



FCCC COP-5 HIGHLIGHTS MONDAY, 1 NOVEMBER 1999

The Subsidiary Body for Scientific and Technological Advice (SBSTA) adopted 15 draft conclusions relating to: Annex I communications; research and systematic observation; technology transfer; methodological issues; cooperation with relevant international organizations; and the roster of experts. The Subsidiary Body for Implementation (SBI) adopted 15 draft conclusions on Annex I communications, non-Annex I communications, the financial mechanism, arrangements for intergovernmental meetings, and administrative and financial matters. The Joint Working Group (JWG) on compliance considered the Chair's draft conclusions relating to compliance under the Kyoto Protocol. Contact groups met to continue discussions on: adverse effects; activities implemented jointly (AIJ); mechanisms; and land use, land-use change and forestry (LULUCF).

SBSTA

ANNEX I COMMUNICATIONS: Delegates considered the Chair's draft conclusions on guidelines for the preparation of Annex I communications (FCCC/SBSTA/1999/CRP.4). SBSTA amended a paragraph calling on Parties to report on significant technology transfer success stories to also include reference to failures. The document was adopted and forwarded to SBI for its recommendation for adoption by COP-5.

On "best practices" in policies and measures relating to Annex I communications, Chair Dovland (Norway) said further informal consultations would continue, as agreement on draft conclusions had not been reached.

RESEARCH AND SYSTEMATIC OBSERVATION:

SBSTA adopted the Chair's draft conclusions on research and systematic observation (FCCC/SBSTA/1999/CRP.3) and recommended a decision to the COP that it, *inter alia*, urge Parties to identify capacity building needs and funding requirements in developing countries to enable them to collect, exchange and utilize data continuously in pursuance of the FCCC.

TECHNOLOGY TRANSFER: On the status of the consultative process relating to the development and transfer of technologies (FCCC/SBSTA/1999/CRP.2), delegates recommended a decision to the COP to, *inter alia*, extend the consultative process until COP-6 and invite non-Annex I Parties to report on their technology needs in their national communications.

Delegates adopted the Chair's draft conclusions on: coastal adaptation technologies (FCCC/SBSTA/1999/L.21); other matters relating to the Secretariat's cooperation activities with the OECD's Development Assistance Committee to provide comprehensive data (FCCC/SBSTA/1999/L.18); and ways and means of limiting emissions of hydrofluorocarbons and perfluorocarbons (FCCC/SBSTA/1999/CRP.7).

METHODOLOGICAL ISSUES: The Chair's draft conclusions on national systems, adjustments and guidelines under Protocol Articles 5 (methodology), 7 (communication of information) and 8 (review of information) were adopted after agreement was reached on several minor amendments proposed by the EU.

On the draft conclusions on emissions resulting from fuel used for international transportation (FCCC/SBSTA/1999/CRP.5), further informal consultations were scheduled after the G-77/CHINA said it had been unable to participate in the drafting group working on this issue due to the heavy workload at COP-5. He noted many areas of concern and said the G-77/CHINA needed time to develop its position.

Delegates adopted unamended the Chair's draft conclusions on: the impact of single projects on emissions in the commitment period (FCCC/SBSTA/1999/L.17); information on impacts and adaptation assessment methods (FCCC/SBSTA/1999/L.12); and the estimation of emissions of carbon dioxide from forest harvesting and wood products (FCCC/SBSTA/1999/CRP.6). Delegates also adopted draft conclusions on scientific and methodological aspects of the proposal by Brazil (FCCC/SBSTA/1999/L.13).

COOPERATION WITH RELEVANT INTERNATIONAL ORGANIZATIONS: SBSTA adopted draft conclusions on cooperation with relevant international organizations relating to: scientific organizations (FCCC/SBSTA/1999/L.15); United Nations bodies (FCCC/SBSTA/1999/L.19); and other conventions (FCCC/SBSTA/1999/L.20).

SBSTA also adopted the Chair's draft conclusions relating to the roster of experts nominated by Parties (FCCC/SBSTA/1999/L.16). Delegates then heard brief presentations from the FAO and the National Association of Regulatory Utility Commissioners (NARUC) on issues relevant to SBSTA's activities.

SBI

ANNEX I COMMUNICATIONS: Delegates adopted the draft conclusions on greenhouse gas (GHG) inventory data (FCCC/SBI/1999/L.9), on the reporting guidelines referred to it by SBSTA (FCCC/SBI/1999/CRP.8) and on guidelines for the technical review of GHG inventories (FCCC/SBI/1999/CRP.9).

FINANCIAL MECHANISM: On the financial mechanism, SBI accepted the Chair's conclusions on the report of the Global Environmental Facility (GEF) and the input from Parties to the GEF's review of enabling activities (FCCC/SBI/1999/L.10).

ARRANGEMENTS FOR INTERGOVERNMENTAL MEETINGS: On arrangements for intergovernmental meetings, delegates adopted the draft conclusion on improving the intergovernmental process. On the date and venue of COP-6 and the calendar of meetings of Convention bodies (FCCC/SBI/1999/CRP.14), SAUDI ARABIA objected to having two intersessional meetings instead of one, noting the difficulties with financing developing countries' participation. He proposed delaying the decision until the financial issues had been addressed. AUSTRALIA,



the US and the EU supported the calendar of events. SBI noted the objection by SAUDI ARABIA and adopted the draft conclusions and annexed draft decision.

ADMINISTRATIVE AND FINANCIAL MATTERS: SBI adopted the draft conclusions and recommended draft decisions to the COP on the programme budget for the biennium 2000-2001 (FCCC/SBI/1999/CRP.12), and on the income and budget performance in the biennium 1998-1999 (FCCC/SBI/1999/CRP.13). Delegates also adopted the Chair's draft conclusions on arrangements for administrative support to the FCCC, institutional linkage of the FCCC Secretariat to the UN and the implementation of the Headquarters Agreement.

NON-ANNEX I COMMUNICATIONS: Delegates considered SBI's recommendation on matters related to non-Annex I communications (FCCC/SBI/1999/CRP.10 and Add.1), which includes the terms of reference of the consultative group (CG) of experts on non-Annex I national communications. INDIA and CHINA proposed deletion of a paragraph that calls on the CG to consider steps taken or envisaged by the Party to implement the FCCC. The recommendations were adopted unamended. Delegates also adopted the Chair's draft conclusions on the provision of financial and technical support for non-Annex I national communications (FCCC/SBI/1999/CRP.11).

JOINT WORKING GROUP ON COMPLIANCE

Co-Chair Rønneberg (Marshall Islands), reported on "informal informal" consultations on the Co-Chairs' draft conclusions of the JWG report on its work during SB-11, as well as the draft COP-5 decision on the JWG's future work. A number of delegates agreed to work on the basis of the Co-Chairs' proposals, while SAUDI ARABIA, KUWAIT and the UAE said these drafts did not reflect their concerns and sought to proceed on the basis of an earlier version. Rønneberg said the JWG would proceed on a paragraph-by-paragraph basis to consider the latest version of the Co-Chairs' draft.

On a paragraph in the draft conclusions outlining progress at SB-10 and SB-11, AUSTRALIA and the US suggested replacing "procedures and mechanisms" relating to a compliance system with "procedures and processes," in order to include consideration of Protocol Articles 8 (expert review teams) and 16 (dispute settlement). SAUDI ARABIA, opposed by SAMOA, the EU, the US and NEW ZEALAND, proposed moving towards "implementation of decision 8/CP.4" (procedures and mechanisms on compliance) rather than towards "negotiations."

Rønneberg then proceeded to hold informal consultations. Delegates agreed to two preambular paragraphs, but bracketed the paragraphs relating to convening a workshop and using the Co-Chairs' paper as a basis for the negotiation of a compliance system. A new bracketed paragraph was introduced on convening a sufficient number of sessions of the group prior to COP-6 to enable timely completion of work. In considering the draft decision, delegates agreed to the preambular paragraphs and debated, *inter alia*, whether the JWG should "complete its work" or "make substantial progress" at COP-6. The JWG will continue consultations.

CONTACT GROUPS

AIJ: Delegates continued deliberations on a revised text of the recommended draft decision on AIJ under the pilot phase. Delegates debated whether to, *inter alia*: conclude or continue the review process; continue the review process and the AIJ pilot phase till COP-6; or conclude the review process and continue the AIJ pilot phase beyond the end of the decade. Delegates also bracketed a paragraph requiring COP/MOP-1, in taking a final decision on the modalities and procedures governing Article 6 (joint implementation) and 12 (CDM), to determine the eligibility of AIJ pilot phase projects to be incorporated under these mechanisms. The draft decision, *inter alia*, concludes the review process and continues the AIJ pilot phase beyond the end of the decade, and requires Parties to provide proposals to improve the draft revised uniform reporting format, and the Secretariat to prepare a draft revision for SB-12. Parties also considered the Chair's draft

conclusions and entered references on the need for additional incentives, such as the possibility of recognizing AIJ pilot phase projects under Protocol Articles 6 and 12.

ADVERSE EFFECTS: Co-Chairs Kjellén (Sweden) and Salamat (Iran) introduced a revised draft decision on FCCC Articles 4.8 and 4.9 (adverse effects). The group considered half of the draft text. Divergence of views focused on: whether to "establish" or "continue" a process for the further implementation of FCCC Articles 4.8 and 4.9; what the process was about; whether it should be assessed by the Parties "annually," "periodically," "on a "regular basis" or "by COP-6 and subsequent COPs as appropriate"; whether there should be one or two workshops in 2000; and what topics the workshop/s should address. A proposal requesting Annex I Parties to report on initial actions undertaken to implement FCCC Articles 4.8 and 4.9 was discussed. Some delegates considered that non-Annex I Parties should also be requested to report on these actions.

LULUCF: The contact group concluded its work on LULUCF-related methodological issues. Issues resolved included, *inter alia*: consideration of the IPCC Special Report by SBSTA-12; a presentation of an "in-depth report" by the IPCC at SBSTA-12; a workshop on the Special Report between SBSTA-12 and COP-6; consideration by SBSTA-12 of initial criteria and guiding principles for the identification and selection of activities under Protocol Article 3.4 (additional human-induced activities relating to changes in emissions and removals); and a request for the Parties to provide a list of additional activities that each Party seeks to include under Protocol Article 3.4.

MECHANISMS: On CDM project monitoring, MAURITANIA said monitoring and reporting should not burden the host country. BOLIVIA suggested that Parties monitor their own projects and "learn by doing." NORWAY and AUSTRALIA said that project participants, the host Party or a designated legal entity should monitor. The EU said operational entities should perform certification and verification, which is dependent on monitoring. Parties also discussed conflicts of interest, random audits of projects, project oversight by NGOs, and share of proceeds. On Article 6 project validation, JAPAN cautioned against creating unnecessary bureaucracies. NEW ZEALAND noted that the host Party would have to cancel some of its assigned amount. CANADA and the US noted that Protocol Article 8 (review of information) provides a built-in review. The EU questioned how additionality could be ensured if Parties did not comply with Protocol Articles 5 and 7.

IN THE CORRIDORS

In spite of successes by SBSTA and SBI in adopting a raft of Chair's draft conclusions, many participants expressed a sense of frustration at the lack of progress on critical issues. Exasperated delegates remarked that as long as some countries are invested in the status quo and "deliberately stall" the process, as happened on Monday in the JWG on compliance and in SBSTA on emissions from bunker fuels, the emerging pattern of mounting delays would make the vision of a ratified Protocol by Rio+10 unachievable.

THINGS TO LOOK FOR TODAY

PLENARY: COP-5 will convene for its High Level Segment at 10:00 am in Plenary I.

CONTACT GROUPS: The contact group on mechanisms is scheduled to meet at 11:00 am in the Schumann Room. Further informal consultations are planned. Consult the announcement board for further details.