



SUBSIDIARY BODY FOR IMPLEMENTATION

**Report of the Subsidiary Body for Implementation
on its twenty-eighth session,
held in Bonn from 4 to 13 June 2008**

CONTENTS

| | <i>Paragraphs</i> | <i>Page</i> |
|---|-------------------|-------------|
| I. OPENING OF THE SESSION (Agenda item 1)..... | 1–2 | 4 |
| II. ORGANIZATIONAL MATTERS (Agenda item 2)..... | 3–11 | 4 |
| A. Adoption of the agenda..... | 3–5 | 4 |
| B. Organization of the work of the session..... | 6–7 | 5 |
| C. Election of officers other than the Chair..... | 8–10 | 6 |
| D. Election of replacement officers..... | 11 | 6 |
| III. NATIONAL COMMUNICATIONS FROM PARTIES NOT INCLUDED IN ANNEX I TO THE CONVENTION (Agenda item 3)..... | 12–25 | 6 |
| A. Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention..... | 12–15 | 6 |
| B. Agenda item held in abeyance..... | | 7 |
| C. Provision of financial and technical support..... | 16–25 | 7 |
| IV. FINANCIAL MECHANISM OF THE CONVENTION: FOURTH REVIEW OF THE FINANCIAL MECHANISM (Agenda item 4)..... | 26–31 | 8 |

| | <i>Paragraphs</i> | <i>Page</i> |
|-------|--|---------------|
| V. | IMPLEMENTATION OF ARTICLE 4, PARAGRAPHS 8 AND 9, OF THE CONVENTION (Agenda item 5)..... | 32–52 8 |
| | A. Progress on the implementation of decision 1/CP.10..... | 32–39 8 |
| | B. Matters relating to the least developed countries..... | 40–52 10 |
| VI. | DEVELOPMENT AND TRANSFER OF TECHNOLOGIES (Agenda item 6)..... | 53–65 11 |
| VII. | CAPACITY-BUILDING FOR DEVELOPING COUNTRIES UNDER THE CONVENTION (Agenda item 7)..... | 66–75 13 |
| VIII. | CAPACITY-BUILDING FOR DEVELOPING COUNTRIES UNDER THE KYOTO PROTOCOL (Agenda item 8)..... | 76–86 14 |
| IX. | 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 9)..... | 87–94 15 |
| X. | MATTERS RELATING TO ARTICLE 3, PARAGRAPH 14, OF THE KYOTO PROTOCOL (Agenda item 10)..... | 95–96 16 |
| XI. | AMENDMENT OF THE KYOTO PROTOCOL IN RESPECT OF PROCEDURES AND MECHANISMS RELATING TO COMPLIANCE (Agenda item 11)..... | 97–98 16 |
| XII. | PREPARATIONS FOR THE SECOND REVIEW OF THE KYOTO PROTOCOL PURSUANT TO ITS ARTICLE 9 (Agenda item 12)..... | 99–113 17 |
| XIII. | ARRANGEMENTS FOR INTERGOVERNMENTAL MEETINGS (Agenda item 13)..... | 114–143 20 |
| | A. Fourteenth session of the Conference of the Parties | |
| | Fourth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol..... | 114–125 20 |
| | B. Future sessional periods | 126–143 21 |
| XIV. | ADMINISTRATIVE, FINANCIAL AND INSTITUTIONAL MATTERS (Agenda item 14)..... | 144–160 23 |
| | A. Budget performance for the biennium 2008–2009..... | 144–155 23 |
| | B. Implementation of the Headquarters Agreement..... | 156–160 24 |

| | | <i>Paragraphs</i> | <i>Page</i> |
|-------|--|-------------------|-------------|
| XV. | OTHER MATTERS (Agenda item 15)..... | 161–164 | 25 |
| XVI. | REPORT ON THE SESSION (Agenda item 16)..... | 165 | 25 |
| XVII. | CLOSURE OF THE SESSION..... | 166–170 | 25 |

Annexes

| | | | |
|------|---|--|----|
| I. | Text for a draft decision for consideration by the Subsidiary Body for Implementation at its twenty-ninth session | | 27 |
| II. | Text for a draft decision for consideration by the Subsidiary Body for Implementation at its twenty-ninth session | | 32 |
| III. | Terms of reference for the assessment by the Conference of the Parties of the status of implementation of Article 4, paragraph 8, of the Convention, and decisions 5/CP.7 and 1/CP.10 | | 36 |
| IV. | Terms of reference for the second comprehensive review of the implementation of the framework for capacity-building in developing countries | | 39 |
| V. | Texts for draft decisions for consideration by the Subsidiary Body for Implementation at its twenty-ninth session | | 41 |
| VI. | Documents before the Subsidiary Body for Implementation at its twenty-eighth session | | 44 |

Addendum – FCCC/SBI/2008/8/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.14. Capacity-building for developing countries under
the Convention

Draft decision -/CMP.4. Capacity-building for developing countries under
the Kyoto Protocol

I. Opening of the session

(Agenda item 1)

1. The twenty-eighth session of the Subsidiary Body for Implementation (SBI) was held at the Maritim Hotel, Bonn, Germany, from 4 to 13 June 2008.
2. The Chair of the SBI, Mr. Bagher Asadi (Islamic Republic of Iran), 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 meeting, on 4 June, the SBI considered a note by the Executive Secretary containing the provisional agenda and annotations (FCCC/SBI/2008/1). Statements were made by representatives of three Parties, one speaking on behalf of the European Community and its member States, one on behalf of the Group of 77 and China, and one on behalf of the Umbrella Group.
4. At the same meeting, the Chair informed Parties that there was no consensus to include sub-item 3 (b) (“Information contained in national communications from Parties not included in Annex I to the Convention”) of the provisional agenda on the agenda of the meeting. On a proposal by the Chair, the SBI agreed to include this issue on the provisional agenda of its twenty-ninth session.
5. At the same meeting, following a proposal by the Chair, the SBI adopted the agenda as contained in document FCCC/SBI/2008/1, with sub-item 3 (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;
 - (c) Election of officers other than the Chair;
 - (d) Election of replacement officers.
 3. 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*;
 - (c) Provision of financial and technical support.
 4. Financial mechanism of the Convention: fourth review of the financial mechanism.
 5. Implementation of 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.
 6. Development and transfer of technologies.
 7. Capacity-building for developing countries under the Convention.

8. Capacity-building for developing countries under the Kyoto Protocol.
9. Reporting and review of information submitted by Parties included in Annex I to the Convention that are also Parties to the Kyoto Protocol.
10. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol.
11. Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance.
12. Preparations for the second review of the Kyoto Protocol pursuant to its Article 9.
13. Arrangements for intergovernmental meetings:
 - (a) Fourteenth session of the Conference of the Parties;
 - (b) Fourth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol;
 - (c) Future sessional periods.
14. Administrative, financial and institutional matters:
 - (a) Budget performance for the biennium 2008–2009;
 - (b) Implementation of the Headquarters Agreement.
15. Other matters.
16. Report on the session.

B. Organization of the work of the session

(Agenda item 2 (b))

6. The SBI considered this sub-item at its 1st meeting, on 4 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 13 Parties including one speaking on behalf of the European Community and its member States,¹ one on behalf of the Group of 77 and China, one on behalf of the Alliance of Small Island States (AOSIS), one on behalf of the African Group, one on behalf of the least developed countries (LDCs) and one on behalf of the Umbrella Group.

7. 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).

¹ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

² The observer organizations requesting provisional admittance were listed on pages 12 and 13 of the Daily Programme for 4 June 2008 (FCCC/2008/II/OD/3).

C. Election of officers other than the Chair
(Agenda item 2 (c))

8. The SBI considered this sub-item at its 1st meeting, on 4 June.
9. The Chair recalled rule 27 of the draft rules of procedure being applied, whereby the SBI is expected to elect its Vice-Chair and Rapporteur. Such an election was last held at the twenty-seventh session when Ms. Nataliya Stranadko (Ukraine) was elected as Vice-Chair for an initial term of one year. The Chair welcomed Ms. Stranadko to the session.
10. As the nomination for Rapporteur was received after the close of SBI 27, the SBI elected Ms. Margaret Sangarwe (Zimbabwe) as Rapporteur for a term of one year starting with the twenty-eighth session.

D. Election of replacement officers
(Agenda item 2 (d))

11. Ms. Sangarwe represents a State which is not a Party to the Kyoto Protocol. Consequently, in accordance with Article 15, paragraph 3, of the Kyoto Protocol, the SBI elected Ms. Duduzile Nhlengethwa (Swaziland) as replacement Rapporteur for a term of one year starting with the twenty-eighth session.

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

(Agenda item 3)

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

(Agenda item 3 (a))

1. Proceedings

12. The SBI considered this sub-item at its 1st and 4th meetings, on 4 and 13 June, respectively. It had before it documents FCCC/SBI/2007/10/Add.1 and FCCC/SBI/2007/MISC.7 and Add.1. 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,³ one on behalf of AOSIS and one on behalf of the Environmental Integrity Group.

13. At its 1st meeting, the SBI agreed to consider this sub-item together with sub-item 3 (c) in a contact group co-chaired by Ms. Emily Ojoo-Massawa (Kenya) and Ms. Nicole Wilke (Germany). At the 4th meeting, Ms. Wilke reported on the contact group's consultations.

14. At its 4th meeting, the SBI considered and adopted conclusions⁴ proposed by the Chair.

2. Conclusions

15. The SBI, at its twenty-eighth session, decided to continue consideration of this agenda item at its twenty-ninth session based on the draft text contained in annex I with a view to recommending a decision for adoption by the COP at its fourteenth session.

³ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

⁴ Adopted as document FCCC/SBI/2008/L.9.

B. Agenda item held in abeyance
(Agenda item 3(b) *held in abeyance*)

C. Provision of financial and technical support
(Agenda item 3 (c))

1. Proceedings

16. The SBI considered this sub-item at its 1st and 4th meetings, on 4 and 13 June, respectively (see para. 13 above). It had before it document FCCC/SBI/2008/INF.3/Rev.1. Statements were made by representatives of four 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.⁵

17. At its 4th meeting, the SBI considered and adopted conclusions⁶ proposed by the Chair.

2. Conclusions

18. The SBI considered the information on financial support provided by the Global Environment Facility (GEF) for the preparation of national communications from Parties not included in Annex I to the Convention (non-Annex I Parties).⁷ The SBI recognized that this information is incomplete.

19. The SBI invited the GEF to continue to provide information, and to ensure that it is detailed 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 twenty-ninth session.

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

21. The SBI recalled the request by the COP in decision 7/CP.13 that the GEF continue to ensure that 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.

22. The SBI also recalled the request by the COP, at its thirteenth session, to the GEF to take into consideration the request contained in paragraph 21 above in its planned mid-term review in 2008.

23. The SBI looked forward to being provided with information in the report of the GEF to the COP at its fourteenth session on the specific steps that the GEF has taken to implement the guidance given in decision 7/CP.13, paragraphs 1 and 2, especially on the request contained in paragraph 22 above, on additional guidance relating to national communications from non-Annex I Parties.

24. The SBI looked forward to being provided with information in the report of the GEF to the COP at its fourteenth session on operational procedures to ensure the timely disbursement of funds to meet the agreed full costs to be incurred by each non-Annex I Party that wishes to apply for funding for its subsequent national communication prior to completion of the national communication currently under preparation, in order to ensure continuity in the process of preparation of national communications and avoid lack of continuity in project financing.

⁵ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

⁶ Adopted as document FCCC/SBI/2008/L.10.

⁷ FCCC/SBI/2008/INF.3/Rev.1.

25. The SBI recalled the invitation by the COP, at its thirteenth session, to the GEF to continue to provide information on funding for projects identified in the national communications of non-Annex I Parties in accordance with Article 12, paragraph 4, of the Convention, and subsequently submitted and approved.

IV. Financial mechanism of the Convention: fourth review of the financial mechanism

(Agenda item 4)

1. Proceedings

26. The SBI considered this item at its 1st and 4th meetings, on 4 and 13 June, respectively. It had before it documents FCCC/SBI/2008/INF.4 and FCCC/SBI/2008/MISC.3 and Add.1. Statements were made by representatives of five Parties, including one speaking on behalf of the European Community and its member States⁸ and one on behalf of the Group of 77 and China.

27. At its 1st meeting, the SBI agreed to consider this item in a contact group co-chaired by Ms. Tina Guthrie (Canada) and Mr. Bubu Jallow (Gambia). At the 4th meeting, Mr. Jallow reported on the contact group's consultations.

28. At its 4th meeting, the SBI considered and adopted conclusions⁹ proposed by the Chair.

2. Conclusions

29. The SBI took note of the synthesis report on submissions from Parties on the review of the financial mechanism¹⁰ and the submissions from Parties on the review of the financial mechanism referred to in decision 6/CP.13.¹¹

30. The SBI, in its consideration of the fourth review of the financial mechanism on the basis of the guidelines contained in the annex to decision 6/CP.13 and in the annex to decision 3/CP.4, requested the secretariat to provide, upon request, information to non-Annex I Parties on the assessment of financing needs to implement mitigation and adaptation measures.

31. The SBI decided to continue its consideration of issues under this agenda item at its twenty-ninth session on the basis of the draft text contained in annex II and other documents submitted by Parties, with a view to recommending a draft decision for adoption by the COP at its fourteenth session.

V. Implementation of Article 4, paragraphs 8 and 9, of the Convention

(Agenda item 5)

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

(Agenda item 5 (a))

1. Proceedings

32. The SBI considered this sub-item at its 1st and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/SBI/2008/MISC.4. Statements were made by representatives of eight

⁸ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey.

⁹ Adopted as document FCCC/SBI/2008/L.11.

¹⁰ FCCC/SBI/2008/INF.4.

¹¹ FCCC/SBI/2008/MISC.3 and Add.1.

Parties, including one speaking on behalf of AOSIS and one on behalf of the European Community and its member States.¹²

33. At its 1st meeting, the SBI agreed to consider this sub-item in a contact group chaired by Mr. Leon Charles (Grenada). At the 4th meeting, Mr. Charles reported on the contact group's consultations.

34. At its 4th meeting, the SBI considered and adopted conclusions¹³ proposed by the Chair.

2. Conclusions

35. The SBI agreed that the terms of reference included in annex III will serve as the basis for the assessment by the COP of the status of implementation of Article 4, paragraph 8, of the Convention, and decisions 5/CP.7 and 1/CP.10, to be undertaken at its fourteenth session.

36. The SBI requested the secretariat to strive to engage a wide range of organizations, institutions, experts and communities in the implementation of the activities contained in paragraph 38 below.

37. The SBI invited relevant organizations and other stakeholders to participate in the implementation of the activities contained in paragraph 38 below, and urged them to undertake their own activities and share the outcomes with the SBI at subsequent sessions, as appropriate.

38. The SBI agreed on the further implementation of decision 1/CP.10 through the following actions:

- (a) Adverse effects of climate change:
 - (i) Improving information on accessing existing funds for adaptation, including for the implementation of national adaptation programmes of action (NAPAs), through, inter alia, creating a web-based interface on the UNFCCC website;
 - (ii) Enhancing access to existing funds for adaptation, including through integrating adaptation into development cooperation programmes to the extent feasible, disseminating information on modalities for access, and building capacity for the preparation of project proposals and for project implementation;
 - (iii) Enhancing national planning for adaptation, including through integrating adaptation into the planning process, disseminating information on, and building upon, lessons learned from the NAPA process, and drawing upon information in national communications from Parties and other relevant documents;
 - (iv) Promoting risk management approaches and other appropriate responses to the adverse effects of climate change, building upon the practical experience of international, regional and national organizations and the private sector, including through disseminating information on best practices and lessons learned;

¹² This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey.

¹³ Adopted as document FCCC/SBI/2008/L.12.

- (b) Impact of the implementation of response measures:
- (i) Enhancing practical approaches to address economic diversification in the context of sustainable development, including through exchanging information and experiences on best practices and lessons learned;
 - (ii) Enhancing capacity for the development and use of modelling in the context of assessing the impact of the implementation of response measures, including through identifying organizations with relevant expertise and the scope of current activities in this regard;
 - (iii) Encouraging Parties to provide, to the extent possible, information on their experiences and concerns arising from the impact of the implementation of response measures, including through national communications and other relevant documents;
 - (iv) Promoting risk management approaches and other appropriate responses to the impact of the implementation of response measures, building upon the practical experience of international, regional and national organizations and the private sector, including through disseminating information on best practices and lessons learned.

39. The SBI agreed to consider further actions at its twenty-ninth session, taking into account the actions referred to in paragraph 38 above, the assessment referred to in paragraph 35 above, and ongoing activities relating to the adverse effects of climate change and the impact of the implementation of response measures under the Convention, and to recommend what further actions may be required by the COP at its fourteenth session.

B. Matters relating to the least developed countries

(Agenda item 5 (b))

1. Proceedings

40. The SBI considered this sub-item at its 1st and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/SBI/2008/6. Statements were made by representatives of three Parties.

41. At its 1st meeting, the SBI agreed to consider this sub-item in informal consultations convened by Mr. Amjad Abdulla (Maldives). At the 4th meeting, Mr. Abdulla reported on these consultations.

42. At the 1st meeting, the Chair invited Mr. Jallow, Chair of the Least Developed Countries Expert Group (LEG), to make a statement.

43. At its 4th meeting, the SBI considered and adopted conclusions¹⁴ proposed by the Chair.

2. Conclusions

44. The SBI took note of the oral report by the Chair of the LEG and welcomed the report on the thirteenth meeting of the LEG, held in Sana'a, Yemen, from 14 to 16 April 2008.¹⁵

45. The SBI expressed its appreciation to the LEG for its good work and welcomed the work programme for 2008–2010¹⁶ which was developed in response to decision 8/CP.13.

¹⁴ Adopted as document FCCC/SBI/2008/L.2.

¹⁵ FCCC/SBI/2008/6.

¹⁶ FCCC/SBI/2008/6, annex I.

46. The SBI expressed its appreciation to the Government of Yemen for hosting the thirteenth meeting of the LEG. It also expressed its gratitude to the Governments of Denmark, Ireland and Norway for providing financial support for the work of the LEG.
47. The SBI endorsed the work programme of the LEG for 2008–2010 and encouraged the LEG, in the implementation of its work programme, to seek to ensure the complementarity of its activities with related efforts by the GEF, its agencies and other relevant entities.
48. The SBI welcomed the submission of 34 NAPAs to the secretariat as at 6 June 2008, and encouraged those Parties that have not yet submitted their NAPAs to do so in a timely manner.
49. The SBI noted efforts being made by LDC Parties and the GEF to implement NAPAs, and looked forward to the report from the GEF to the COP at its fourteenth session on progress being made in the implementation of NAPAs under the Least Developed Countries Fund.
50. The SBI invited the LEG to report on its progress at the twenty-ninth session of the SBI, and to include in this report information showing how the LEG has prioritized its work and the timelines for activities.
51. The SBI welcomed the offer of the Government of Ethiopia to host the fourteenth meeting of the LEG in Addis Ababa.
52. The SBI invited Parties in a position to do so to support the work of the LEG and provide resources in support of its work programme.

VI. Development and transfer of technologies

(Agenda item 6)

1. Proceedings

53. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it documents FCCC/SBI/2008/5, FCCC/SBI/2008/7, FCCC/SBI/2008/MISC.1 and Add.1, and FCCC/SB/2008/INF.1. Statements were made by representatives of 11 Parties, including one speaking on behalf of the European Community and its member States¹⁷ and one on behalf of the Group of 77 and China.
54. At the 2nd meeting, the Chair invited Mr. Jukka Uosukainen (Finland), Chair of the Expert Group on Technology Transfer (EGTT), to introduce the programme of work of the EGTT for 2008–2009 and to report on relevant activities of the group. At the same meeting, in accordance with decision 3/CP.13, the SBI agreed to consider the EGTT rolling work programme in a joint contact group with the Subsidiary Body for Scientific and Technological Advice (SBSTA), co-chaired by Mr. Holger Liptow (Germany) and by Mr. Carlos Fuller (Belize). At the 4th meeting, Mr. Fuller reported on the joint contact group's consultations.
55. At the 2nd meeting, the Chair invited the representative of the GEF secretariat to introduce the report of the GEF on a strategic programme to scale up the level of investment for technology transfer.¹⁸

¹⁷ The statement made at the 2nd meeting was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey. The statement made at the 4th meeting was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Ukraine and Turkey.

¹⁸ FCCC/SBI/2008/5.

56. At the same meeting, the SBI agreed to consider other issues under this item in a contact group co-chaired by Mr. Philip Gwage (Uganda) and Mr. Liptow. At the 4th meeting, Mr. Gwage reported on the contact group's consultations.

57. At its 4th meeting, the SBI considered and adopted conclusions¹⁹ proposed by the Chair.

2. Conclusions

58. The SBI and the SBSTA welcomed the election of Mr. Uosukainen as Chair and Mr. Arthur Rolle (Bahamas) as Vice-Chair of the EGTT for 2008, and the nomination by Parties of experts to serve on the EGTT for 2008.²⁰

59. The SBI and the SBSTA noted the oral report by the Chair of the EGTT on the outcomes of the group's meetings held on 10–11 March 2008 and on 29–30 May 2008 in Bonn, Germany.²¹

60. The SBI and the SBSTA endorsed the rolling programme of work of the EGTT for 2008–2009²² and looked forward to receiving the results of the work of the EGTT. The SBI and the SBSTA noted the already heavy workload of the EGTT and invited the EGTT to adjust its programme of work should it be requested to do so by the subsidiary bodies.

61. The SBI noted the submissions from Parties containing their views on elements for 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, referred to in decision 4/CP.13, paragraph 7,²³ and the synthesis report of those views.²⁴

62. The SBI requested its Chair to prepare draft 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 for consideration by the SBI at its twenty-ninth session, taking into account the submissions from Parties referred to in paragraph 61 above, the deliberations among Parties at this session, and relevant work of the EGTT.

63. The SBI also noted that the EGTT will develop a set of performance indicators that should be used as one of the tools for the review and assessment.

64. The SBI noted the report of the GEF on a strategic programme to scale up the level of investment for technology transfer, presented at the twenty-eighth session of the SBI.²⁵ It encouraged the GEF to consider the discussion on this issue that took place at SBI 28, noting the concerns of Parties, in the elaboration of the options related to the strategic programme. Parties looked forward to considering a further report, to be provided by the GEF to the SBI for consideration at its twenty-ninth session, outlining a programme that fully addresses the elements called for in paragraph 3 of decision 4/CP.13, such as the need for broad and balanced consultation with Parties and how such a strategic programme might be implemented, along with its relationship to existing and emerging activities and initiatives.

¹⁹ Adopted as document FCCC/SBI/2008/L.7.

²⁰ FCCC/SB/2008/INF.1, annex II.

²¹ The first special meeting was held on 10–11 March 2008 and the first regular meeting was held on 29–30 May 2008 in conjunction with the twenty-eighth sessions of the subsidiary bodies.

²² FCCC/SB/2008/INF.1, annex I.

²³ FCCC/SBI/2008/MISC.1 and Add.1.

²⁴ FCCC/SBI/2008/7.

²⁵ FCCC/SBI/2008/5.

65. The SBI also invited the GEF, when further elaborating the strategic programme, to take into consideration that:

- (a) The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) is deliberating on enhanced action on technology development and transfer to support action on mitigation and adaptation, now, up to and beyond 2012;
- (b) The EGTT is undertaking work on financing technology development and transfer, and on elaborating a long-term strategy on technology.

VII. Capacity-building for developing countries under the Convention

(Agenda item 7)

1. Proceedings

66. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/SBI/2008/2. Statements were made by representatives of seven Parties, including one speaking on behalf of the European Community and its member States,²⁶ one on behalf of the Group of 77 and China and one on behalf of AOSIS.

67. At its 2nd meeting, the SBI agreed to consider this item in a contact group co-chaired by Mr. Helmut Hojesky (Austria) and Mr. Crispin D'Auvergne (Saint Lucia). At the 4th meeting, Mr. D'Auvergne reported on the contact group's consultations.

68. At its 4th meeting, the SBI considered and adopted conclusions²⁷ proposed by the Chair.

2. Conclusions

69. The SBI considered the draft terms of reference prepared by the secretariat²⁸ for the second comprehensive review of the implementation of the framework for capacity-building in developing countries adopted under decision 2/CP.7 (the capacity-building framework).

70. The SBI endorsed the terms of reference for the second comprehensive review as contained in annex IV.

71. The SBI reiterated the invitation to Parties made by the COP at its thirteenth session to submit to the secretariat, by 15 August 2008, information on their experiences in monitoring and evaluating capacity-building at the national level, for consideration by the SBI at its twenty-ninth session.²⁹

72. The SBI further invited Parties to submit to the secretariat, by 13 February 2009, any additional or updated information and views that may be relevant to the completion of the second comprehensive review.

73. The SBI requested the secretariat to prepare a report to support the comprehensive review, for consideration at its thirtieth session, in accordance with the terms of reference.

²⁶ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey.

²⁷ Adopted as document FCCC/SBI/2008/L.4.

²⁸ FCCC/SBI/2008/2.

²⁹ FCCC/CP/2007/6, paragraph 87.

74. The SBI encouraged Parties to continue to make submissions annually to the secretariat pursuant to decision 4/CP.12, paragraph 1, in order to facilitate the monitoring and evaluation of the implementation of the capacity-building framework.

75. The SBI decided to recommend a draft decision³⁰ on this matter for adoption by the COP at its fourteenth session.

VIII. Capacity-building for developing countries under the Kyoto Protocol

(Agenda item 8)

1. Proceedings

76. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/SBI/2008/2. Statements were made by representatives of three Parties, including one speaking on behalf of the European Community and its member States,³¹ and one on behalf of the Group of 77 and China.

77. At its 2nd meeting, the SBI agreed to consider this item in a contact group co-chaired by Mr. D'Auvergne and Mr. Hojesky. At the 4th meeting, Mr. D'Auvergne reported on the contact group's consultations.

78. At its 4th meeting, the SBI considered and adopted conclusions³² proposed by the Chair.

2. Conclusions

79. The SBI considered the draft terms of reference prepared by the secretariat³³ for the second comprehensive review of the implementation of the capacity-building framework.

80. The SBI acknowledged that the second comprehensive review is also applicable for capacity-building under the Kyoto Protocol.

81. The SBI endorsed the terms of reference for the second comprehensive review as contained in annex IV.

82. The SBI reiterated the invitation to Parties made by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) at its third session to submit to the secretariat, by 15 August 2008, information on their experiences in monitoring and evaluating capacity-building at the national level, for consideration by the SBI at its twenty-ninth session.³⁴

83. The SBI further invited Parties to submit to the secretariat, by 13 February 2009, any additional or updated information and views that may be relevant to the completion of the second comprehensive review.

84. The SBI requested the secretariat, in preparing the report referred to in paragraph 73 above, and other documents for the second comprehensive review, to include information relating to the implementation of capacity-building under the Kyoto Protocol.

³⁰ FCCC/SBI/2008/L.4/Add.1. For the final text see document FCCC/SBI/2008/8/Add.1.

³¹ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey.

³² Adopted as document FCCC/SBI/2008/L.8.

³³ FCCC/SBI/2008/2.

³⁴ FCCC/KP/CMP/2007/9, paragraph 93.

85. The SBI encouraged Parties to continue to make submissions annually to the secretariat pursuant to decision 6/CMP.2, paragraph 1, in order to facilitate the monitoring and review of progress in the implementation of the capacity-building framework.³⁵

86. The SBI decided to recommend a draft decision³⁶ on this matter for adoption by the CMP at its fourth session.

IX. 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 9)

1. Proceedings

87. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/SBI/2008/INF.2. Statements were made by representatives of two Parties, including one speaking on behalf of the European Community and its member States.³⁷

88. At its 4th meeting, the SBI considered and adopted conclusions³⁸ proposed by the Chair.

2. Conclusions

89. The SBI took note of the document containing information on the status of submission and review of the initial reports submitted in accordance with decision 13/CMP.1 by Parties included in Annex I to the Convention (Annex I Parties) that are also Parties to the Kyoto Protocol.³⁹

90. The SBI noted with appreciation the work of the expert review teams and the secretariat that enabled successful and timely completion of the reviews of the initial reports submitted in 2006 and 2007.

91. The SBI reiterated its conclusions at its twenty-seventh session that, in accordance with decision 22/CMP.1, Annex I Parties may start reporting, on a voluntary basis, information under Article 7, paragraph 1, of the Kyoto Protocol with the inventory submission due under the Convention from the year following the submission of the initial report, and that this information shall be reviewed in accordance with the "Guidelines for review under Article 8 of the Kyoto Protocol"; this review will be conducted in conjunction with the annual review of greenhouse gas inventories under the Convention.

92. The SBI recalled paragraphs 99 and 100 of its conclusions at its twenty-seventh session⁴⁰ and paragraphs 62 and 63 of the conclusions of the SBSTA at its twenty-seventh session⁴¹ and reiterated that the review process needs further strengthening, in particular through the participation of an increased number of well-trained review experts; it encouraged Parties to continue to nominate new experts to the roster of experts and to update this roster. It encouraged Parties to continue to ensure that experts nominated to the roster of experts participate in the training programmes under the

³⁵ Decision 2/CP.7.

³⁶ FCCC/SBI/2008/L.8/Add.1. For the final text see document FCCC/SBI/2008/8/Add.1.

³⁷ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

³⁸ Adopted as document FCCC/SBI/2008/L.5.

³⁹ FCCC/SBI/2008/INF.2.

⁴⁰ FCCC/SBI/2007/34.

⁴¹ FCCC/SBSTA/2007/16.

Convention and its Kyoto Protocol and that they are made available to participate in the review process. It recalled the request of the SBSTA to the secretariat to update the training programme under the Convention and reiterated its request to the secretariat to update and complement the training programme under the Kyoto Protocol, and encouraged Parties in a position to do so to provide the necessary funding for the training programmes.

93. The SBI urged Parties to continue to ensure effective reporting and review processes under both the Convention and its Kyoto Protocol. It emphasized that improvement of these processes is of critical importance and invited Parties to submit to the secretariat, by 19 September 2008, information on their experiences with and lessons learned from the review process, including recommendations for improvements, for compilation by the secretariat into a miscellaneous document to be made available to the SBI at its twenty-ninth session.

94. The SBI agreed to continue its consideration on this agenda item at its twenty-ninth session, taking into account the “Annual report on the technical review of greenhouse gas inventories from Parties included in Annex I to the Convention” to be considered by the SBSTA at its twenty-ninth session as well as the conclusions and recommendations from the meetings of lead reviewers.

X. Matters relating to Article 3, paragraph 14, of the Kyoto Protocol (Agenda item 10)

95. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. Statements were made by representatives of four Parties, including one speaking on behalf of the European Community and its member States⁴² and one on behalf of the Group of 77 and China.

96. At its 2nd meeting, the SBI agreed to consider this item by means of consultations conducted on behalf of the Chair by Ms. Gertraud Wollansky (Austria) and Mr. Kamel Djemouai (Algeria). At the 4th meeting, the Chair reported that, in the course of informal consultations, agreement had been reached to establish a joint contact group to consider this SBI agenda item and the SBSTA agenda item, “Matters relating to Article 2, paragraph 3, of the Kyoto Protocol”. The joint contact group will commence its work at the twenty-ninth sessions of these subsidiary bodies. The Chair expressed his appreciation to Parties for their support for this proposal.

XI. Amendment of the Kyoto Protocol in respect of procedures and mechanisms relating to compliance (Agenda item 11)

97. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it document FCCC/KP/CMP/2005/2. Statements were made by representatives of three Parties, including one speaking on behalf of the European Community and its member States.⁴³

98. At the 2nd meeting, the Chair announced that he would consult with interested Parties and report on the outcome of these consultations to the SBI at its closing plenary. At the 4th meeting, the Chair reported that there was agreement to continue to discuss this issue further at the twenty-ninth session of the SBI. This is in accordance with rule 16 of the draft rules of procedure being applied.

⁴² This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Serbia and Turkey.

⁴³ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

XII. Preparations for the second review of the Kyoto Protocol pursuant to its Article 9

(Agenda item 12)

1. Proceedings

99. The SBI considered this item at its 2nd and 4th meetings, on 4 and 13 June, respectively. It had before it documents FCCC/SBI/2008/INF.1, FCCC/SBI/2008/INF.5, and FCCC/SBI/2008/MISC.2 and Add.1–3.⁴⁴ Statements were made by representatives of 15 Parties, including one speaking on behalf of the Umbrella Group and two other Parties, one on behalf of the European Community and its member States,⁴⁵ and one on behalf of AOSIS.

100. At its 2nd meeting, the SBI agreed to consider this item in informal consultations convened by Ms. Ana Maria Kleymeyer (Argentina) and Mr. Adrian Macey (New Zealand). At the 4th meeting, Mr. Macey reported on these consultations.

101. At its 4th meeting, the SBI considered and adopted conclusions⁴⁶ proposed by the Chair.

2. Conclusions

102. The SBI recalled that the second review of the Kyoto Protocol pursuant to its Article 9 shall aim to further enhance implementation of the Kyoto Protocol and further elaborate upon a number of its elements, in particular adaptation.

103. The SBI further recalled that, in accordance with decision 4/CMP.3, paragraph 3, the second review shall not prejudge action that may be decided upon by the CMP, and that it shall not lead to new commitments for any Party.

104. The SBI further recalled that, in accordance with decision 4/CMP.3, paragraph 5, the CMP shall take appropriate action based on the review.

105. The SBI took note of the views submitted by Parties and relevant organizations,⁴⁷ in accordance with decision 4/CMP.3, paragraph 6, and of the synthesis report of some of those views.⁴⁸

106. The SBI also took note of the report on the workshop on preparations for the second review.⁴⁹

107. The SBI noted that the CMP, in accordance with its decision 4/CMP.3, paragraph 12, will consider, at its fourth session, the information paper prepared by the secretariat on the work of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) on the issues specified in paragraph 10 of that decision, as well as the report of the pre-sessional workshop referred to in paragraph 11 of that decision (hereinafter referred to as the pre-sessional workshop).

108. The SBI recalled that, in accordance with decision 4/CMP.3, paragraph 4, the preparations for the second review should be streamlined with relevant activities being undertaken under the

⁴⁴ Document FCCC/TP/2008/1 was also made available as requested by the SBI at its twenty-sixth session (FCCC/SBI/2007/15 and Corr.1, para. 165).

⁴⁵ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Serbia.

⁴⁶ Adopted as document FCCC/SBI/2008/L.14.

⁴⁷ FCCC/SBI/2008/MISC.2 and Add.1–3.

⁴⁸ FCCC/SBI/2008/INF.1.

⁴⁹ FCCC/SBI/2008/INF.5.

Kyoto Protocol and the Convention with a view to avoiding duplication of work. In this regard, the SBI recommended that the CMP, in undertaking the second review, should:

- (a) Address issues, among those identified in preparing for the second review, on which appropriate decisions could be adopted by the CMP at its fourth session for implementation starting as soon as possible;
- (b) Identify issues that require further consideration and refer them to the appropriate body.

109. The SBI recommended that the CMP give attention, in particular, to the issues listed in decision 4/CMP.3, paragraph 6, and further recommended that the CMP take appropriate action at its fourth session as follows:

- (a) On the issue of extending the share of proceeds to assist in meeting the costs of adaptation to joint implementation and emissions trading, the SBI noted that further information would facilitate the consideration of this issue. To this end, the SBI invited Parties to submit to the secretariat, by 19 September 2008, their views on this matter, for compilation into a miscellaneous document;
- (b) On the issue of relevant procedural elements for inscribing commitments for Annex I Parties in Annex B to the Kyoto Protocol, the CMP may wish to take into account the views of Parties and relevant organizations referred to in paragraph 105 above, the report on the workshop referred to in paragraph 106 above, and any further views submitted by Parties, in order to determine the necessity of simplifying existing procedures and take appropriate action;
- (c) The issue of privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol requires appropriate treaty arrangements, consistent with international law. Additional short-term arrangements should be given further consideration by the SBI at its twenty-ninth session, including experience gained through the implementation of decision 9/CMP.2. A long-term solution in the form of appropriate treaty arrangements should be considered by the CMP at its fourth session with a view to concluding such arrangements by CMP 5. The SBI invited Parties to submit to the secretariat, by 20 March 2009, for compilation into a miscellaneous document, views on appropriate treaty arrangements for consideration by the SBI at its thirtieth session;
- (d) On the issue of the scope, effectiveness and functioning of the flexibility mechanisms, including ways and means to enhance an equitable regional distribution of clean development mechanism (CDM) projects:
 - (i) The SBI noted that some of these elements have been considered by the AWG-KP and were referred by it to the CMP;⁵⁰
 - (ii) In order to inform the consideration by the CMP of this issue, the SBI requested the secretariat to prepare an information note, compiling and analysing available information on ways and means to enhance equitable regional and subregional distribution of CDM projects and the scope, effectiveness and functioning of the flexibility mechanisms, and to make the note available to Parties prior to the pre-sessional workshop;

⁵⁰ FCCC/KP/AWG/2008/3, chapter III A.

- (iii) The SBI further invited Parties to submit to the secretariat, by 19 September 2008, for compilation and synthesis, their views on: (1) ways and means to enhance equitable regional and subregional distribution of CDM projects; and (2) how the current institutional arrangements, governance, rules and procedures of the CDM and joint implementation may be improved in the first commitment period in order to enhance their functioning and effectiveness;
- (e) The issue of the minimization of 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, taking into account Article 3 of the Convention, is a subject of consideration by the subsidiary bodies, and the CMP may wish to take action in view of that work.

110. The SBI requested the secretariat to prepare a technical paper, taking into account decision 4/CMP.3, paragraph 6 (a), Articles 6 and 17 of the Kyoto Protocol, and paragraph 103 above, as well as the views of Parties contained in the submissions referred to in paragraph 109 (a) above, on:

(1) extending the share of proceeds to assist in meeting the costs of adaptation to joint implementation and emissions trading; and (2) options related to assigned amount units of Annex I Parties, for funding of adaptation in developing countries, and to make the note available to Parties prior to the pre-session workshop. The paper should explore the implications of (1) and (2) and the potential impacts on the carbon market, including on supply and demand, in particular for countries with economies in transition; the potential scale of the resources generated; the options for operationalization; and transfer to the Adaptation Fund.

111. The SBI encouraged Annex I Parties that have not done so to submit, prior to CMP 4, information pursuant to decision 4/CMP.3, paragraph 7.

112. The SBI recommended that the CMP at its fourth session may give attention to other issues raised by Parties, including: funding, insurance and transfer of technology in relation to adaptation to the adverse effects of climate change and the impacts of response measures; commitments (nature and modalities, base year and burden sharing); the compliance mechanism; entry-into-force requirements; land use, land-use change and forestry; and emissions from international aviation and maritime transport. The SBI recognized that the issues relating to reporting by Annex I Parties, such as the enhanced comparability of the information provided by Annex I Parties in their national communications as well as the issues related to the review process, should be further considered by the CMP, detailing the anticipated resource needs (e.g. funding, experts) for the review process during the first commitment period, and the problems with the compilation and presentation of the information contained in national communications.

113. The SBI requested the secretariat, subject to the availability of supplementary funding, to organize the pre-session workshop at least one month before CMP 4.

XIII. Arrangements for intergovernmental meetings

(Agenda item 13)

A. Fourteenth session of the Conference of the Parties

(Agenda item 13 (a))

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

(Agenda item 13 (b))

1. Proceedings

114. The SBI considered these sub-items together at its 2nd and 4th meetings, on 4 and 13 June, respectively (see para. 127 below). It had before it documents FCCC/SBI/2008/4 and FCCC/SBI/2008/4/Add.1–FCCC/AWGLCA/2008/5. 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 LDCs, one on behalf of the European Community and its member States⁵¹ and one on behalf of the African Group.

115. The Chair thanked the Government of Poland for the information on its preparations to host the next sessions of the Convention bodies.

116. At its 4th meeting, the SBI considered and adopted conclusions⁵² proposed by the Chair.

2. Conclusions

117. The SBI expressed its gratitude to the Government of Poland for its generous offer to host the fourteenth session of the COP and the fourth session of the CMP in Poznan, Poland. It noted with appreciation the preparations being made by the Government of Poland and the secretariat to convene COP 14 and CMP 4 at the Poznan International Fair premises.

118. The SBI requested the secretariat to take note of the views expressed by Parties on the possible elements of the provisional agendas for COP 14 and CMP 4.

119. The SBI took note of the proposals by the Executive Secretary, made in response to a request by the COP at its thirteenth session, on possible ways to address the agenda item on the “Second review of the adequacy of Article 4.2 (a) and (b) of the Convention” in the light of developments at that session. The SBI recommended that the COP defer its consideration of the item, pursuant to rule 13 of the draft rules of procedure being applied, to COP 16. At that time, depending on the outcome of Bali Road Map discussions, the COP may wish to decide how to proceed.

120. The SBI noted that the second week of COP 14 and CMP 4 overlaps with the Islamic festival of Eid al-Adha, including an official United Nations holiday, and requested the Bureau to take this matter under consideration with a view to striving to find a suitable solution.

121. The SBI also recommended that national statements be the mode of exchange among ministers and other heads of delegation in the joint meetings of the COP and the CMP during the high-level segment.

⁵¹ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, and Bosnia and Herzegovina.

⁵² Adopted as document FCCC/SBI/2008/L.13, paragraphs 1–9.

122. The SBI recommended that the proposed overview of the sessional period contained in document FCCC/SBI/2008/4 should serve as the general basis for planning and organizing COP 14 and CMP 4, and noted that some modifications may be necessary to ensure the smooth functioning of the sessions. The SBI invited the Bureau of COP 13 to finalize the details of the arrangements for COP 14 and CMP 4, including arrangements for the high-level segment, in collaboration with the President designate of COP 14 and the secretariat.

123. The SBI encouraged the host country, if it is planning informal ministerial meetings bearing on climate change, to consider holding them well before COP 14 and CMP 4, to allow Parties time to reflect on the results of these meetings, as well as to reduce scheduling conflicts during the sessions.

124. The SBI took note of concerns raised by Parties with regard to time management at COP 14 and CMP 4, and requested the President and the Chairs of the subsidiary bodies to continue to develop practices to facilitate the organization of the intergovernmental process and ensure the success of COP 14 and CMP 4.

125. The SBI also took note of the concerns raised by Parties, in particular developing country Parties, with regard to the cost and availability of hotels in Poznan and the possible impact on their effective participation in the conference. The SBI took note of the undertaking by the Government of Poland to seek to address the concerns raised by Parties and to ensure that the arrangements will facilitate an effective series of meetings. The SBI welcomed the offer of the Government of Poland to intensify its efforts to provide further information and assist Parties in securing adequate accommodation in Poznan. The SBI requested the Executive Secretary to keep the matter under review and to provide an update on this matter to the Bureau and to Parties at the third session of the AWG-LCA and the first part of the sixth session of the AWG-KP to be held in Accra, Ghana. The SBI requested the Bureau to finalize this issue, taking into account the report of the Executive Secretary, at these sessions in Accra.

B. Future sessional periods

(Agenda item 13 (c))

1. Proceedings

126. The SBI considered this sub-item at its 3rd and 4th meetings, on 5 and 13 June, respectively. Statements were made by representatives of four Parties, including one speaking on behalf of the European Community and its member States,⁵³ one on behalf of the Group of 77 and China and one on behalf of AOSIS.

127. At its 3rd meeting, the SBI agreed to consider this sub-item together with sub-items (a) and (b) in a contact group co-chaired by Ms. Karen Nicole Smith (Barbados) and Mr. Maas Goote (Netherlands). At the 4th meeting, Mr. Goote reported on the contact group's consultations.

128. In reporting on the consultations on sub-item 13 (c), the co-chairs noted that paragraph 135 below was agreed with the full understanding that the reference to Permanent Missions would include diplomatic representations. In addition, the co-chairs reiterated the call upon the Executive Secretary to pursue the issue of actively securing venues within the United Nations system.

129. At its 4th meeting, the SBI considered and adopted conclusions⁵⁴ proposed by the Chair.

⁵³ This position was supported by Croatia, the former Yugoslav Republic of Macedonia, and Bosnia and Herzegovina.

⁵⁴ Adopted as document FCCC/SBI/2008/L.13, paragraphs 10–23.

2. Conclusions

Third session of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention and the first part of the sixth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol

130. The SBI expressed its gratitude to the Government of Ghana for its generous offer to host the third session of the AWG-LCA and the first part of the sixth session of the AWG-KP from Thursday, 21 August to Wednesday, 27 August 2008 at the Accra International Conference Centre.

131. The SBI took note of information provided by the secretariat on the preparations for the sessions and requested the Executive Secretary to continue consultations with the Government of Ghana and conclude the necessary legal arrangements by 20 July 2008.

132. The SBI expressed its gratitude to the Government of Norway for its generous offer to provide financial support for these sessions.

Sessions in 2009

133. The SBI took note of the conclusions of the AWG-LCA, at its second session, on the work programme of the AWG-LCA for 2009.⁵⁵

134. The SBI recommended that when scheduling meetings, including workshops and pre-sessional meetings, every effort should be made to avoid three-week blocks.

135. The SBI agreed that meetings in 2009 for which venues have not yet been fixed should, to the extent possible, be held in Bonn, Germany, or cities with major United Nations or international organizations facilities, preferably those which have Permanent Missions, in order to minimize the cost and logistical burden of organizing these meetings and to facilitate participation and coordination by developing country Parties. The SBI also requested the secretariat to seek guidance from the Bureau on venues for its meetings in 2009, in the event that the venues referred to above are not available.

136. The SBI recommended that additional sessional periods in 2009 for which dates have not yet been fixed be scheduled in March/April and August/September, from mid-week to mid-week where possible in order to reduce the amount of weekend travel time required. The AWG-LCA and the AWG-KP would meet during these sessional periods.

137. The SBI invited Parties to make contributions to the Trust Fund for Supplementary Activities to assist with the costs arising from the additional sessions in 2009, including those to be held in Bonn. The SBI also encouraged Parties to make contributions to the Trust Fund for Participation in the UNFCCC Process as soon as possible, in order to ensure the effective participation of delegations from developing country Parties.

138. The SBI also invited the President of the COP and the CMP and the Chairs of the subsidiary bodies to explore possible ways to provide greater focus on the Bali Road Map in 2009, such as holding shorter sessions of the SBI and the SBSTA, and to make proposals through the Bureau as necessary.

139. The SBI expressed its gratitude to the Government of Denmark for its generous offer to host COP 15 and CMP 5 at the Bella Center in Copenhagen, and for its efforts to prepare for these sessions.

⁵⁵ FCCC/AWGLCA/2008/8, chapter IV.

Other sessional periods

140. The SBI recommended the dates of 3–14 June and 11–22 November for the sessional periods in 2013 for adoption by the COP at its fourteenth session.

141. The SBI invited Parties to come forward with offers to host COP 16 and CMP 6 (2010), as well as COP 17 and CMP 7 (2011). The SBI noted that, in keeping with the principle of rotation among regional groups, and in the light of recent consultations among the groups, the President of COP 16 would come from the Group of Latin America and the Caribbean and the President of COP 17 would come from the African Group.

142. The SBI encouraged countries hosting future sessions of the COP and CMP, if they are planning informal ministerial meetings bearing on climate change, to consider holding such meetings well before the COP and CMP sessions to allow Parties time to reflect on the results of these meetings, and to reduce scheduling conflicts during the sessions.

143. The SBI expressed its gratitude to the Government of Thailand for hosting the first session of the AWG-LCA and the first part of the fifth session of the AWG-KP, and to the Government of Denmark for its generous financial support of these sessions.

XIV. Administrative, financial and institutional matters

(Agenda item 14)

A. Budget performance for the biennium 2008–2009

(Agenda item 14 (a))

1. Proceedings

144. The SBI considered this sub-item at its 3rd and 4th meetings, on 5 and 13 June, respectively. It had before it documents FCCC/SBI/2008/3 and FCCC/SBI/2008/INF.6. Statements were made by representatives of three Parties, including one speaking on behalf of the Group of 77 and China.

145. At its 3rd meeting, the SBI agreed to consider this sub-item in informal consultations convened by Ms. Wenhong Huang (China). At the 4th meeting, Ms. Huang reported on these consultations.

146. At its 4th meeting, the SBI considered and adopted conclusions⁵⁶ proposed by the Chair.

2. Conclusions

147. The SBI took note of the information on the budget performance for the biennium 2008–2009, including information on measures to address the adverse effects of the exchange rate fluctuations on the core budget of the secretariat,⁵⁷ and the status of contributions as at 15 May 2008.⁵⁸

148. The SBI prepared texts for two draft decisions for the COP at its fourteenth session and the CMP at its fourth session, and agreed to continue deliberating on this matter at its twenty-ninth session on the basis of these draft texts contained in annex V.

149. The SBI recommended that the COP and the CMP authorize the Executive Secretary to incur expenditure for the biennium in United States dollars up to the equivalent of EUR 41,172,068⁵⁹ at the

⁵⁶ Adopted as document FCCC/SBI/2008/L.6.

⁵⁷ FCCC/SBI/2008/3.

⁵⁸ FCCC/SBI/2008/INF.6.

⁵⁹ This amount was approved by the COP at its thirteenth session by its decision 13/CP.13. The authorization to spend up to this amount will not affect indicative contributions in the biennium 2008–2009.

average exchange rate between 1 January 2008 and 31 December 2009, provided that expenditure is covered by related income.

150. The SBI recommended that the COP and the CMP authorize the Executive Secretary to draw up to an additional USD 2.0 million from unspent balances (carry-over) from previous financial periods to offset part of the shortfall due to exchange rate fluctuations.

151. The SBI urged Parties to make voluntary contributions to the core budget to help cover the shortfall referred to in paragraph 150 above.

152. The SBI took note that the Executive Secretary may have to delay certain activities until such voluntary contributions are received.

153. The SBI recommended that the COP and the CMP request the Executive Secretary, when preparing the programme budget for the biennium 2010–2011 for consideration by the SBI at its thirtieth session, to take into consideration ways to minimize the effects of exchange rate fluctuations on the core budget, including the measures suggested in document FCCC/SBI/2005/8.

154. The SBI expressed its appreciation to Parties that paid their contributions to the core budget in a timely manner, and expressed concern over the outstanding contributions and urged those Parties that have not yet paid their contributions to do so as soon as possible.

155. The SBI acknowledged with appreciation the voluntary contributions made by Parties to the Trust Fund for Participation in the UNFCCC Process and to the Trust Fund for Supplementary Activities, and urged Parties to further contribute to these trust funds, particularly in view of the decision⁶⁰ to increase the number of sessions in 2008–2009.

B. Implementation of the Headquarters Agreement

(Agenda item 14 (b))

1. Proceedings

156. The SBI considered this sub-item at its 3rd and 4th meetings, on 5 and 13 June, respectively. Statements were made by a representative of the Host Government and by the Executive Secretary. Statements were also made by the representatives of two Parties.

157. At its 4th meeting, the SBI considered and adopted conclusions⁶¹ proposed by the Chair.

2. Conclusions

158. The SBI took note of the statement made by the representative of the Host Government confirming that construction work for the new conference facilities and offices for the secretariat in Bonn, Germany, is scheduled to be completed by 2010 and 2011, respectively. The SBI heard with appreciation that the Host Government has dedicated a unit within its administration to provide diplomatic advice and support to United Nations offices and personnel.

159. The SBI took note of the statement by the Executive Secretary, in which he expressed his general satisfaction with the implementation of the Headquarters Agreement and his desire that UNFCCC staff will remain under one roof at the current premises until the new offices are completed.

160. The SBI expressed its appreciation for the efforts made so far and encouraged the Host Government to further advance the implementation of the planned construction. It invited the Host

⁶⁰ Decision 1/CP.13 (the Bali Action Plan).

⁶¹ Adopted as document FCCC/SBI/2008/L.3.

Government and the Executive Secretary to report to it at its thirtieth session on further progress made on the implementation of the Headquarters Agreement.

XV. Other matters

(Agenda item 15)

161. The SBI considered this item at its 3rd and 4th meetings, on 5 and 13 June, respectively. Statements were made by representatives of four 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.

162. At the 3rd meeting, the Group of 77 and China requested information on the status of the operationalization of the Adaptation Fund. At the same meeting, the Chair invited Mr. Richard Muyungi (Tanzania), Chair of the Adaptation Fund Board, to report on the work of the board to implement decision 1/CMP.3.

163. At the same meeting, the Chair announced that he would convene an informal Friends of the Chair group to consider this matter. At the 4th meeting, the Chair reported on his consultations.

164. At its 4th meeting, the SBI took note of, and expressed its appreciation for, the oral report of the Chair of the Adaptation Fund Board. It also confirmed its support to the board for its work.

XVI. Report on the session

(Agenda item 16)

165. At its 4th meeting, on 13 June, the SBI considered and adopted the draft report on its twenty-eighth session (FCCC/SBI/2008/L.1). At the same meeting, on a proposal by the Chair, the SBI authorized the Chair to complete the report on the session, with the assistance of the secretariat.

XVII. Closure of the session

166. At the 4th meeting, on 13 June, the Executive Secretary shared with the SBI a preliminary evaluation of the financial impact of conclusions adopted by all bodies that had just met in Bonn. This follows decision 16/CP.9, paragraph 20, which requests the Executive Secretary to provide an indication of the administrative and budgetary implications of decisions⁶² that cannot be met from existing resources within the core budget.

167. The Executive Secretary indicated that most of the additional activities that the secretariat had been asked to undertake could be undertaken within resources foreseen in the core budget or that had already been envisaged in the initial budget estimates under the Trust Fund for Supplementary Activities. However, financial resources for at least two additional sessions of the ad hoc working groups in 2009 will need to be raised, amounting to between USD 4.5 million and USD 5.8 million per session, depending on the location. If another additional meeting is deemed to be necessary, this will increase the requirements further. This will also have an impact on the Trust Fund for Participation in the UNFCCC Process, which will need at least USD 1.4 million for each additional session to provide adequate financial support to developing countries, including support for a second delegate from LDCs and small island developing States.

⁶² While decision 16/CP.9 refers to “decisions”, it does have implications for conclusions of the subsidiary bodies as well.

168. The secretariat has been requested to prepare a number of technical papers and an information note to support work under the AWG-LCA, which will cost in the region of USD 1.36 million. Under the SBSTA, approximately USD 2 million is needed to cover a wide range of activities that the secretariat has been asked to undertake to support the Nairobi work programme on impacts, vulnerability and adaptation to climate change. The secretariat will continue to analyse the conclusions to determine the exact amount of additional resources required.

169. The Executive Secretary also reminded delegates of his concerns regarding the increase in workload in the context of the loss of value to the core budget as a result of a decline in the United States dollar against the euro. The secretariat will have to rely on voluntary contributions, not only for supplementary activities, but also for core activities, to cover part of the shortfall in the budget. Parties were urged to consider making voluntary contributions to support the process at the earliest opportunity, to ensure that sufficient and predictable resources are in place to enable the secretariat to undertake all of the required work, which will include many important activities leading up to COP 15 in Copenhagen.

170. At the same meeting, the Chair thanked delegates, the chairs of contact groups and convenors of informal consultations for their contributions. He also thanked the secretariat for its support.

Annex I**Text for a draft decision for consideration by the Subsidiary Body
for Implementation at its twenty-ninth session****Draft decision -/CP.14****Work of the Consultative Group of Experts on National Communications
from Parties not included in Annex I to the Convention**

The Conference of the Parties,

Recalling the relevant provisions of the Convention, in particular Article 4, paragraphs 1, 3 and 7, [and] Article 12, paragraphs 1, 4, 5 and 7, [and Article 10, paragraph 2(a)],

Recalling decisions 8/CP.5, 3/CP.8, 17/CP.8 and 8/CP.11,

Acknowledging that the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention has made a substantial contribution [to enhancing the capacity of Parties not included in Annex I to the Convention (non-Annex I Parties) to improve the process of preparing their national communications] [to improving the process of preparation of national communications from non-Annex I Parties by providing technical advice and support],

Reiterating the importance of providing relevant technical advice and support for the [process of] preparation of national communications [and improvement in their quality],

[*Reiterating* the importance of providing a forum for non-Annex I Parties to share regional, subregional and national experiences in the process of preparation of national communications,]

[*Acknowledging* that the work of the Consultative Group of Experts is related to elements of decision 1/CP.13 (the Bali Action Plan),]

Recognizing that the preparation of national communications is a continuing process,

1. *Decides* to [reconstitute] [continue the mandate of] the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention;
2. *Decides also* that the Consultative Group of Experts [, in fulfilling its mandate,] shall function in accordance with the terms of reference annexed to this decision;
3. *Decides further* that the term and the mandate of the Consultative Group of Experts shall be reviewed by the Conference of the Parties at its [fifteenth] [sixteenth] [eighteenth] session;
4. [*Requests* the Consultative Group of Experts to develop, at its [first][next] meeting and in cooperation with the National Communications Support Programme, a work programme for 2009–2010;]
5. [*Also requests* the Consultative Group of Experts to collaborate with the National Communications Support Programme, the Expert Group on Technology Transfer and the Least Developed Countries Expert Group in the implementation of its work programme;]

6. [*Requests* the Consultative Group of Experts, in defining and implementing its work programme, to draw upon other relevant work such as that carried out under the National Communications Support Programme and the Intergovernmental Panel on Climate Change in order to avoid duplication;]

7. *Further requests* the secretariat to facilitate, in accordance with Article 8, paragraph 2(c), of the Convention and decision 17/CP.8, the work of the Consultative Group of Experts by supporting the implementation of activities identified in paragraph 9 of the annex to this decision, organizing the meetings [and activities of the group; disseminating the information materials and technical reports prepared by the group to Parties, relevant experts and organizations] and compiling reports [on behalf of the group] for consideration by the Subsidiary Body for Implementation;

8. [*Decides* that arrangements for funding the meetings of the Consultative Group of Experts should be provided for in the budget of the secretariat;]

9. *Invites* Parties [included in Annex II to the Convention] to contribute financial resources to support the activities [including workshops] and work [programme] of the Consultative Group of Experts;

10. [*Requests* the secretariat to support the activities of the Consultative Group of Experts, by, inter alia, facilitating the organization of meetings and preparing background materials, documents and workshop reports, as appropriate, which will be made available to Parties.];

11. [*Also requests* the secretariat to include on the UNFCCC website information on activities and programmes that facilitate the preparation of national communications.]

ANNEX

Terms of reference of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention

1. The objective of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) shall be to improve [the process of] [preparation of] second and subsequent national communications [and, as appropriate and where relevant, initial national communications from Parties which have not yet submitted them] [and the quality of the information therein] [with a view to assessing the implementation of the requirements of the Convention] [on implementation of the Convention] by providing technical advice and support to Parties not included in Annex I to the Convention (non-Annex I Parties). [For Parties that have not yet completed their initial national communications, the objective shall also be to improve the process of preparation of initial national communications.]
2. The CGE shall be composed of experts [drawn from the roster of experts] [with demonstrated competence] [with expertise] in greenhouse gas (GHG) inventories, vulnerability and adaptation assessment, mitigation and other matters relating to the preparation of national communications.
3. The CGE shall comprise [25] [30] experts as follows:
 - (a) [Five] [Seven] members from non-Annex I Parties from each of the following regional groups: Africa, Asia and the Pacific, and Latin America and the Caribbean;
 - (b) [Six] [Five] members from Parties included in Annex I to the Convention (Annex I Parties), including one from a country with an economy in transition;
 - (c) One member from each of three international organizations with relevant experience in providing technical assistance to non-Annex I Parties in the preparation of national communications;
 - (d) [One member from the secretariat of the Global Environment Facility.]
4. The members shall be nominated by their relevant constituencies referred to in paragraph 3 above. The CGE may invite additional experts, if and when required, on the basis of their specific areas of expertise.
5. The members of the CGE shall be nominated for a period of [xxx] years and the Chair of the Subsidiary Body for Implementation (SBI) shall be notified of these appointments.
6. Representatives of non-Annex I Parties from the three regional groups referred to in paragraph 3 (a) above shall serve as Chair and Rapporteur of the CGE on a rotational basis. The Chair shall serve for a period of [one] year. The Rapporteur shall succeed in serving as Chair, at which time a new Rapporteur shall be nominated.
7. If a member of the CGE resigns, or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the secretariat may, depending on the proximity of the next session of the Conference of the Parties (COP), request the group that had nominated the member to nominate another member to replace the said member for the remainder of that member's mandate.
8. The CGE shall meet twice a year, each time in conjunction with sessions of the subsidiary bodies or with workshops or other events organized in order for the CGE to accomplish its work. [Ad hoc

meetings may be convened, subject to the availability of funds and in consultation with the Chair of the SBI, when such meetings are deemed necessary for the CGE to fulfil its mandate] [, depending on the number of national communications to be considered.]

9. The CGE shall:

- (a) Identify and assess technical problems and constraints that [have been affecting] [have affected] the [process of] preparation of [second and subsequent] national communications from non-Annex I Parties [and, where appropriate, initial national communications from non-Annex I Parties that have yet to complete them] and make recommendations to address such problems and constraints [, as appropriate];
- (b) Identify and assess [, as appropriate,] the difficulties encountered by non-Annex I Parties in the use of the guidelines annexed to decision 17/CP.8 [and the methodologies] for the preparation of national communications and make recommendations for their improvement [, as necessary];
- (c) [Perform comparative assessments of the first and subsequent national communications, where applicable, provided by non-Annex I Parties in order to assess the progress made in meeting the requirements of the guidelines for the preparation of national communications from non-Annex I Parties] [in order to identify further opportunities for improvement];
- (d) [Examine [second and where appropriate third] national communications, [either individually or grouped on a regional basis based on similar national circumstances,] [prepared] in accordance with the guidelines annexed to decision 17/CP.8 [and with the assistance of the secretariat], with a view to [making appropriate recommendations aimed at] improving the [quality,] consistency [and transparency] of information [to be] provided [in national communications] [, data collection, the use of local and regional emission factors and activity data and the development of methodologies;]
- (e) [Develop, for consideration by the SBI at its thirtieth session, recommendations for the structure and operation of a process for examining national communications individually in order to ensure full implementation of the Convention, in particular for the SBI to assess the overall aggregated effect of the steps taken by Parties in the light of the latest scientific assessments concerning climate change. The process should involve, as far as possible, individuals from non-Annex I Parties with demonstrated competence in relevant areas of expertise, take account of alternative costs, and the least cost alternative consistent with high-quality examination;]
- (f) Provide technical advice on [tools and methodologies for conducting] national GHG inventories, vulnerability and adaptation assessments, and mitigation [activities] [and integration of climate change policies into national development planning and policies;]
- (g) [Develop recommendations, for consideration by the SBI at its thirtieth session, on the elements of revised guidelines to be used for the preparation of [third and, where appropriate, subsequent] [subsequent] [future] national communications, taking into account relevant decisions by the COP and the work mentioned in paragraph 9 (b) above;]
- (h) [Provide technical advice [and support] [to the SBI] in strengthening the [process of] preparation of national communications, including through [workshops, hands-on-training workshops and] training of trainers at the regional and subregional levels,

[undertaking technical assessments] and sharing of experiences and/or lessons learned in [the process of] preparing national communications;]

- (i) [Provide guidance and provisions to facilitate the [development of an institutional framework to ensure] continuity in the preparation of national communications from non-Annex I Parties;]
- (j) [Provide, as appropriate, technical advice to the SBI on matters relating to the implementation of the Convention by non-Annex I Parties;]
- (k) [Review existing activities and programmes, including those of multilateral and bilateral funding sources, in order to facilitate and support the preparation of second and subsequent national communications from non-Annex I Parties and the development and implementation of projects submitted in national communications in accordance with Article 12, paragraph 4, of the Convention and report on its findings;]
- (l) [Develop agendas for workshops and meetings, with the assistance of the secretariat, to ensure adequate coverage of issues identified in the mandate.]

10. [The CGE shall make recommendations on the matters indicated in paragraph 9 above to the SBI for its consideration;]

11. [The CGE shall carry out other work directed to it by the SBI, the COP or other subsidiary bodies, as appropriate;]

12. [The CGE shall prepare a work programme for 2009–20XX taking into account the activities outlined in paragraph 9 above.]

Annex II

[ENGLISH ONLY]

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

Draft decision [-/CP.14]

**Financial mechanism of the Convention: fourth review
of the financial mechanism**

[The Conference of the Parties,

Recalling Article 4, paragraphs 3, 4, 5, 8, and 9, taking fully into account Article 11 of the Convention,

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

Recalling that, as provided for in the Annex to the MOU with the GEF, the “GEF replenishment negotiations will take into account the COP’s assessment”,

Noting the report prepared by the secretariat, in collaboration with the Global Environment Facility, on the assessment of funding necessary to assist developing countries in fulfilling their commitments relating to the Global Environment Facility replenishment cycle¹, and the report on analysis of existing and potential investment and financial flows relevant to the development of an effective and appropriate international response to climate change²

[Noting that the Global Environment Facility as an operating entity operating the financial mechanism of the Convention has a role to play in catalysing and scaling up international [and domestic] financial [and investment] [flows][transfers] for the implementation of the Convention,]

[Noting that private sector financing plays an important role in scaling up funding to meet the needs of developing countries,]

Noting of that the fourth review of financial mechanism may benefit from, and provide, valuable inputs to other processes in the Convention,

[Acknowledging the need to explore innovative means to increase the scale of international financing to climate change to enhance actions in developing countries;]

[Noting the importance of co-financing for GEF projects as a useful approach to support developing countries to cope with adaptation to and mitigation of climate change, taking into account the comparative advantages of GEF agencies,]

¹ FCCC/SBI/2007/21.

² Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention working paper 8. 2007.

[*Noting also* the recent GEF reform process and that the GEF is continuing to effectively perform its role as an operating entity,]

Welcoming the GEF's role in creating and enhancing enabling environments,

[*Expressing serious concern* over the findings of the papers³ that the financial resources currently available under the financial mechanism of the Convention to developing countries for the implementation of their commitments under the Convention, in particular for adaptation, are [grossly] inadequate,]

[*Underlining* the importance of an effective financial mechanism of the Convention for “enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation under the Bali Action Plan, as contained in decision 1/CP.13, chapeau of paragraph 1 (e),]

I. Assessment of funding to assist developing countries in fulfilling their commitments under the Convention

1. *Decides* that the report on the assessment of funding necessary to assist developing countries in fulfilling their commitments under the Convention shall constitute an input of the Conference of the Parties to the fifth replenishment negotiations of the Global Environment Facility Trust Fund;
2. [*Invites donors* that the fifth replenishment should take into account the results of the mid-term review of the RAF, [and its adverse impacts on the amount of funding made available to developing country Parties, including the challenges that many developing countries, in particular SIDS, LDCs and Africa, are experiencing in accessing GEF funds;]]
3. [*Calls* upon the donors to the GEF to fulfil commitments made during the [4th] replenishment[s] the GEF, as arrears and outstanding contributions will not only impact on negotiations for GEF-5, but also impact on allocations [and transfers] to countries and priorities where financing resources are most needed;]
4. [*Urges* the Council of the Global Environment Facility to [help] ensure that adequate [and predictable] funding is available to enable developing countries to meet their commitments under the Convention, taking into account Article 4, paragraph 7 and Article 11, paragraph 5, of the Convention which provides that developed country Parties may also provide through bilateral, regional and other multilateral channels financial resources relating to the implementation of the Convention by developing country Parties;]
5. [*Requests* the Global Environment Facility to include in its report to the Conference of Parties at its fifteenth session information on how the priorities for funding identified by Parties was taken into account in the negotiations over the fifth replenishment cycle of the Global Environment Facility, as stated in paragraph 2 of the Annex to the MOU.]

³ FCCC/TP/2007/4 and FCCC/SBI/2007/21.

Dialogue working paper 8. 2007. Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention, fourth workshop. Available at: <http://unfccc.int/files/cooperation_and_support/financial_mechanism/financial_mechanism_gef/application/pdf/dialogue_working_paper_8.pdf>.

6. [*Invites* the donors to the Global Environment Facility secure a successful fifth replenishment of the Global Environment Facility;]

(6bis) [Requests developed country Parties to significantly increase contributions to the fifth replenishment to meet the commitments under Article 4.3 of the Convention and to secure a successful fifth replenishment of the Global Environment Facility;]

7. [*Requests*][*Invites* donors to] the GEF Council, during their replenishment discussions:

- a) To give special attention to the Annex to the MOU, (FCCC/CP/1996/9, page 7, adopted in Decision 12/CP.3), [in particular to the provision that “the COP and the GEF Council will jointly determine the aggregate GEF funding requirements for the purpose of the Convention” (*chapeau* of the whole Annex);]
- b) [To address the serious concerns raised by developing countries over the implementation of the resource allocation framework (RAF), [including the lack of transparency in the RAF allocation,] and the procedural concerns affecting access to funds;]
- c) [To establish a programme under the GEF, to provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1 of the Convention, in order to provide financing in an expedited manner;]
- d) [To provide new and additional resources, in accordance with Article 4.3 of the Convention, to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1 of the Convention, outside their RAF allocations and taking into account the impact of the depreciation of the dollar on the allocations of subsequent national communications;]
- e) [To provide information on the nature and objective of the co-financing provided for the GEF-funded projects, to determine whether these co-financing resources constitute loans which add to the debt burden of developing countries, and whether they contribute to the attainment of the objective for which access to GEF resources is requested;]

II. Fourth review of financial mechanism

8. [*Decides* that the review of the financial mechanism should be comprehensive and oriented to the needs of non-Annex I Parties for funding for mitigation and adaptation activities, as well as technology development and transfer;]

9. [*Decides* that the financial mechanism should not be weakened by the [fragmentation][atomisation][multiplication] of funds, ensure universal participation, operate under the authority of the Conference of Parties, and ensure consistency with COP decision;]

10. [*Decides* that given the scope of the challenge of climate change, accessing multiple sources of funding – whether inside the Convention or outside – should be encouraged;]

11. *Requests* the Global Environment Facility:

- (a) [To provide the required information on the reconsideration of funding decisions, in accordance with this paragraph 5 of the memorandum of understanding MOU between the COP and the GEF Council (annex to Decision 12/CP.2),]

- (b) [To provide information on the action taken for the reconsideration of funding decisions, as laid out in paragraph 5 of the MOU between the COP and the GEF Council; and for this purpose, also requests the GEF to provide the information requested in paragraph 1 (c) of the Annex to the Memorandum of Understanding;]
- (c) [To enhance action on adaptation and mitigation in developing country Parties, on technology development and transfer to support action on mitigation and adaptation, as well as to promote access to affordable environmentally-sound technologies; to improve access of all developing countries, in particular LDCs, SIDS and Africa to GEF resources; and [in particular to encourage implementing/executing agencies' to perform their functions efficiently], in accordance with COP guidance in light of the GEF reform process and the role of a strengthened GEF, as an operating entity of the financial mechanism of the Convention;]
- (d) [To review the overall coherence of, and revise as necessary, its climate change focal area strategy and programmes in light of the findings and recommendations of the fourth overall performance study of the Global Environment Facility, taking into account the state of art science on climate change including:]
 - (i) An assessment of progress against the fourth replenishment of the Global Environment Facility policy recommendations and examining how to further improve the GEF's performance;
 - (ii) [An examination on how the GEF complements other existing financing instruments;]]

Annex III

Terms of reference for the assessment by the Conference of the Parties of the status of implementation of Article 4, paragraph 8, of the Convention, and decisions 5/CP.7 and 1/CP.10

I. Mandate

1. The Conference of the Parties (COP), by its decision 1/CP.10, decided to assess, at its fourteenth session, the status of implementation of Article 4, paragraph 8 (Article 4.8), of the Convention, and decisions 5/CP.7 and 1/CP.10, and to consider further action thereon.

II. Scope

2. The assessment should address the following topics:
- (a) The extent to which the actions and activities addressing the adverse effects of climate change detailed in Article 4.8 and decisions 5/CP.7 and 1/CP.10 have been implemented;
 - (b) The extent to which the actions and activities addressing the impact of the implementation of response measures detailed in Article 4.8 and decisions 5/CP.7 and 1/CP.10 have been implemented;
 - (c) Options for further action, including modalities, in relation to Article 4.8 and decisions 5/CP.7 and 1/CP.10.
3. The assessment will take into account, in particular:
- (a) The specific achievements and outcomes that have been accomplished through the implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10;
 - (b) Lessons learned from, and good practices in, the implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10;
 - (c) The challenges faced and the identified gaps remaining in the implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10.

III. Modalities

4. The assessment will be conducted using the following modalities:
- (a) Consideration of relevant information (see paras. 5 and 6 below) in the form of:
 - (i) Submissions from Parties;
 - (ii) Compilation and synthesis reports prepared by the secretariat;
 - (iii) Reports and submissions by relevant organizations;
 - (iv) Other relevant documents prepared by the secretariat;
 - (b) Organization by the secretariat, under the guidance of the Chair of the Subsidiary Body for Implementation (SBI), of a round table at an early stage of the twenty-ninth session of the SBI, with the participation of Parties and relevant organizations, to exchange views on experiences, lessons learned and best practices identified by Parties and other

relevant organizations at all levels, in planning and implementing adaptation actions and activities to address the adverse effects of climate change and the impact of the implementation of response measures. The round table should allocate equal time to considering activities to address the adverse effects of climate change and the impact of the implementation of response measures;

- (c) Consideration by the SBI of the outcomes of the round table and the information described in paragraphs 5 and 6 below.

IV. Adverse effects of climate change

Inputs

5. The assessment of the status of implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10 with regard to actions and activities addressing the adverse effects of climate change will consider the following inputs:

- (a) The submissions from Parties;¹
- (b) Further views from Parties and relevant organizations, to be submitted to the secretariat by 19 September 2008, for compilation by the secretariat into a miscellaneous document;
- (c) Relevant reports of the Expert Group on Technology Transfer and the Least Developed Countries Expert Group (LEG);
- (d) Relevant reports of the Global Environment Facility (GEF);
- (e) Relevant reports of the Intergovernmental Panel on Climate Change (IPCC);
- (f) The synthesis of available information from national communications of Parties included in Annex I to the Convention (Annex I Parties) and Parties not included in Annex I to the Convention (non-Annex I Parties) related to the adverse effects of climate change;²
- (g) Relevant information from national adaptation programmes of action, including reports from the LEG and submissions by Parties;
- (h) The summary report consolidating results of the implementation of the Nairobi work programme on impacts, vulnerability and adaptation to climate change for the period up to the twenty-eighth session of the Subsidiary Body for Scientific and Technological Advice³ and additional outputs and conclusions associated with the Nairobi work programme;
- (i) Other relevant documents prepared by the secretariat.

V. Impact of the implementation of response measures

Inputs

6. The assessment of the status of implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10 with regard to actions and activities addressing the impact of the implementation of response measures will consider the following inputs:

¹ FCCC/SBI/2008/MISC.4.

² FCCC/SBI/2007/24.

³ As requested in document FCCC/SBSTA/2006/11, paragraph 23.

- (a) The submissions from Parties and relevant organizations referred to in paragraph 5 (a) and (b) above;
- (b) Relevant reports of the GEF;
- (c) Relevant reports of the IPCC;
- (d) The synthesis of available information from national communications of Annex I Parties and non-Annex I Parties related to the impacts of implementation of response measures;⁴
- (e) Other relevant documents prepared by the secretariat.

VI. Expected outcome

7. Recommendation by the SBI, at its twenty-ninth session, of a draft decision on the status of implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10, taking into account the outcomes of the round table as well as the information described in paragraphs 5 and 6 above, for consideration by the COP at its fourteenth session.

⁴ FCCC/SBI/2007/23.

Annex IV

Terms of reference for the second comprehensive review of the implementation of the framework for capacity-building in developing countries

I. Objectives

1. The second comprehensive review of the implementation of the framework for capacity-building in developing countries adopted under decision 2/CP.7 (the capacity-building framework) has the following objectives:

- (a) To take stock of progress in, and assess the effectiveness of, the implementation of capacity-building activities directly relating to the capacity-building framework;
- (b) To examine possible gaps between the provisions of decisions of the Conference of the Parties (COP) and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) and the implementation of capacity-building activities;
- (c) To identify lessons learned and best practices with a view to developing options for enhanced implementation of the capacity-building framework, taking into account additional needs and priorities for capacity-building.

II. General principles in the comprehensive review process

2. The second comprehensive review of the implementation of the capacity-building framework should be based on the guiding principles and approaches outlined in decision 2/CP.7, annex, chapter B, and should take into account relevant provisions in related COP¹ and CMP² decisions on capacity-building.

III. Information sources

3. Information on capacity-building activities for the comprehensive review should be drawn from, inter alia:

- (a) Submissions from Parties;
- (b) Annual synthesis reports on capacity-building that are prepared by the secretariat in accordance with the steps for the regular monitoring and evaluation of capacity-building contained in decisions 4/CP.12 and 6/CMP.2;
- (c) Relevant national reports (such as national communications and national adaptation programmes of action, poverty reduction strategy papers and national capacity self-assessments);
- (d) Reports and submissions from the Global Environment Facility and its agencies, United Nations organizations and other relevant organizations;
- (e) Other relevant existing documents prepared by the secretariat.

¹ Decisions 4/CP.9, 9/CP.9, 2/CP.10 and 4/CP.12.

² Decisions 7/CMP.1, 29/CMP.1 and 6/CMP.2.

IV. Expected outcomes

4. The comprehensive review should result in a report from the Subsidiary Body for Implementation (SBI) at its thirtieth session on an analysis of the progress made in and the effectiveness of the implementation of the capacity-building framework, which will lead to a decision on the comprehensive review being adopted by the COP at its fifteenth session. The report should also include:

- (a) Descriptions of capacity-building programmes and activities;
- (b) Identification of needs and gaps and an assessment of factors and constraints in capacity-building activities in developing countries that influence the effectiveness of capacity-building projects and programmes, as well as lessons learned and best practices, future opportunities, challenges and barriers, and possible areas for improvement;
- (c) Key results and impacts;
- (d) Information on the extent and variety of stakeholders within developing countries (governmental and non-governmental organizations, the private sector, community organizations, etc.) involved in and benefiting from capacity-building activities;
- (e) The availability of and access to resources, and the effectiveness of their deployment;
- (f) The sustainability of capacity-building activities and the extent of national engagement;
- (g) The extent to which capacity-building activities support the initial scope of needs and areas listed in decision 2/CP.7, annex, paragraphs 15–17, actions by Parties (paras. 18–20) and the priority areas listed in decision 29/CMP.1, paragraph 2, taking into account the nine key factors identified in decision 2/CP.10, paragraph 1;
- (h) Recommendations for the further implementation of the capacity-building framework.

5. The comprehensive review should also result in recommendations by the SBI at its thirtieth session on further steps to regularly monitor and evaluate capacity-building activities undertaken pursuant to decisions 2/CP.7, 4/CP.12, 29/CMP.1 and 6/CMP.2.

Annex V**Texts for draft decisions for consideration by the
Subsidiary Body for Implementation at its twenty-ninth session****[I. Budget performance for the biennium 2008–2009**

The Conference of the Parties,

Recalling decision 13/CP.13, which approved the programme budget for the biennium 2008–2009 and requested the Executive Secretary to report to the Conference of the Parties at its fourteenth session on income and budget performance, and to propose any adjustments that might be needed in the programme budget for the biennium 2008–2009,

Recalling paragraph 11 of the financial procedures for the Conference of the Parties to the United Nations Framework Convention on Climate Change,¹

Having considered the information in documents prepared by the secretariat on administrative, financial and institutional matters,²

1. *Takes note* of the report on budget performance for the biennium 2008–2009 and of the status of contributions as at 15 May 2008 to the Trust Fund for the Core Budget of the UNFCCC, the Trust Fund for Supplementary Activities and the Trust Fund for Participation in the UNFCCC Process;

2. *Authorizes* the Executive Secretary to incur expenditure for the biennium in United States dollars up to the equivalent of EUR 41,172,068³ at the average exchange rate between 1 January 2008 and 31 December 2009, provided that expenditure is covered by related income;

3. *Authorizes* the Executive Secretary to draw up to an additional USD 2.0 million from unspent balances (carry-over) from previous financial periods to offset part of the shortfall due to the exchange rate fluctuations;

4. *Urges* Parties to make voluntary contributions to the core budget to help cover the shortfall referred to in paragraph 3 above;

5. *Requests* the Executive Secretary, when preparing the programme budget for the biennium 2010–2011 for consideration by the Subsidiary Body for Implementation at its thirtieth session, to take into consideration ways to minimize the effects of exchange rate fluctuations on the core budget, including the measures suggested in document FCCC/SBI/2005/8;

6. *Requests* the Subsidiary Body for Implementation to recommend, at its thirtieth session, a programme budget for approval by the Conference of the Parties at its fifteenth session, and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fifth session;

7. *Expresses appreciation* to Parties that have paid their contributions to the core budget in a timely manner;

¹ Decision 15/CP.1, annex I.

² FCCC/SBI/2008/3 and FCCC/SBI/2008/INF.6.

³ This amount was approved by the Conference of the Parties at its thirteenth session by its decision 13/CP.13. The authorization to spend up to this amount will not affect indicative contributions in the biennium 2008–2009.

8. *Calls upon* Parties that have not paid their contributions to the core budget to do so without delay, bearing in mind that contributions are due on 1 January of each year in accordance with the financial procedures;

9. *Expresses its appreciation* for the contributions received from Parties to the Trust Fund for Participation in the UNFCCC Process and for contributions to the Trust Fund for Supplementary Activities;

10. *Urges* Parties to further contribute to the Trust Fund for Participation in the UNFCCC Process and to the Trust Fund for Supplementary Activities, particularly in view of the decision⁴ to increase the number of sessions in 2008–2009;

11. *Reiterates its appreciation* to the Government of Germany for its annual voluntary contribution to the core budget of EUR 766,938 and its special contribution of EUR 1,789,522 as Host Government to the secretariat in Bonn.

II. Budget performance for the biennium 2008–2009

The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol,

Recalling Article 13, paragraph 5, of the Kyoto Protocol,

Recalling also decision 13/CP.13, in particular its paragraph 6,

Recalling further paragraph 11 of the financial procedures for the Conference of the Parties to the United Nations Framework Convention on Climate Change,⁵

Taking note of decision XX/CP.14,

Having considered the information in documents prepared by the secretariat on administrative, financial and institutional matters,⁶

1. *Takes note* of the report on budget performance for the biennium 2008–2009 and of the status of contributions as at 15 May 2008 to the Trust Fund for the Core Budget of the UNFCCC, the Trust Fund for Supplementary Activities and the Trust Fund for Participation in the UNFCCC Process;

2. *Endorses* decision XX/CP.14 on budget performance for the biennium 2008–2009 adopted by the Conference of the Parties at its fourteenth session, as it applies to the Kyoto Protocol;

3. *Expresses appreciation* to Parties that have paid their contributions to the core budget in a timely manner;

4. *Calls upon* Parties that have not paid their contributions to the core budget to do so without delay, bearing in mind that contributions are due on 1 January of each year in accordance with the financial procedures;

5. *Expresses its appreciation* for the contributions received from Parties to the Trust Fund for Participation in the UNFCCC Process and for contributions to the Trust Fund for Supplementary Activities;

⁴ Decision 1/CP.13 (the Bali Action Plan).

⁵ Decision 15/CP.1, annex I.

⁶ FCCC/SBI/2008/3 and FCCC/SBI/2008/INF.6.

6. *Urges* Parties to further contribute to the Trust Fund for Participation in the UNFCCC Process and to the Trust Fund for Supplementary Activities, particularly in view of the decision⁷ to increase the number of sessions in 2008–2009;

7. *Reiterates its appreciation* to the Government of Germany for its annual voluntary contribution to the core budget of EUR 766,938 and its special contribution of EUR 1,789,522 as Host Government to the secretariat in Bonn.]

⁷ Decision 1/CP.13 (the Bali Action Plan).

Annex VI**Documents before the Subsidiary Body for Implementation
at its twenty-eighth session****Documents prepared for the session**

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| FCCC/SBI/2008/1 | Provisional agenda and annotations. Note by the Executive Secretary |
| FCCC/SBI/2008/2 | Draft terms of reference for the second comprehensive review of the capacity-building framework contained in decision 2/CP.7. Note by the secretariat |
| FCCC/SBI/2008/3 | Budget performance for the biennium 2008–2009. Note by the secretariat |
| FCCC/SBI/2008/4 | Arrangements for intergovernmental meetings. Note by the Executive Secretary |
| FCCC/SBI/2008/4/Add.1– FCCC/AWGLCA/2008/5 | Arrangements for intergovernmental meetings. Note by the Executive Secretary. Addendum. Further information on arrangements for intergovernmental meetings in 2008 and 2009 |
| FCCC/SBI/2008/5 | Report of the Global Environment Facility on a strategic programme to scale up the level of investment for technology transfer. Note by the secretariat |
| FCCC/SBI/2008/6 | Report on the thirteenth meeting of the Least Developed Countries Expert Group. Note by the secretariat |
| FCCC/SBI/2008/7 | Synthesis of views on elements for 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. Note by the secretariat |
| FCCC/SBI/2008/INF.1 | Synthesis of views on how the issues specified in decision 4/CMP.3, paragraph 6, should be addressed in the second review of the Kyoto Protocol pursuant to its Article 9. Note by the secretariat |
| FCCC/SBI/2008/INF.2 | Status of submission and review of the initial reports submitted in accordance with decision 13/CMP.1. Note by the secretariat |
| FCCC/SBI/2008/INF.3/Rev.1 | 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/2008/INF.4 | Synthesis report on submissions from Parties on the review of the financial mechanism. Note by the secretariat |
| FCCC/SBI/2008/INF.5 | Report on the workshop on preparations for the second review of the Kyoto Protocol pursuant to its Article 9. Note by the secretariat |
| FCCC/SBI/2008/INF.6 | Status of contributions as at 15 May 2008. Note by the secretariat |

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| FCCC/SBI/2008/MISC.1 and Add.1 | Views on elements for 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. Submissions from Parties |
| FCCC/SBI/2008/MISC.2 and Add.1–3 | Views on how the issues specified in decision 4/CMP.3, paragraph 6, should be addressed in the second review of the Kyoto Protocol pursuant to its Article 9, and information from Parties included in Annex I to the Convention demonstrating progress made in implementing their commitments under the Kyoto Protocol. Submissions from Parties |
| FCCC/SBI/2008/MISC.3 and Add.1 | Review of the financial mechanism referred to in decision 6/CP.13. Submissions from Parties |
| FCCC/SBI/2008/MISC.4 | Views on the status of implementation of Article 4, paragraph 8, of the Convention, decision 5/CP.7 and decision 1/CP.10. Submissions from Parties |
| FCCC/SB/2008/INF.1 | Work programme of the Expert Group on Technology Transfer for 2008–2009. Note by the Chair of the Expert Group on Technology Transfer |
| FCCC/SBI/2008/L.1 | Draft report of the Subsidiary Body for Implementation on its twenty-eighth session |
| FCCC/SBI/2008/L.2 | Matters relating to the least developed countries. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.3 | Implementation of the Headquarters Agreement. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.4 | Capacity-building for developing countries under the Convention. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.4/Add.1 | Capacity-building for developing countries under the Convention. Draft conclusions proposed by the Chair. Addendum. Recommendation of the Subsidiary Body for Implementation |
| FCCC/SBI/2008/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/2008/L.6 | Budget performance for the biennium 2008–2009. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.7 | Development and transfer of technologies. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.8 | Capacity-building for developing countries under the Kyoto Protocol. Draft conclusions proposed by the Chair |
| FCCC/SBI/2008/L.8/Add.1 | Capacity-building for developing countries under the Kyoto Protocol. Draft conclusions proposed by the Chair. Addendum. Recommendation of the Subsidiary Body for Implementation |

- FCCC/SBI/2008/L.9 Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. Draft conclusions proposed by the Chair
- FCCC/SBI/2008/L.10 Provision of financial and technical support. Draft conclusions proposed by the Chair
- FCCC/SBI/2008/L.11 Fourth review of the financial mechanism. Draft conclusions proposed by the Chair
- FCCC/SBI/2008/L.12 Progress on the implementation of decision 1/CP.10. Draft conclusions proposed by the Chair
- FCCC/SBI/2008/L.13 Arrangements for intergovernmental meetings. Draft conclusions proposed by the Chair
- FCCC/SBI/2008/L.14 Preparation for the second review of the Kyoto Protocol pursuant to its Article 9. Draft conclusions proposed by the Chair

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/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/2007/15 and Corr.1 Report of the Subsidiary Body for Implementation on its twenty-sixth session, held at Bonn from 7 to 18 May 2007
- FCCC/SBI/2007/34 Report of the Subsidiary Body for Implementation on its twenty-seventh session, held in Bali from 3 to 11 December 2007
- FCCC/SBSTA/2007/16 Report of the Subsidiary Body for Scientific and Technological Advice on its twenty-seventh session, held in Bali from 3 to 11 December 2007
- FCCC/SBI/2007/MISC.7 and Add.1 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
- FCCC/TP/2008/1 Privileges and immunities for individuals serving on constituted bodies under the Kyoto Protocol: report on the feasibility study on possible insurance for individuals serving on constituted bodies. Technical paper