



## Framework Convention on Climate Change

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

Fourteenth session

Tianjin, 4–9 October 2010

Item 2 (b) of the provisional agenda

**Organizational matters**

**Organization of the work of the session**

### Scenario note on the fourteenth session

#### Note by the Chair\*

#### I. Introduction

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

2. At its twelfth session, the AWG-KP recalled the iterative nature of its work programme and agreed to focus its work in 2010 on the issues identified in paragraph 49 (a) (“Consideration of the scale of emission reductions to be achieved by Annex I Parties in aggregate”) and (b) (“Consideration of the contribution of Annex I Parties, individually or jointly, consistent with Article 4 of the Kyoto Protocol, to the scale of emission reductions to be achieved by Annex I Parties in aggregate”) of document FCCC/KP/AWG/2008/8. It also agreed to continue to work on the issues identified in paragraph 49 (c) (“Other issues arising from the implementation of the work programme, with due attention to improving the environmental integrity of the Kyoto Protocol”) of the same document.<sup>1</sup>

3. At AWG-KP 13, the Chair presented a document titled “Draft proposal by the Chair” containing his proposed text (see para. 11 below). The proposed text by the Chair is intended to serve as the basis for discussions at this session. The main objective of the AWG-KP at its fourteenth session therefore will be to continue undertaking discussions on the various options contained in the Chair’s proposed text with a view to narrowing down these options, and advance the substantive work on all outstanding issues so as to enable

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

<sup>1</sup> FCCC/KP/AWG/2010/7, paragraph 26.

the Chair to capture the progress of the negotiations in subsequent iterations of his proposed text.

## **II. Overview and organizational matters**

### **A. Proposals for the organization of the session**

4. The provisional agenda for the session<sup>2</sup> contains one substantive item, namely item 3, "Consideration of further commitments for Annex I Parties under the Kyoto Protocol". It is the expectation of the Chair that a simplified agenda will lead to consolidating the work of the group on other issues identified in paragraph 49 (c) of document FCCC/KP/AWG/2008/8 including the matters relating to the treatment of land use, land-use change and forestry (LULUCF), emissions trading and the project-based mechanisms, and other methodological issues, into discussions on the scale of emission reductions to be achieved by Annex I Parties in aggregate and individually or jointly.

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

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

(b) A closing plenary, scheduled for Saturday, 9 October, at which the AWG-KP will take stock of the work done at the session and adopt any draft conclusions and its draft report.

6. So as to enable Parties to begin immediate consideration of the options contained in the proposed text, the Chair proposes that the arrangements for contact groups at AWG-KP 14 remain similar to those established at AWG-KP 13.

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

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

(b) Other matters;

(c) Legal matters;

(d) Potential environmental, economic and social consequences, including spillover effects, of tools, policies, measures and methodologies available to Annex I Parties.

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

9. The Chair would like to remind Parties of the discussions at AWG-KP 11 on the possibility of moving into a single contact group at AWG-KP 12 to advance work on all substantive issues. Despite strong support for this option, not all Parties were prepared to agree to such an arrangement. Since the work on the scale of emission reductions to be achieved by Annex I Parties in aggregate and individually or jointly is closely linked to

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<sup>2</sup> FCCC/KP/AWG/2010/12.

other issues being considered by the AWG-KP, the Chair would like to invite Parties to consider the desirability of moving to a single contact group at this or a subsequent session.

## **B. Documents prepared for the session**

10. At its eleventh session, the AWG-KP requested its Chair to prepare documentation to facilitate negotiations on the basis of the annex to the report of the AWG-KP on its tenth session, taking into consideration the work undertaken and decisions adopted by the CMP at its fifth session on the basis of the report of the AWG-KP on its tenth session.<sup>3</sup> This documentation comprises document FCCC/KP/AWG/2010/6 and Add.1–5.

11. In the light of the repeated requests from a number of Parties and with a view to capturing progress and reaching consensus as the negotiations progress, the Chair presented a “Draft proposal by the Chair” at AWG-KP 13. The proposed text, made available as document FCCC/KP/AWG/2010/CRP.2, was prepared on the basis of the currently available “Documentation to facilitate negotiations among Parties”, and on ideas and proposals received through submissions from Parties, as well as on the results of work carried out at AWG-KP 13.

12. The Chair invited Parties to submit their views on his proposed text to the secretariat by 31 August 2010.<sup>4</sup> These submissions from Parties have been compiled into a miscellaneous document and made available as document FCCC/KP/AWG/2010/MISC.6.

## **C. Proposals on the scheduling of meetings**

13. As noted by a number of Parties at AWG-KP 13, and also taking into consideration the views expressed by Parties in their submissions referred in paragraph 12 above, the Chair proposes that Parties begin consideration of the various options contained in the Chair’s proposed text with a view to narrowing down and/or eliminating these options so as to enable the Chair to further revise his text for consideration by Parties as the basis for further negotiations.

14. As noted in paragraph 11 above, the Chair’s proposed text reflects both the state and progress of the work of the AWG-KP as at AWG-KP 13. The proposed text contains proposals by Parties in the form of options to be further streamlined. In this regard, the Chair would like to remind Parties that there is very limited negotiating time left between now and CMP 6, the session at which the AWG-KP has been requested to deliver the results of its work pursuant to decision 1/CMP.1. The Chair therefore urges Parties to commence consideration of the various options with a view to further streamlining and/or eliminating options that will not contribute to a consensus outcome at CMP 6. Based on the anticipated progress made at this session, the Chair intends to revise the proposed text to reflect the progress of the negotiations at AWG-KP 14.

15. As agreed at AWG-KP 11, the scale of emission reductions to be achieved by Annex I Parties (so-called numbers) is and will continue to be at the core of the work of the AWG-KP. The Chair notes that the mode of work adopted by the AWG-KP to further advance the work on numbers to date has been useful. In this regard, the Chair would like to propose that the work on numbers at AWG-KP 14 be structured along the lines of the approach taken at AWG-KP 12 and 13, with a focus on the specific matters relating to the aggregate and individual scales of emission reductions to be achieved by Annex I Parties. In particular, time allocated to this contact group during AWG-KP 14 could be devoted to:

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<sup>3</sup> FCCC/KP/AWG/2010/3, paragraph 27 (a).

<sup>4</sup> FCCC/KP/AWG/2010/11, paragraph 21.

(a) Continuing the discussion on the following issues with a view to capturing the progress of the negotiations and documenting it in the Chair's proposed text:

- (i) The aggregate and individual scales of emission reductions to be achieved by Annex I Parties;
- (ii) The duration of the second commitment period;
- (iii) The base year;

(b) Continuing the discussion on the implications of the following issues in context of work undertaken by the contact group on numbers with a view to capturing the progress of the negotiations and documenting it in the Chair's proposed text:

- (i) The definitions, modalities, rules and guidelines for the treatment of LULUCF in the second commitment period;
- (ii) Improvements to emissions trading and the project-based mechanisms;
- (iii) Basket of methodological issues;

(c) Advancing discussions on transforming pledges into quantified emission limitation and reduction objectives with a view to assessing implications of different options for such transformation;

(d) Continuing discussions on efforts and achievements to date with a view to identifying options to deal with this issue.

16. The Chair also proposes that the contact group on numbers, where necessary jointly with other groups dealing with LULUCF, emissions trading and the project-based mechanisms, and methodological issues, work on the basis of the draft proposal text contained in chapter I of document FCCC/KP/AWG/2010/CRP.2, with a view to:

- (a) Clarifying and streamlining the options contained in that chapter;
- (b) Ensuring that the ideas, proposals and options contained in that chapter are coherent with those contained in chapters II–V of the same document.

17. Work on other issues arising from the implementation of the work programme, with due attention to improving the environmental integrity of the Kyoto Protocol, will need to be completed before the AWG-KP can take the last steps in agreeing on further commitments for Annex I Parties under the Kyoto Protocol. It is likely that several options relating to other issues would need to be considered and agreed together with the issue of numbers. Bearing this in mind, the Chair proposes the following for the consideration of other issues during AWG-KP 14:

(a) On LULUCF, the spin-off group on LULUCF could continue its work on finalizing the LULUCF rules and modalities for the second commitment period of the Kyoto Protocol. The Chair suggests that Parties reduce and clarify the options to the extent possible at this session. In this regard, the group will work on the basis of chapter II of document FCCC/KP/AWG/2010/CRP.2. The group will also have a joint meeting with the group on numbers in order to ensure that the issues relating to the LULUCF rules and modalities are addressed in a coherent manner;

(b) On emissions trading and the project-based mechanisms, the Chair understands that the draft decision text is generally well developed, with well-defined options to represent Parties' views. The Chair suggests that Parties reach agreement on as many of these issues as possible at this session. In this regard, the informal group on emissions trading and the project-based mechanisms will work on the basis of chapter III of document FCCC/KP/AWG/2010/CRP.2. Further, in light of the links between these issues

and the issues under consideration by the contact group on numbers, the Chair also suggests that these two groups convene joint meetings as necessary;

(c) On methodological issues, the Chair understands that while the draft decision text is generally well developed, there are still some outstanding issues of both political and technical nature that require further consideration in order to arrive at a consensus text. The Chair urges Parties to resolve these issues to the extent possible at this session. The informal group on methodological issues will work on the basis of Chapter IV of document FCCC/KP/AWG/2010/CRP.2. The Chair notes that there have been some changes to the documentation considered by this group at AWG-KP 13 which were not captured in the Chair's proposed text. Those changes could be taken into consideration during discussions at AWG-KP 14, and could be subsequently included in the revised version of the Chair's proposed text. Further, the Chair suggests that this informal group also convene a joint meeting with the contact group on numbers in order to ensure the issues that are linked to both the groups are considered coherently;

(d) On potential consequences, the Chair notes that, while efforts were made at AWG-KP 13 to resolve the one remaining issue in chapter V of document FCCC/KP/AWG/2010/CRP.2, an agreement is still to be reached. The Chair urges Parties to resolve this issue during AWG-KP 14.

18. On legal matters, the Chair proposes that the contact group consider the parts of the Chair's proposed text relating to entry into force of any amendments to be adopted by the CMP and also those are not considered by any of the groups referred to in paragraphs 14 and 16 with a view to streamlining the options available, if possible. At the fourteenth session, the AWG-KP may wish to request the group to consider the following parts in chapter 1 of document FCCC/KP/AWG/2010/CRP.2:

- (a) Section N (page 20) relating to amendment of Article 3;
- (b) Sections O and P (page 21) relating to amendment of Article 4;
- (c) Section R (page 21) relating to amendment of Article 9;
- (d) Section S (page 22) relating to amendment of Article 15;
- (e) Section U (page 23) relating to amendment of Article 18;
- (f) Section Y (page 24) relating to amendment of Article 21.

19. In addition to the issues identified in paragraph 18 above, the contact group on legal matters may also continue considering any legal issues referred to it by other contact groups.

20. On a more general note, the relevant groups referred to in paragraphs 15 and 17 above may consider making use of smaller spin-off groups to address specific issues and advance textual work for issues that are matured enough for such an approach.

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