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Cancun, 29 November to 10 December 2010

Agenda item 12 (a)

Conclusion of the session

Adoption of the report of the Conference of the Parties on its sixteenth session

Draft report of the Conference of the Parties on its sixteenth session

Rapporteur: Mr. Andrej Kranjc (Slovenia)

Part one: Proceedings

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Annexes

(To be completed)

**Part two: Action taken by the Conference of the Parties at its
sixteenth session**

(To be completed)

I. Opening of the session

(Agenda item 1)

1. The sixteenth session of the Conference of the Parties (COP), convened pursuant to Article 7, paragraph 4, of the Convention, was opened at the Moon Palace Hotel, Cancun, Mexico, on 29 November 2010, by Ms. Lykke Friis, President of the COP at its fifteenth session. The outgoing President, Ms. Friis, delivered a statement thanking all conference participants for the help extended to the Danish Presidency.¹

Host Government welcoming ceremony

2. The formal opening was preceded by a welcoming ceremony organized by the Government of Mexico to mark the opening of the sixteenth session of the COP and the sixth session of the Conference of Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP). A statement was made by the President of Mexico, Mr. Felipe de Jesus Calderón Hinojosa. Further statements were made by the Chair of the Intergovernmental Panel on Climate Change, Mr. Rajendra Kumar Pachauri, the UNFCCC Executive Secretary, Ms. Christiana Figueres, the President of the Mario Molina Centre for Strategic Studies on Energy and the Environment, Mr. Mario Molina, and a representative of the Indigenous Peoples of Mexico, Ms. Simona Gómez Lopez.

II. Organizational matters

(Agenda item 2)

A. Election of the President of the Conference of the Parties at its sixteenth session

(Agenda item 2 (a))

3. At the 1st meeting² of the COP, on 29 November, the President recalled that, in accordance with rule 22, paragraph 1, of the draft rules of procedure being applied, the office of President of the COP is subject to rotation among the five regional groups. She informed Parties that a nomination had been received from the Latin America and the Caribbean Group. Following her proposal, the COP elected by acclamation Ms. Patricia Espinosa, Secretary of Foreign Affairs for Mexico, as its President. The outgoing President, Ms. Friis, congratulated Ms. Espinosa on her election and wished her success in guiding the work of the COP at its sixteenth session. A statement was also made by the newly elected President.

4. General statements were made by the representatives of Yemen (on behalf of the Group of 77 and China), Egypt (on behalf of the Arab Group), Switzerland (on behalf of the Environmental Integrity Group), Grenada (on behalf of the Alliance of Small Island States (AOSIS)), Belize (on behalf of the Central American Integration System), the Democratic Republic of the Congo (on behalf of the African Group), Australia (on behalf

¹ The sixteenth session of the COP was held in conjunction with the sixth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP). The proceedings of the CMP are contained in a separate report. The proceedings of the joint meetings of the COP and the CMP convened during the high-level segment of the sessions are reproduced in both reports.

² Meetings of the COP referred to in this report are plenary meetings.

of the Umbrella Group), Tajikistan (on behalf of the Group of Mountainous Landlocked Developing Countries), Belgium (on behalf of the European Union and its member States), Venezuela (on behalf of the Bolivarian Alliance for the Peoples of our Americas – Peoples' Trade Treaty), Lesotho (on behalf of the least developed countries), Guatemala (on behalf of a group of Latin American countries³), Papua New Guinea (on behalf of the Coalition for Rainforest Nations), Bangladesh, Turkey and India.

B. Adoption of the rules of procedure

(Agenda item 2 (b))

5. The COP considered this sub-item at its 1st and x meetings, on 29 November and x December, respectively. Statements were made by representatives of xx Parties.

6. At the 1st meeting, on 29 November, the President recalled that the President of the COP at its fifteenth session had proposed, and Parties had agreed, that she would conduct intersessional consultations on this issue and inform the COP of any developments. As there continued to be no consensus on this matter, the President proposed that, as at previous sessions, the draft rules of procedure contained in document FCCC/CP/1996/2 should continue to be applied, with the exception of draft rule 42. In addition, the President requested Mr. Joel Hernandez (Mexico) to hold informal consultations on this issue. Following the proposal of the President, statements were made by representatives of four Parties.

C. Adoption of the agenda

(Agenda item 2 (c))

7. For its consideration of this sub-item at its 1st meeting, on 29 November, the COP had before it a note by the Executive Secretary containing the provisional agenda and annotations (FCCC/CP/2010/1). The provisional agenda was prepared in agreement with the President of the COP at its fifteenth session, taking into account views expressed by Parties during the thirty-second session of the Subsidiary Body for Implementation (SBI) and by members of the Bureau of the COP.

8. The President recalled that item 6 of the provisional agenda, "Second review of the adequacy of Article 4, paragraph 2(a) and (b), of the Convention", had been deferred by the COP at its fourteenth session to its sixteenth session, in accordance with rule 13 of the draft rules of procedure being applied.

9. The President proposed that the provisional agenda be adopted as contained in document FCCC/CP/2010/1, with the exception of item 6, which, in accordance with recent practice, would be held in abeyance.

10. Following the proposal of the President, the COP adopted the agenda as follows:

1. Opening of the session.
2. Organizational matters:
 - (a) Election of the President of the Conference of the Parties at its sixteenth session;
 - (b) Adoption of the rules of procedure;
 - (c) Adoption of the agenda;

³ Chile, Costa Rica, Colombia, Panama, Peru, the Dominican Republic and Uruguay.

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- (d) Election of officers other than the President;
 - (e) Admission of organizations as observers;
 - (f) Organization of work, including the sessions of the subsidiary bodies;
 - (g) Dates and venues of future sessions;
 - (h) Adoption of the report on credentials.
 3. Reports of the subsidiary bodies and decisions and conclusions arising therefrom:
 - (a) Report of the Subsidiary Body for Scientific and Technological Advice;
 - (b) Report of the Subsidiary Body for Implementation.
 4. Report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention.
 5. Consideration of proposals by Parties under Article 17 of the Convention.
 6. Agenda item held in abeyance.
 7. Review of implementation of commitments and of other provisions of the Convention:
 - (a) Financial mechanism of the Convention:
 - (i) Fourth review of the financial mechanism;
 - (ii) Report of the Global Environment Facility to the Conference of Parties and guidance to the Global Environment Facility;
 - (iii) Assessment of the Special Climate Change Fund;
 - (iv) Least Developed Countries Fund;
 - (b) National communications:
 - (i) National communications from Parties included in Annex I to the Convention;
 - (ii) National communications from Parties not included in Annex I to the Convention;
 - (c) Development and transfer of technologies;
 - (d) Capacity-building under the Convention;
 - (e) Implementation of Article 4, paragraphs 8 and 9, of the Convention:
 - (i) Implementation of the Buenos Aires programme of work on adaptation and response measures (decision 1/CP.10);
 - (ii) Matters relating to the least developed countries;
 - (f) Article 6 of the Convention;
 - (g) Other matters referred to the Conference of the Parties by the subsidiary bodies.
 8. Administrative, financial and institutional matters:
 - (a) Audited financial statements for the biennium 2008–2009;
 - (b) Budget performance for the biennium 2010–2011.

9. High-level segment.
10. Statements by observer organizations.
11. Other matters.
12. Conclusion of the session:
 - (a) Adoption of the report of the Conference of the Parties on its sixteenth session;
 - (b) Closure of the session.

D. Election of officers other than the President

(Agenda item 2 (d))

11. At the 1st meeting, on 29 November, the President informed the COP that Mr. Andrej Kranjc (Slovenia) had undertaken consultations on this matter during the thirty-second sessions of the subsidiary bodies. However, nominations had not yet been received from all regional groups. On a proposal by the President, the COP decided to postpone the election of the other officers of the Bureau until all nominations were finalized. Mr. Kranjc was invited to continue consultations during the session.

(To be completed)

E. Admission of organizations as observers

(Agenda item 2 (e))

12. At its 1st meeting, on 29 November, the COP considered a note by the secretariat on the admission of organizations as observers (FCCC/CP/2010/4), listing two intergovernmental organizations and 90 non-governmental organizations that had asked to be admitted as observers. In response to a statement made by a representative of Bhutan, on behalf of the South Asian Association for Regional Cooperation (SAARC), supported by representatives of two other Parties, SAARC was added to the list of intergovernmental organizations that had asked to be admitted as observers. Pursuant to Article 7, paragraph 6, of the Convention, and following a recommendation by the Bureau, which had reviewed the list of applicant organizations, the COP decided to admit those organizations as observers.

13. The President welcomed the newly admitted organizations to the Convention process and urged them to continue to play their vital role in the intergovernmental process.

F. Organization of work, including the sessions of the subsidiary bodies

(Agenda item 2 (f))

14. In introducing this sub-item at the 1st meeting, on 29 November, the President drew the attention of the COP to the annotations to the provisional agenda contained in document FCCC/CP/2010/1. She noted that the subsidiary bodies would be convened with the aim of developing, before their sessions ended on 4 December, draft decisions and conclusions for submission to the COP.

15. On a proposal by the President, the COP decided to refer items to the subsidiary bodies for consideration and the submission of appropriate draft decisions or conclusions, as follows:

Subsidiary Body for Implementation

- Item 7 (a) Financial mechanism of the Convention, including sub-items (i), (ii), (iii) and (iv)
- Item 7 (b) National communications, including sub-items (i) and (ii)
- Item 7 (c) Development and transfer of technologies
- Item 7 (d) Capacity-building under the Convention
- Item 7 (e) (i) Implementation of the Buenos Aires programme of work on adaptation and response measures (decision 1/CP.10)
- Item 7 (e) (ii) Matters relating to the least developed countries
- Item 7 (f) Article 6 of the Convention
- Item 8 (a) Audited financial statements for the biennium 2008–2009
- Item 8 (b) Budget performance for the biennium 2010–2011

Subsidiary Body for Scientific and Technological Advice

- Item 7 (c) Development and transfer of technologies
- Item 7 (e) (i) Implementation of the Buenos Aires programme of work on adaptation and response measures (decision 1/CP.10)

16. Delegates were reminded that the SBI and the Subsidiary Body for Scientific and Technological Advice would consider different aspects of sub-items 7 (c) and 7 (f) (i).

17. With regard to agenda item 4, “Report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention”, the President recalled that the COP, by its decision 1/CP.15, requested the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) to report to the COP at its sixteenth session. She informed delegates that the Chair of the AWG-LCA, Ms. Margaret Mukahanana (Zimbabwe), would deliver the report of the working group to the COP on completion of the session.

18. With regard to agenda item 9, “High-level segment”, the President informed delegates that the inauguration of the high-level segment would take place on 7 December, and that national statements would be heard on 8 and 9 December, and continue until 10 December. The high-level segment would be convened on the understanding that there would be one speakers’ list and that each Party, including Parties to the Convention that are also Parties to the Kyoto Protocol, would speak only once. No decisions would be taken in the joint meetings. The President, with the endorsement of the Bureau, proposed a time limit of three minutes for each statement at the high-level segment.

19. The COP agreed to proceed on the basis of the proposals made by the President.

G. Dates and venues of future sessions

(Agenda item 2 (g))

20. At the 1st meeting, on 29 November, the President recalled that the COP, by its decision 9/CP.14, had accepted the offer of the Government of South Africa to host COP 17 and CMP 7.

21. At the invitation of the President, the representative of South Africa made a statement inviting delegates to COP 17 and CMP 7 in Durban, South Africa.

22. The President noted that in keeping with the rotation among regional groups, the President of COP 18 and CMP 8 will come from the Asian Group. The President encouraged the Asian Group to continue its discussions, with a view to endorsing a candidature to host COP 18 and CMP 8 at the session. The President also invited interested Parties to come forward with offers to host COP 19 and CMP 9 and noted that, in keeping with the rotation among regional groups, the President of COP 19 and CMP 9 will come from the Eastern European Group.

(To be completed)

H. Adoption of the report on credentials

(Agenda item 2 (h))

(To be completed)

III. Reports of the subsidiary bodies and decisions and conclusions arising therefrom

(Agenda item 3)

A. Report of the Subsidiary Body for Scientific and Technological Advice

(Agenda item 3 (a))

(To be completed)

B. Report of the Subsidiary Body for Implementation

(Agenda item 3 (b))

(To be completed)

IV. Report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

(Agenda item 4)

23. At the x meeting, on x December, the President invited the Chair of the AWG-LCA, Ms. Mukahanana, to present to the COP a report on the results of the work of the AWG-LCA.

(To be completed)

V. Consideration of proposals by Parties under Article 17 of the Convention

(Agenda item 5)

24. At the 2nd and x meetings, on 1 and x December, respectively, the COP had before it documents FCCC/CP/2009/3, FCCC/CP/2009/4, FCCC/CP/2009/5, FCCC/CP/2009/6, FCCC/CP/2009/7 and FCCC/CP/2010/3.

25. In introducing this item, the President recalled that proposals (as contained in the documents mentioned in para. 24 above) had been received from the following six Parties: Australia, Costa Rica, Grenada, Japan, Tuvalu and the United States of America.

26. In accordance with Article 17, paragraph 2, of the Convention, the proposals from Australia, Costa Rica, Japan, Tuvalu and the United States of America were communicated through notes verbales to Parties and signatories to the Convention six months before COP 15. However, as Parties were not able to reach consensus on how to proceed with these proposals at COP 15, the agenda item was included in the provisional agenda for COP 16.

27. In addition, on 28 May 2010, Grenada submitted a proposal for a new protocol. In accordance with Article 17, paragraph 2, of the Convention, the secretariat communicated the text of this proposal to Parties and signatories to the Convention six months before COP 16.

28. Representatives of 25 Parties made statements, including one speaking on behalf of AOSIS, one on behalf of the African Group and one on behalf of the European Union and its member States. Statements were also made by representatives of non-governmental organizations from the following constituencies: environmental non-governmental organizations, indigenous peoples organizations and youth.

29. On a proposal by the President, the COP decided to establish a contact group, chaired by Mr. Michael Zammit Cutajar (Malta), to consider these proposals.

(To be completed)

VI. Agenda item held in abeyance⁴

(Agenda item 6 *held in abeyance*)

VII. Review of implementation of commitments and of other provisions of the Convention

(Agenda item 7)

(To be completed)

⁴ Parties may recall that, at COP 4, it “proved impossible to reach any agreed conclusions or decisions” on this matter (FCCC/CP/1998/16, para. 64) and the item was therefore included in the provisional agenda for COP 5 in accordance with rules 10 (c) and 16 of the draft rules of procedure being applied. The COP, at its fifth session, could not reach a conclusion on this matter (FCCC/CP/1999/6, para. 18) and, in accordance with rules 10 (c) and 16 of the draft rules of procedure being applied, the item was included in the provisional agendas for the sixth up to and including the twelfth sessions of the COP, with a footnote reflecting a proposal made by the Group of 77 and China to amend the item to read “Review of the adequacy of implementation of Article 4, paragraph 2 (a) and (b), of the Convention”. The COP, at its thirteenth session, invited the Executive Secretary to come forward with a proposal to be considered by the SBI at its twenty-eighth session (FCCC/CP/2008/7, para. 10). On the basis of the recommendation of the SBI and following a proposal by the President, the COP, at its fourteenth session, decided to defer its consideration of this item, pursuant to rule 13 of the draft rules of procedure being applied, to COP 16 (FCCC/CP/2008/7, para. 10).

VIII. Administrative, financial and institutional matters

(Agenda item 8)

(To be completed)

IX. High-level segment

(Agenda item 9)

A. Welcoming ceremony and opening of the high-level segment

30. A welcoming ceremony, attended by the President of Mexico, Mr. Calderón Hinojoso, the Secretary-General, Mr. BAN Ki-moon, the Executive Secretary of the UNFCCC, Ms. Figueres, and other dignitaries was held on Tuesday, 7 December, prior to the opening of the joint high-level segment.

31. The joint high-level segment of the COP at its sixteenth session and the CMP at its sixth session was opened by the President of the COP and the CMP at the 3rd meeting of the COP and the 4th meeting of the CMP, on 7 December.

B. Statements by Parties

(To be completed)

C. Statements by United Nations officials

32. The Secretary-General, Mr. BAN Ki-moon, made a statement during the high-level segment. The Executive Secretary of the UNFCCC also made a statement.

(To be completed)

X. Statements by observer organizations

(Agenda item 10)

(To be completed)

XI. Other matters

(Agenda item 11)

(To be completed)

XII. Conclusion of the session

(Agenda item 12)

A. Adoption of the report of the Conference of the Parties on its sixteenth session

(Agenda item 12 (a))

33. At its x meeting, on 10 December, the COP considered the draft report on its sixteenth session. At the same meeting, on a proposal by the Chair, the COP authorized the Rapporteur to complete the report on the session, under the guidance of the President and with the assistance of the secretariat.

B. Closure of the session

(Agenda item 12 (b))

(To be completed)

Annexes

(To be completed)
