Further information on the high-level segment may be made available in an addendum to this document after consideration by the Bureau and the host Government of COP 17 and CMP 7.

## 20. Statements by observer organizations

96. Representatives of intergovernmental and non-governmental organizations will be invited to address the joint meeting of the COP and the CMP during the high-level segment. Further information will be made available.

## 21. Other matters

97. Any other matters for the attention of the CMP will be taken up under this item.

---

<sup>19</sup> Statements may also be made by other high-level representatives.

<sup>20</sup> FCCC/SBI/2011/7, paragraph 159.

<sup>21</sup> Enquiries regarding this list may be directed to the Office of External Relations at the UNFCCC secretariat by telephone (+49 228 815 1611 or 1506), fax (+49 228 815 1999) or e-mail <sessions@unfccc.int>.

**22. Conclusion of the session****(a) Adoption of the report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its seventh session**

98. *Background:* A draft report on the work of the session will be prepared for adoption by the CMP at the end of the session.

99. *Action:* The CMP will be invited to adopt the draft report and to authorize the Rapporteur to complete the report after the session under the guidance of the President and with the assistance of the secretariat.

**(b) Closure of the session**

100. The President will declare the session closed.

## Annex

### **Documents before the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its seventh session**

#### **Documents prepared for the session**

FCCC/KP/CMP/2011/1	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/KP/CMP/2011/2	Withdrawal by Croatia of its appeal against a final decision of the enforcement branch of the Compliance Committee. Note by the secretariat
FCCC/KP/CMP/2011/3	Annual report of the Executive Board of the clean development mechanism to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
FCCC/KP/CMP/2011/4	Annual report of the Joint Implementation Supervisory Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
FCCC/KP/CMP/2011/5	Annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
FCCC/KP/CMP/2011/6	Report of the Adaptation Fund Board. Note by the Chair of the Adaptation Fund Board
FCCC/KP/CMP/2011/7	Annual report of the administrator of the international transaction log under the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2011/8 and Add.1	Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol for 2011. Note by the secretariat
FCCC/TP/2011/6	Procedural requirements and the scope and content of applicable law for the consideration of appeals under decision 27/CMP.1 and other relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, as well as the approach taken by other relevant bodies relating to denial of due process. Technical paper
FCCC/KP/CMP/2011/MISC.1	Views on the review of the Adaptation Fund. Submissions from Parties and interested international organizations and stakeholders

**Other documents before the session**

FCCC/CP/1996/2	Organizational matters: Adoption of the rules of procedure. Note by the secretariat
FCCC/KP/CMP/2009/2	Proposal from the Czech Republic and the European Commission on behalf of the European Community and its member States for an amendment to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/3	Proposal from Tuvalu for an amendment to the Kyoto Protocol with respect to immunities for individuals serving on constituted bodies established under the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/4	Proposal from Tuvalu for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/5	Proposal from the Philippines for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/6	Proposal from New Zealand for an amendment to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/7	Proposal from Algeria, Benin, Brazil, Burkina Faso, Cameroon, Cape Verde, China, Congo, Democratic Republic of the Congo, El Salvador, Gambia, Ghana, India, Indonesia, Kenya, Liberia, Malawi, Malaysia, Mali, Mauritius, Mongolia, Morocco, Mozambique, Nigeria, Pakistan, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, Sri Lanka, Swaziland, Togo, Uganda, United Republic of Tanzania, Zambia and Zimbabwe for an amendment to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/8	Proposal from Colombia for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/9	Proposal from Belarus for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/10	Proposal from Australia for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/11	Proposal from Japan for an amendment to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2009/12	Proposal from the Plurinational State of Bolivia on behalf of Malaysia, Paraguay and the Bolivarian Republic of Venezuela for an amendment to the Kyoto Protocol. Note by the secretariat

FCCC/KP/CMP/2009/13	Proposal from Papua New Guinea for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2010/2	Appeal by Croatia against a final decision of the enforcement branch of the Compliance Committee. Note by the secretariat
FCCC/KP/CMP/2010/3	Proposal from Grenada for amendments to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2010/4	Proposal from Kazakhstan to amend Annex B to the Kyoto Protocol. Note by the secretariat
FCCC/KP/CMP/2010/12/Add.1	Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its sixth session, held in Cancun from 29 November to 10 December 2010. Addendum. Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its sixth session
FCCC/SBSTA/2011/2	Report of the Subsidiary Body for Scientific and Technological Advice on its thirty-fourth session, held in Bonn from 6 to 16 June 2011
FCCC/SBSTA/2011/3	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/SBI/2011/7 and Add.1	Report of the Subsidiary Body for Implementation on its thirty-fourth session, held in Bonn from 6 to 17 June 2011
FCCC/SBI/2011/8	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/KP/AWG/2010/18 and Add.1	Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on its fifteenth session, held in Cancun from 29 November to 10 December 2010
FCCC/KP/AWG/2011/4	Report of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol on the first and second parts of its sixteenth session, held in Bangkok from 5 to 8 April 2011, and Bonn from 7 to 17 June 2011
FCCC/KP/AWG/2011/X	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/KP/AWG/2011/INF.X	Synthesis report of the technical assessments of the forest management reference level submissions