



SUMMARY OF THE SIXTEENTH SESSIONS OF THE SUBSIDIARY BODIES TO THE UN FRAMEWORK CONVENTION ON CLIMATE CHANGE: 5-14 JUNE 2002

The Sixteenth Sessions of the Subsidiary Bodies (SB-16) to the 1992 United Nations Framework Convention on Climate Change (UNFCCC) were held from 5-14 June 2002, at the Maritim Hotel in Bonn, Germany. Over 1100 participants representing 152 Parties, one observer State, 112 observer organizations and four media outlets were in attendance. Having completed three years of negotiations on the operational details of the Kyoto Protocol in November 2001, delegates met in Bonn for a new phase of negotiations, focusing on the implementation of the Marrakesh Accords to the Bonn Agreements, and on issues under the UNFCCC.

What became apparent at SB-16 is just how different Parties' views are on what direction the climate process should take. The meeting was haunted by contradictory stances on the focus and intent of this and future negotiations. Some Parties wanted to keep the focus firmly on the present, tackling short-term technical tasks while essentially maintaining a holding pattern until entry into force of the Protocol and the generation of further political momentum. Other Parties seemed to have their sights set on the future and the need to start discussing long-term objectives and future commitments – an approach that met with stern resistance in some quarters. Still others were arguably more focused on the recent past and their hopes to continue debates from Marrakesh by securing terms that would make ratification more politically palatable. This crisis of identity is likely to carry through to the eighth Conference of the Parties in New Dehli in October 2002.

A BRIEF HISTORY OF THE UNFCCC AND THE KYOTO PROTOCOL

Climate change is considered one of the most serious threats to human health and well-being, the global economy, and the sustainability of the world's environment. Mainstream scientists agree that the Earth's climate is affected by the anthropogenic emissions of

greenhouse gases, such as carbon dioxide. Despite some lingering uncertainties, a majority of scientists believe that prompt, precautionary action is necessary.

The international political response to climate change took shape with the negotiation of the UNFCCC. Adopted in 1992, the UNFCCC sets out a framework for action aimed at stabilizing atmospheric concentrations of greenhouse gases to avoid "dangerous interference" with the climate system. The UNFCCC entered into force on 21 March 1994. It now has 186 Parties.

THE KYOTO PROTOCOL: In 1995, the first meeting of the Conference of the Parties (COP-1) established the *Ad Hoc* Group on the Berlin Mandate, whose task was to reach agreement on strengthening efforts to combat climate change. Following intense negotiations culminating at COP-3 in Kyoto, Japan, in December 1997, delegates agreed to a Protocol to the UNFCCC that commits developed countries and countries making the transition to a market economy to achieve quantified emissions targets. These countries, known under the UNFCCC as Annex I Parties, committed themselves to reducing their overall emissions of six greenhouse gases by at least 5% below 1990 levels over the period 2008 and 2012 (the first commitment period), with specific targets varying from country to country. The Protocol also established three mechanisms to assist Annex I Parties in meeting their national targets cost-effectively – an emissions trading system, joint implementation (JI) of emissions-

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reduction projects between Annex I Parties, and a Clean Development Mechanism (CDM) to encourage projects in non-Annex I (developing country) Parties.

It was left for subsequent meetings to decide on most of the rules and operational details that determine how these cuts in emissions will be achieved and how countries' efforts will be measured and assessed. To enter into force, the Protocol must be ratified by 55 Parties to the UNFCCC, including Annex I Parties representing at least 55% of the total carbon dioxide emissions for 1990. To date, 74 Parties have ratified the Protocol, including 21 Annex I Parties, representing a total of 35.8% of carbon dioxide emissions.

THE BUENOS AIRES PLAN OF ACTION: At COP-4, which met in Buenos Aires, Argentina, in November 1998, Parties set a schedule for reaching agreement on the operational details of the Protocol and for strengthening implementation of the UNFCCC itself. In a decision known as the Buenos Aires Plan of Action (BAPA), delegates agreed that the deadline for reaching agreement should be COP-6. Critical Protocol-related issues needing resolution included rules relating to the mechanisms, a regime for assessing Parties' compliance, and accounting methods for national emissions and emissions reductions. Rules on crediting countries for carbon sinks were also to be addressed. Issues under the UNFCCC requiring resolution included questions of capacity building, the development and transfer of technology, and assistance to those developing countries that are particularly vulnerable to the adverse effects of climate change or to actions taken by industrialized countries to combat climate change.

Numerous formal and informal meetings and consultations were held during 1999 and 2000 to help lay the foundations for an agreement at COP-6. However, as COP-6 drew closer, political positions on the key issues remained entrenched, with little indication of a willingness to compromise.

COP-6 PART I: COP-6 and the resumed thirteenth sessions of the UNFCCC's subsidiary bodies were held in The Hague, the Netherlands, from 13-25 November 2000. During the second week of negotiations, COP-6 President Jan Pronk, Minister of Housing, Spatial Planning and Environment of the Netherlands, attempted to facilitate progress on the many disputed political and technical issues by convening high-level informal plenary sessions.

However, by Thursday, 23 November, negotiations remained stalled, and Pronk distributed a Note containing his proposal on key issues in an attempt to encourage a breakthrough. After almost 36 hours of intense talks, negotiators could not achieve an agreement, with financial issues, supplementarity in the use of the mechanisms, compliance and land use, land-use change and forestry (LULUCF) proving particularly difficult. On Saturday afternoon, 25 November, Pronk announced that delegates had failed to reach agreement. Parties agreed to suspend COP-6, and expressed a willingness to resume their work in 2001.

PREPARATIONS FOR COP-6 PART II: A number of meetings and consultations were convened after COP-6 Part I in an effort to get negotiations back on track. In late June 2001, Pronk presented a consolidated negotiating text to help delegates reach a compromise. However, while some participants expressed the opinion that positions did not appear to have shifted since COP-6 Part I, others suggested that positions had possibly widened on issues such as LULUCF, sinks in the CDM, and funding.

In addition to official preparations for COP-6 Part II, there were a number of political developments following the meeting in The Hague. In March 2001, the US administration repudiated the Protocol, stating that it considered the Protocol to be "fatally flawed," as it would damage the US economy and would not require developing countries to meet emissions targets.

COP-6 PART II: COP-6 Part II and the fourteenth sessions of the UNFCCC's subsidiary bodies met in Bonn, Germany, from 16-27 July 2001. From 16-18 July, delegates met in closed negotiating groups to settle differences on key texts. On 19 July, the high-level segment began, with participants striving to achieve a "political" decision on key outstanding issues. After protracted consultations, Pronk presented his proposal for a draft political decision outlining agreement on core elements of the BAPA. However, in spite of several Parties announcing that they could support the political decision, disagreements surfaced over the section on compliance. After several further days of consultations, ministers finally agreed to adopt the original political decision, with a revised section on compliance. The political decision – or "Bonn Agreements" – was formally adopted by the COP on 25 July 2001.

Although draft decisions were approved on several key issues, delegates were unable to remove all brackets in text on the mechanisms, compliance and LULUCF. Since not all texts in the "package" of decisions were completed, all draft decisions were forwarded to COP-7.

COP-7: Delegates met for COP-7 and the fifteenth sessions of the UNFCCC's subsidiary bodies in Marrakesh, Morocco, from 29 October - 10 November 2001. The main goal was to complete tasks left unfinished at COP-6 Parts I and II, thereby bringing to a close three years of negotiations. The Bonn Agreements served as the basis for delegates striving to finish their work.

From 30 October to 6 November delegates met in negotiating groups, closed drafting groups and informal consultations in an attempt to resolve outstanding issues relating to the mechanisms, compliance, accounting, reporting and review under Articles 5, 7 and 8, and LULUCF. Ongoing negotiations were also held on draft COP decisions relating to least developed countries (LDCs), the Consultative Group of Experts on non-Annex I National Communications (CGE), and input to the WSSD.

On Wednesday, 7 November, COP-7's high-level segment began, with ministers and senior officials seeking to bring negotiations to a successful conclusion. After protracted bilateral and multilateral talks, a package deal on LULUCF, mechanisms, Protocol Articles 5, 7 and 8, and input to the WSSD was proposed on Thursday evening, 8 November. Although the deal was accepted by most regional groups, including the G-77/China and the EU, the Umbrella Group (a loose alliance of Annex I Parties that includes Canada, Australia, Japan, the Russian Federation, and New Zealand) did not join the consensus, with key areas of dispute including eligibility requirements and bankability under the mechanisms. However, following extensive negotiations, a package deal was agreed, with key features including consideration of LULUCF Principles and limited banking of units generated by sinks under the CDM.

RECENT DEVELOPMENTS: Since COP-7, 34 additional Parties have ratified the Protocol. This includes Japan and the fifteen member States of the European Union, which recently delivered their instruments of ratification to the UN. Several other Parties have also



started the process of ratification and are expected to complete this procedure in time for the World Summit on Sustainable Development (WSSD) in August.

On 17 January, Joke Waller-Hunter (Netherlands) was named the new Executive Secretary of the UNFCCC, while Rajendra K. Pachauri (India) was recently named the new Chair of the Intergovernmental Panel on Climate Change (IPCC).

SB-16 REPORT

The Subsidiary Body for Scientific and Technological Advice (SBSTA) met from 5-14 June 2002. Parties convened in plenary meetings, contact groups, and informal consultations to consider various technical and methodological issues. As a result of these meetings, draft conclusions were adopted on a number of issues, including: the IPCC Third Assessment Report (TAR); guidelines on reporting and review of greenhouse gas inventories from Annex I Parties; Protocol Articles 5 (methodological issues), 7 (communication of information), and 8 (review of information); activities implemented jointly (AIJ); development of good practice guidance for LULUCF; LULUCF under the CDM; technology transfer; the relationship between efforts to protect the ozone layer and climate change; policies and measures (P&Ms); cooperation with relevant international organizations; and UNFCCC Article 6 (education, training and public awareness). In addition, participants agreed on text for conclusions on the implementation of Protocol Article 2.3 (adverse effects of P&Ms), issues related to cleaner or less greenhouse gas-emitting energy, and a proposal on the special circumstances of Croatia under UNFCCC Article 4.6 (flexibility for economies in transition).

The Subsidiary Body for Implementation (SBI) met from 10-14 June. Delegates to the SBI adopted conclusions on: national communications; the financial mechanism; implementation of UNFCCC Article 4.8 and 4.9 (adverse effects); the Least Developed Countries Expert Group (LEG); capacity building; arrangements for intergovernmental meetings; and administrative and financial matters. Parties also considered preparations for the World Summit on Sustainable Development (WSSD).

A request from countries of Central Asia, the Caucasus, Albania and Moldova (CACAM) and a proposal by Croatia on LULUCF were forwarded to SB-17.

SUBSIDIARY BODY FOR SCIENTIFIC AND TECHNOLOGICAL ADVICE

SBSTA Chair Halldór Thorgeirsson (Iceland) opened the first meeting of SBSTA's sixteenth session on Wednesday, 5 June, noting that the focus of work has shifted from negotiations on the Protocol to issues of implementation. UNFCCC Executive Secretary Joke Waller-Hunter said that a total of 74 Parties have now ratified the Protocol, representing 35.8% of industrialized countries' total greenhouse gas emissions.

Japan and the EU drew attention to their recent ratifications, and encouraged other Parties to follow suit. Venezuela, on behalf of the G-77/China, said that the recent focus on the Protocol has meant some UNFCCC issues have been neglected, particularly those relevant to developing countries. The Russian Federation stated that its national consultations on ratifying the Protocol should be completed by the end of the year.

ORGANIZATIONAL MATTERS: At the opening session, delegates took up the adoption of the agenda (FCCC/SBSTA/2002/1 and Add.1). Chair Thorgeirsson noted a request to add an item on Protocol Article 2.3 (adverse effects of P&Ms) to the agendas of both subsidiary bodies. The EU recalled that COP-7 decision 5/CP.7 on adverse effects also addresses Article 2.3, and questioned whether the proposed item was necessary. Saudi Arabia said Parties had agreed that decisions on Protocol and UNFCCC issues would be kept separate. With the support of the G-77/China, but opposed by the EU, Japan, and Australia, he supported inserting this item on the agenda.

On a proposal by Canada on cleaner or less greenhouse gas-emitting energy, the G-77/China said the item was incorrectly worded on the provisional agenda, and that it should refer to the report of the workshop on this issue, not to a proposal. Canada said the provisional agenda correctly referred to a proposal and, supported by several Annex I Parties and Uzbekistan, but opposed by Saudi Arabia, stressed retaining the issue as worded in the provisional agenda.

Following consultations, Parties agreed with the Chair's proposal that the agenda items on clean energy and on Article 2.3 be held in abeyance. Chair Thorgeirsson said further consultations would be carried out on the agenda.

On Tuesday, 11 June, Chair Thorgeirsson said consultations had taken place on this matter, and invited delegates to adopt the agenda, including amended items on issues related to cleaner or less greenhouse gas-emitting energy and on issues related to the implementation of Protocol Article 2.3. He said the latter issue would not appear on the SBI agenda. Delegates adopted the agenda.

IPCC TAR

The Third Assessment Report (TAR) of the Intergovernmental Panel on Climate Change (IPCC) was taken up by the SBSTA on Wednesday, 5 June, and subsequently addressed in a contact group co-chaired by David Warrilow (UK) and Rawlestone Moore (Barbados). After numerous negotiations in both the contact group and informal consultations held from 6-14 June, delegates were able to reach agreement on text for draft conclusions, which the SBSTA adopted on Friday afternoon, 14 June.

At the SBSTA Plenary on Wednesday, 5 June, IPCC Chair Rajendra K. Pachauri made a presentation on the TAR, inviting Parties to make full use of the information it contains, and noting that work on the fourth assessment report should be completed in 2007. Many Parties emphasized the importance of disseminating the TAR's findings. China, Saudi Arabia and Algeria supported additional work on the historical responsibility for climate change and on equity issues. The EU, Switzerland and Slovenia said information contained in the TAR justified further action on climate change, and Norway supported discussions on stronger emissions reductions and broader participation beyond 2012, suggesting that SBSTA launch a process to strengthen commitments. Saudi Arabia said a dangerous level of greenhouse gases could not be determined given scientific uncertainties. Chair Thorgeirsson indicated that a contact group would convene to develop draft conclusions on the issue.

At the first contact group meeting on Thursday, 6 June, Co-Chair Warrilow asked Parties to focus on how the IPCC TAR can assist the work of SBSTA and other UNFCCC bodies. Delegates began by discussing issues raised in SBSTA the previous day, including regional impacts and adaptation, UNFCCC Article 6, research, observations, and scientific uncertainty. The following evening, delegates discussed



draft conclusions, continuing their deliberations on Saturday morning, and basing their discussions on a Co-Chairs' list of issues raised by Parties, which included financial matters, the Protocol, adaptation, science and organizing principles.

On Monday, 10 June, Co-Chair Moore introduced updated draft conclusions. Parties discussed the text paragraph by paragraph, continuing their work the following day. Differing views were expressed on various parts of the text, including on language used in a paragraph noting that the TAR provides information that has long-term relevance to the UNFCCC's ultimate objective, as defined in Article 2. In this regard, Malaysia, on behalf of the G-77/China, proposed deleting a sentence on the need to explore the balance between mitigation and adaptation, while China and Saudi Arabia suggested removing the entire paragraph. Canada, the EU, Norway, Japan, Russian Federation and New Zealand favored retaining it in some form, and discussions continued late into the night.

Informal consultations were held on Wednesday, 12 June, and the contact group reconvened in the evening to consider a revised text. The paragraph on the TAR's relevance to the objective of the UNFCCC was amended to refer to "general" rather than "long-term" relevance, and the specific reference to "Article 2" was removed.

On Thursday, 13 June, Co-Chair Warrilow briefed the SBSTA Plenary on the discussions, noting "excellent" progress in six open meetings and two closed informal consultations. However, some paragraphs remained bracketed, and Parties were unable to agree on the text as it stood, with Saudi Arabia objecting to the process adopted in the contact group.

After further protracted informal negotiations, Parties approved the draft conclusions, which SBSTA then adopted on Friday afternoon. Following its adoption, New Zealand expressed disappointment at the "weak" final text, particularly the deletion of a paragraph that would have agreed to an initial exchange of views at SBSTA-17. Chair Thorgerisson noted that a consensus process was not easy, and suggested that the success of this text would depend on how much "conceptual investment" was put into it.

SBSTA Conclusions: The conclusions on the TAR (FCCC/SBSTA/2002/CRP.3/Rev.1) note the three broad areas – scientific basis, impacts, adaptation and vulnerability, and mitigation – covered by the TAR, and agree that "in general it should be used routinely" for informing the deliberations of the COP and its subsidiary bodies. The conclusions identify three preliminary areas that the SBSTA could regularly consider:

- research and systematic observation, including the need for enhanced interaction with international research programmes, and for more research on greenhouse gas atmospheric concentration and forcing agents;
- scientific, technical and socioeconomic aspects of impacts of, and vulnerability and adaptation to, climate change; and,
- scientific, technical and socioeconomic aspects of mitigation.

The conclusions note that the TAR synthesis report covers the broad aspects of the TAR and wider cross-cutting issues of general relevance to Parties. They also note significant progress in the TAR compared to the Second Assessment Report in addressing scientific, technical and socioeconomic aspects related to the UNFCCC's "ultimate objective, principles, and general provisions." They add, however, that many uncertainties exist and that further research is required, observing that there are "a wide range of opinions" on issues pertaining to the UNFCCC's objective and provisions.

The conclusions also: request the Secretariat to invite various research bodies to address SBSTA-17 on research recommendations in the TAR; invite Parties to submit their views on priorities for research by 20 August 2002; and invite Parties to submit views on issues covered in these conclusions and on aspects of the TAR relevant to the COP and its subsidiary bodies by 31 January 2003, for consideration at SBSTA-18.

METHODOLOGICAL ISSUES

GUIDELINES FOR REPORTING AND REVIEW OF GREENHOUSE GAS INVENTORIES FROM ANNEX I

PARTIES: The agenda item on reporting and review of greenhouse gas inventories from Annex I Parties was first addressed in SBSTA on Wednesday, 5 June. It was then taken up in a contact group co-chaired by Audun Rosland (Norway) and Newton Paciomnik (Brazil). On Tuesday, 11 June, the group completed its work on draft conclusions, which were adopted by SBSTA on Thursday, 13 June.

On Wednesday, 5 June, the Secretariat presented SBSTA with an overview of relevant recommendations and experiences of the technical review process (FCCC/SBSTA/2002/5; FCCC/SBSTA/2002/2). He said the review process aimed to establish more complete and transparent guidelines and highlighted the need to: improve guidelines through a common reporting format; better define draft report objectives; incorporate a new concept of literature reviewers; and consider timing and length of the review process. A contact group was formed to consider these issues.

The contact group met on Thursday, 6 June, to consider a Co-Chairs' proposed draft working paper and annex (FCCC/SBSTA/2002/2/Add.1-3), which incorporated EU and US technical proposals on the guidelines. Agreement was reached on text relating to key source category determination, quality assurance/quality control and recalculations.

On Friday, 7 June, Parties reconvened in the contact group to hear the Co-Chairs' revisions of text on reporting guidelines, the common reporting format (CRF) tables, and pending issues held over from Thursday. On uncertainties for reporting, Canada said these should be quantified and reported, but not in the CRF, which compares data across Parties. Peru recommended the inclusion of uncertainties, while the US said uncertainties should fall under national inventory reporting (NIR). China opposed a US proposal that CRF tables contain key source categories, proposing that uncertainties cover all categories. Co-Chair Rosland invited Parties to reach conclusions on pending issues by Saturday morning. A sub-group met in the evening to consider the CRF tables (FCCC/SBSTA/2002/2/Add.3), with differences again resurfacing on uncertainties for key sources.

On Saturday, 8 June, discussion focused on the proposed structure of NIR, on when to use "shall" or "should" in the guidelines, and on how the guidelines will apply to Parties that choose 1995 as their base-line under Protocol Article 3.8 (base year for HFCs, PFCs, and SF6).

On Monday, 10 June, the contact group met in afternoon and evening sessions, with delegates considering methodological issues addressed in the report of an expert meeting to assess experience of the use of the reporting and review guidelines (FCCC/SBSTA/2002/2/Add.1).



In the evening, Co-Chair Rosland reported that technical consultations had resolved several outstanding issues, such as source categories, and the CRF tables. Parties then revisited the reporting guidelines and the methodological annex, with consultations continuing late into the night.

On Tuesday, 11 June, the contact group completed its work. Parties agreed to revisions to the draft working paper by the Co-Chairs, including on: issues under the general approach; scope of the initial check of annual inventories; synthesis and assessment report; timing; and review of individual annual inventories.

On Thursday, 13 June, Co-Chair Paciornik introduced the draft conclusions to the SBSTA, which adopted them without amendment.

SBSTA Conclusions: In the conclusions (FCCC/SBSTA/2002/L.5), the SBSTA decides to recommend to the COP two draft decisions on revisions to the guidelines for the preparation of Annex I national communications, including UNFCCC reporting guidelines on annual inventories (FCCC/SBSTA/2002/L.5/Add.1) and revisions to the UNFCCC guidelines for the technical review of Annex I greenhouse gas inventories under the Convention (FCCC/SBSTA/2002/L.5/Add.2).

The conclusions also:

- urge Annex I Parties that have not submitted complete inventories, including national inventory reports and common reporting formats, to do so as soon as possible;
- urge Parties to ensure that experts are made available for the review process from 2003;
- urge the Secretariat, subject to availability of funding in the current biennium, to supplement funding for the development of a greenhouse gas inventory database, related software and website; and
- note the need to ensure expertise of experts in the review teams, and decide to consider the treatment of confidential data, jointly with similar items under Protocol Article 8 (review of information) (decision 23/CP.7) at SBSTA-17.

GUIDELINES UNDER PROTOCOL ARTICLES 5, 7, AND 8:

Delegates to SBSTA-16 considered issues related to the guidelines under Protocol Articles 5, 7 and 8 in a plenary session on Wednesday, 5 June, before taking up the matter in a contact group chaired by Helen Plume (New Zealand) and Festus Luboyera (South Africa). The contact group met seven times, developing draft conclusions that were adopted by the SBSTA on Thursday, 13 June.

At the opening SBSTA Plenary on Wednesday, 5 June, Chair Thorgeirsson highlighted issues to be covered by SBSTA-16 relating to Articles 5, 7 and 8 relating to: sections of the guidelines under Articles 7 and 8 that were not concluded during COP-7, including reporting and review of assigned amounts and national registries, and procedures for expedited review for the reinstatement of eligibility to use the mechanisms; technical aspects of review of demonstrable progress; and the treatment of confidential information. Audun Rosland (Norway) reported on a workshop on adjustments under Article 5.2, and Murray Ward (New Zealand) reported on intersessional consultations on technical standards for registries under Article 7.4. The issue was then referred to a contact group.

On Thursday, 6 June, the contact group began discussing the review for reinstatement of mechanisms' eligibility, and continued to do so during several subsequent meetings. A small drafting group was also convened to focus on, *inter alia*, the review timeframe.

On Saturday, 8 June, Brazil, on behalf of the G-77/China, stressed links between work on the pending parts of Articles 7 and 8 and outcomes from the group on LULUCF under the CDM. A draft COP-8 decision on demonstrable progress under Article 3.2 was then considered. The G-77/China and the Alliance of Small Island States (AOSIS) stressed concern about evaluating progress. Delegates agreed to text proposed by the G-77/China requesting Parties to report on progress incorporating work under P&Ms.

On the draft conclusions, which were discussed on Wednesday, 12 June, the G-77/China suggested adding a new paragraph stating that SBSTA agrees to further elaborate the pending parts of the guidelines following the result of the process of developing definitions and modalities for including LULUCF under the CDM. After protracted discussions, Parties arrived at a compromise for considering at a later stage the implications, if any, of the work on LULUCF under the CDM on the pending parts of the guidelines. The SBSTA adopted the conclusions on Thursday, 13 June.

SBSTA Conclusions: The conclusions on guidelines under Protocol Articles 5, 7, and 8 (FCCC/SBSTA/2002/L.6 and Add.1):

- forward a draft COP-8 decision on how information on demonstrable progress under Protocol Article 2.3 shall be presented and evaluated;
- forward a second draft decision on the expedited review for reinstatement of eligibility to use the mechanisms, included as an annex, for agreement on timing at SBSTA-17;
- agree to continue work on the pending parts of the Article 7 and 8 guidelines with a view to adopting them by COP-8, and invite Parties to submit views on them by 1 August;
- agree that the implication, if any, of work on LULUCF under the CDM may be necessary to consider; and
- take note of work on adjustments under Article 5.2, requesting the Secretariat to prepare case studies and organize a workshop on this issue and Parties to submit views and undertake work on methodologies for adjustments.

The conclusions also decide to aim at completing the technical guidance on the methodologies for consideration by COP-9. They take note of a technical paper on the treatment of confidential information, remind Parties to submit views on training of Expert Review Team (ERT) members, and take note of ongoing work on technical standards for registries.

ACTIVITIES IMPLEMENTED JOINTLY (AIJ): The issue of activities implemented jointly (AIJ) under the pilot phase was taken up by the SBSTA on Wednesday, 5 June, and subsequently addressed in a contact group co-chaired by Mamadou Honadia (Burkina Faso) and Sushma Gera (Canada). The contact group met twice formally and once informally, approving draft conclusions that include an addendum containing a draft COP-8 decision and an agreed revised uniform reporting format (URF) for AIJ under the pilot phase. The conclusions were adopted by the SBSTA on Thursday, 13 June.

On Wednesday, 5 June, Chair Thorgeirsson noted COP-7 decision 8/CP.7 to continue the pilot phase and hold a workshop on the draft revised URF prior to SB-16 (FCCC/SBSTA/2002/INF.9). Participants were then briefed on the workshop, which took place in Bonn from 2-3 June, and on other relevant documents, including a compilation of Parties' submissions on their experiences with the pilot phase (FCCC/SBSTA/2002/MISC.2). Kenya, on behalf of the G-77/China, said the geographic distribution of projects should be improved, particularly for Africa. A contact group was formed to consider the matter further.



Later that day, the group convened to examine the draft revised URF (FCCC/SB/2000/6/Add.1) and approve a number of proposals on several sections of the draft. The group completed its work on Friday, 7 June, agreeing to several amendments to the sections on summarizing the AIJ project and on financing, and approving the draft annexes. Following informal consultations, participants adopted the section on mutually agreed assessment procedures, and inserted a sentence in the chapeau clarifying that the content provided using the revised URF is "for information purposes only and... should not be construed as adopting the underlying concepts." Parties concluded their work by approving draft conclusions for consideration by the SBSTA, as well as a draft COP-8 decision. The conclusions, including the addendum containing the draft decision and revised URF, were adopted by the SBSTA on Thursday, 13 June.

SBSTA Conclusions: The conclusions on AIJ (FCCC/SBSTA/2002/L.2) recommend a draft COP-8 decision and agree on a revised URF, both of which are contained in FCCC/SBSTA/2002/L.2/Add.1. The draft decision adopts the revised URF and urges Parties involved in AIJ to use it.

GOOD PRACTICE GUIDANCE AND OTHER INFORMATION FOR LULUCF: The development of good practice guidance for LULUCF was addressed on Thursday, 6 June. The IPCC reported on its LULUCF work programme, noting a recent task force meeting and its work plan for the upcoming year. The Food and Agricultural Organization (FAO) gave conclusions from an expert meeting held in January 2002 on harmonizing forest-related definitions for use by various stakeholders, and which had been jointly organized with the IPCC, the Center for International Forestry Research (CIFOR), and the International Union for Forest Research Organizations (IUFRO). He highlighted the meeting's recommendations that: universally-accepted definitions should be considered; existing definitions should be approved and adopted before new ones are created; FAO's current definitions are generally compatible with Protocol Article 3.3 and 3.4 (LULUCF); and definitions are incompatible with some land uses or the state of forests. Chair Thorgeirsson said he would prepare draft conclusions on this item, in consultation with interested Parties. The draft conclusions were adopted, without amendment, by the SBSTA Plenary on Thursday, 13 June.

SBSTA Conclusions: The draft conclusions (FCCC/SBSTA/2002/CRP.2): welcome the progress made by the IPCC in the development of LULUCF good practice guidance and highlight the importance of timely completion of this work by COP-9; and encourage the IPCC to continue its work with the FAO, and take into consideration input from this process when developing definitions for forest degradation and revegetation of other vegetation types.

LULUCF UNDER THE CDM: SBSTA-16 considered this agenda item in a plenary session on Thursday, 6 June, referring the matter to a contact group co-chaired by Karsten Sach (Germany) and Thelma Krug (Brazil). The contact group met four times, developing draft conclusions that were adopted by the SBSTA on 13 June.

On Thursday, 6 June, Chair Thorgeirsson informed the SBSTA that COP-7 had requested it to develop, for adoption at COP-9, definitions and modalities for including afforestation and reforestation activities under the CDM in the first commitment period, considering: non-permanence; additionality; leakage; uncertainties; socioeconomic and environmental impacts; and the Principles guiding LULUCF, as agreed in the Marrakesh Accords. The Secretariat highlighted a workshop held from 7-9 April in Orvieto, Italy, which had drafted TOR and

a work agenda for LULUCF under the CDM. The EU supported basing definitions on those agreed for Protocol Article 3.3 and 3.4 (LULUCF). The item was referred to a contact group.

The group met later in the day to consider the draft TOR. Brazil, speaking for the G-77/China, stressed that the draft TOR and work agenda from the workshop served as a basis for negotiation only, and China called for further exchange of views. The EU, Canada, Japan, Uruguay, Costa Rica and New Zealand preferred using the TOR and work agenda as they stand, stressing the tight work schedule. Parties engaged in an initial exchange of views on the work programme. The G-77/China stressed the relevance of the LULUCF guiding Principles, particularly on non-permanence. Brazil underscored links between Articles 5, 7 and 8 and LULUCF under the CDM.

In afternoon and evening sessions held on Friday, 7 June, Co-Chair Sach introduced a revised TOR and work agenda. Participants debated how to consider accounting, reporting and review aspects when developing definitions and modalities for including LULUCF under the CDM, as proposed by the G-77/China. Canada cautioned against moving beyond the group's mandate.

The G-77/China suggested compiling a paper on different options for addressing modalities for accounting, reporting and review aspects, while the EU, Canada and Japan preferred integrating these issues into the other options papers. In the work agenda, China proposed moving up deadlines to allow more time for preparation and Malaysia stressed the need for exchange of views before developing modalities.

On Saturday, 8 June, Parties agreed on the draft TOR and work agenda. On definitions, Parties exchanged views on a Canadian proposal to change the baseline year under definitions of "reforestation" from 1989 to 1999, but did not reach agreement.

Delegates adopted conclusions at the SBSTA Plenary on Thursday, 13 June. Tuvalu expressed disappointment at SBSTA's failure to agree on the definitions on afforestation and reforestation, noting that these definitions had been adopted in COP-7 decision 11/CP.7. He stated that if the decision is reopened, he would introduce new definitions under Protocol Article 3.3 and 3.4.

SBSTA Conclusions: The conclusions on LULUCF under the CDM (FCCC/SBSTA/2002/L.8) take note with appreciation of the workshop on LULUCF under the CDM held prior to the session, agree on the TOR and work programme (contained in an annex to these conclusions), and agree to continue its work regarding definitions and modalities for including LULUCF under the CDM.

TECHNOLOGY TRANSFER

The agenda item on development and transfer of technologies was taken up by the SBSTA on Thursday, 6 June, and again on Tuesday, 11 June. Following informal consultations co-chaired by Terry Carrington (UK) and Philip Gwage (Uganda), Parties adopted draft conclusions in the SBSTA Plenary on Thursday, 13 June.

On Thursday, 6 June, SBSTA Chair Thorgeirsson drew attention to a number of relevant reports on technology transfer (FCCC/SBSTA/2002/MISC.12, FCCC/SBSTA/2002/INF.6, and INF.7), and invited Jukka Uosukainen (Finland), Chair of the UNFCCC Expert Group on Technology Transfer (EGTT), to brief delegates on the Group's activities since its establishment by COP-7 decision 4/CP.7. EGTT Chair Uosukainen noted that a preliminary meeting had taken place in April, followed by the first formal meeting on 3 June. EGTT Vice Chair William Kojo Agyemang-Bonsu (Ghana) reported to SBSTA on



Tuesday, 11 June, on the second formal EGTT meeting, which took place on 8 June, and introduced a proposed EGTT work programme for 2002-03. These matters were then taken up in informal consultations.

On Thursday, 13 June, Carrington briefed the SBSTA Plenary on these consultations, noting that agreement had been reached on text for relevant draft conclusions, and that discussions on the EGTT had resulted in several modifications to the work programme, which would be annexed to the draft conclusions. Parties adopted the conclusions.

SBSTA Conclusions: The conclusions on technology transfer (FCCC/SBSTA/2002/L.9) note with appreciation the reports on two recent workshops held in Beijing and Seoul. They adopt the EGTT's 2002-2003 work programme, as contained in an annex, ask the EGTT to take into account Parties' views and relevant IPCC reports in implementing its work, and request a brief progress report at SBSTA-17. The conclusions also ask the Global Environment Facility (GEF), through the SBI, to provide information to SBSTA-18 on the status of financial support. They conclude with a request to the Secretariat to: initiate an outreach programme to make the technology information system available to the public; update and maintain the system; assess the system's effectiveness and report on it at SBSTA-19; and cooperate with the GEF, UNDP, and other relevant organizations and initiatives to develop a simplified handbook on methodologies for technology needs assessments, and report on this at SBSTA-18.

RELATIONSHIP BETWEEN OZONE AND CLIMATE EFFORTS

Delegates considered this agenda item in the SBSTA Plenary on Friday, 7 June. Chair Thorgeirsson recalled COP-5 decision 17/CP.5 requesting information on available and potential ways and means of limiting emissions of hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), including their use as replacements for ozone-depleting substances. On Thursday, 13 June, Richard Bradley (US), briefed the SBSTA Plenary on informal consultations he had conducted on the topic, noting agreement on the value of a balanced information package and a process for recommending a draft COP-8 decision at SB-17. He informed the SBSTA that agreement had been reached, with the exception of a G-77/China proposal to amend three references in the text to relate specifically to "Annex I" Parties. Following further informal consultations on this proposal, a compromise was reached and SBSTA adopted amended draft conclusions.

SBSTA Conclusions: The conclusions on the relationship between ozone and climate efforts (FCCC/SBSTA/2002/L.12), *inter alia*, take note of submissions on the relationship between ozone and climate efforts, note the importance of developing a balanced scientific, technical and policy-relevant information package in this regard, and invite the IPCC and the Technology and Economic Assessment Panel of the Montreal Protocol to provide guidance on providing such a package.

"GOOD PRACTICES" IN POLICIES AND MEASURES

The issue of "good practices" in policies and measures (P&Ms) was taken up by the SBSTA on Thursday, 6 June, and subsequently addressed in a contact group co-chaired by Pierre Giroux (Canada) and Suk-Hoon Woo (Republic of Korea). The contact group met four times from 7-12 June to develop draft conclusions, which were adopted by SBSTA on Thursday, 13 June.

On Thursday, 6 June, Chair Thorgeirsson introduced the agenda item to the SBSTA Plenary, highlighting COP-7 decision 13/CP.7, which called on SBSTA-16 to consider further action to advance work on "good practices" in P&Ms, as well as the report of a workshop on

P&Ms held in October 2001 (FCCC/SBSTA/2001/INF.5). He also drew attention to Parties' recent submissions on possible further actions (FCCC/SBSTA/2002/MISC.7). Several Parties highlighted the importance of national circumstances in determining appropriate P&Ms. The EU called for a work programme to ensure proper implementation of Protocol Article 2.1(b) (cooperation on P&Ms), and Saudi Arabia, on behalf of the G-77/China, highlighted the need to minimize the impact of Annex I Parties' P&Ms on developing countries. A contact group was formed to consider the matter further.

The contact group met on Friday night, 7 June. Co-Chair Giroux asked for input on how to move forward on implementing the COP-7 decision. Several Parties emphasized the value of exchanging information and sharing experiences. Australia and the US supported a stock-taking exercise to review available information, including from recent workshops, while AOSIS endorsed continuing information exchange, an examination of policy formulation processes, and sectoral analysis.

The following afternoon, Co-Chairs Woo and Giroux introduced a one-page document containing a table reflecting issues raised the previous night. The table included headings on consideration of initial results from actions taken under the COP-7 decision, and on a framework for action. Parties made suggestions for amendments or additions to the table, and Co-Chair Giroux said draft conclusions would be developed based on these comments.

The group reconvened on Tuesday, 11 June, to consider the Co-Chairs' draft conclusions. Stressing that good practice in P&Ms applies to Annex I Parties, the G-77/China proposed inserting reference to this in appropriate parts of the text. On text agreeing on a "frame for action" to consider further steps to advance work on P&Ms, the US proposed limiting the reference to considering further steps "in implementing decision 13/CP.7." The EU, Samoa, New Zealand, Australia and Japan preferred the original broader formulation, or variations on this formulation.

At a final meeting on 12 June, the group considered a further revision of the text. Parties agreed on compromise language on further steps, retaining reference to a "frame for action" that was supported by the EU and others, and deleting the notion of "in-depth" information-sharing as an element of this frame, as requested by the US.

On Thursday, 13 June, Co-Chair Giroux reported to the SBSTA that the contact group had reached agreement on the draft conclusions, with the exception of a paragraph proposed by the G-77/China on principles. Following further consultations, a compromise was reached. The draft conclusions were adopted that evening, as amended.

SBSTA Conclusions: The conclusions on P&Ms (FCCC/SBSTA/2002/L.10) request the SBSTA Chair to organize intersessional consultations back-to-back with SBSTA-17 to exchange views on the initial results from activities undertaken on "good and best practices" in P&Ms. They agree on a frame for defining Annex I Parties' further steps in implementing decision 13/CP.7. The frame will include three elements: general information sharing; information sharing in specific areas encompassing all relevant sectors and cross-cutting and methodological issues; and information from relevant international and inter-governmental organizations.

The conclusions also invite relevant organizations, including the IPCC, to present status reports at SBSTA-17 and future sessions. Finally, they invite Parties to submit views on elements for consideration of initial results and the "frame" for defining further steps, and agree to consider further steps at SBSTA-17.



COOPERATION WITH INTERNATIONAL ORGANIZATIONS

The agenda item on cooperation with relevant international organizations included three sub-items on scientific organizations, UN bodies, and other conventions. The SBSTA Plenary addressed cooperation with scientific organizations and UN bodies on Thursday, 6 June, and informal consultations began that day. On 7 June, the SBSTA took up the sub-item on cooperation with other conventions.

On Thursday, 13 June, the SBSTA adopted conclusions on cooperation with scientific organizations and on other conventions, without amendment, and discussed the draft conclusions on cooperation with UN bodies, ultimately deferring their adoption, with amendments, to Friday, 14 June.

COOPERATION WITH SCIENTIFIC ORGANIZATIONS:

At the SBSTA meeting on Thursday, 6 June, Parties concurred on the importance of implementing the climate monitoring principles adopted at COP-5. An informal contact group, co-chaired by Sue Barrell (Australia) and David Lesolle (Botswana), was convened in the afternoon. Following discussions on capacity building needs, the Co-Chairs adjourned the meeting to prepare a draft decision on guidance to Global Climate Observing System (GCOS). Further informal discussions took place behind closed doors. Conclusions were adopted on Thursday 13, June, without amendment.

SBSTA Conclusions: The conclusions on cooperation with scientific organizations (FCCC/SBSTA/2002/L.3) note the urgency of implementing action plans developed from regional workshops, and urge Annex I Parties to contribute support for addressing priority areas of concern relating to global monitoring systems.

COOPERATION WITH UN BODIES: In SBSTA Plenary on Friday, 7 June, the EU, Switzerland, Tuvalu, and Norway proposed inviting the Secretariat to explore methodological issues relating to emissions from international transport, and report results to SB-17. This proposal was opposed by Australia, the US and Saudi Arabia. Chair Thorgeirsson said he would prepare draft conclusions on cooperation with UN bodies.

Conclusions were presented to the SBSTA Plenary on Thursday, 13 June; however, Parties were unable to agree on the timeframe for consideration of methodological issues relating to emissions from international transport. Following further consultations, amended conclusions on this issue were adopted Friday, 14 June.

SBSTA Conclusions: The conclusions (FCCC/SBSTA/2002/CRP.4/Rev.1) decide that the SBSTA will consider methodological aspects related to emissions from international transport at SB-18.

COOPERATION WITH OTHER CONVENTIONS: This matter was addressed briefly by SBSTA on Thursday, 6 June, before being taken up in informal closed consultations co-chaired by Clare Breidenich (US) and Yvette Munguia de Aguilar (El Salvador). The conclusions were adopted on Thursday, 13 June.

SBSTA Conclusions: SBSTA conclusions (FCCC/SBSTA/2002/L.4) reconfirm the mandate of the Joint Liaison Group of the UNFCCC, the Convention on Biological Diversity (CBD), and the UN Convention to Combat Desertification (UNCCD), and agree to consider cross-cutting thematic areas under the UNFCCC, CBD, and the UNCCD at SB-17, with a view to recommending Terms of Reference for a workshop.

ARTICLE 6

UNFCCC Article 6 (education, training and public awareness) was addressed by the SBSTA Plenary on Friday, 7 June, and subsequently in a contact group co-chaired by Jean-Pascal van Ypersele (Belgium) and S. N. Sok Appadu (Mauritius). Conclusions, which take note of a bracketed draft decision for consideration at COP-8, were adopted by SBSTA on Thursday, 13 June, with amendments.

At the SBSTA Plenary on Friday, 7 June, Parties discussed the report from a recent workshop to develop a work programme on Article 6 activities (FCCC/SBSTA/2002/INF.10). Malaysia, Senegal, Namibia, Brazil and Eritrea underscored the need for Article 6 activities to be country-driven.

At the contact group's first meeting, held Friday afternoon, Parties suggested key words/concepts to guide the Co-Chairs' work in clarifying a draft work programme. They also discussed the objectives of the work programme, and its potential priorities.

At the second meeting of the contact group, held on Monday, 10 June, Canada argued for postponing debate on the proposed draft decision on an Article 6 work programme until SB-17 to give Parties sufficient time to assess its potential implications. A representative of the GEF urged careful consideration of language regarding financial resources. Consultations continued late into the night.

On Wednesday, 12 June, the contact group agreed insufficient time remained to discuss the draft decision, and engaged in paragraph-by-paragraph discussions on the draft conclusions only. Parties could not agree on the need for a work programme that would take into account the "availability of financial resources" and/or Article 4.7 (technology transfer), and reference to these items in the draft conclusions was deleted.

On Thursday, 13 June, the draft conclusions were presented to the SBSTA Plenary. On future work, Co-Chair van Ypersele said Parties would be invited to submit views on the work programme by 20 August for compilation into a document for further consideration at SBSTA-17, and for possible adoption at COP-8. Botswana, on behalf of the G-77/China, proposed an amendment to the conclusions to reaffirm the need for a work programme, taking into account national circumstances and the availability of resources. The SBSTA adopted the conclusions, as amended.

SBSTA Conclusions: The conclusions (FCCC/SBSTA/2002/L.11 and Add.1) reaffirm the need for a work programme; request the Secretariat to prepare a report on a potential information clearing house on Article 6 activities; take note of the need to consider reviewing the guidelines for national communications from Annex I Parties as they relate to Article 6 activities; invite the SBI to consider, at SB-17, the issue of financial and technical support in the implementation of a work programme on Article 6; and take note of a bracketed draft decision on a work programme on Article 6 that will be forwarded to COP-8 for further discussion.

OTHER MATTERS

CROATIAN PROPOSAL: On Friday, 7 June, the SBSTA considered the special circumstances of Croatia under UNFCCC Article 4.6 (flexibility for countries with economies in transition). Parties addressed Croatia's proposal to adjust the base year for its greenhouse gas inventory from 1990 to 1991. Croatia, supported by the Central Group of Eleven (CG-11), stressed its special circumstances. The EU said implementation of Article 4.6 must not undermine the integrity of



the Protocol, and Uganda cautioned that a decision would set a precedent. Jim Penman (UK) undertook informal consultations. SBSTA adopted conclusions on the item on Thursday, 13 June.

SBSTA Conclusions: The conclusions (FCCC/SBSTA/2002/L.7) note that flexibility under Article 4.6 should be further considered at its next session, with a view to advising the SBI at its seventeenth session.

CLEANER OR LESS GREENHOUSE GAS-EMITTING ENERGY: SBSTA addressed this issue at a plenary session on Tuesday, 11 June, and draft conclusions were adopted on Thursday 13, June. Chair Thorgeirsson drew delegates' attention to the workshop report on cleaner or less greenhouse gas-emitting energy (FCCC/SBSTA/2002/INF.8). Canada, opposed by the G-77/China, EU, CG-11 and Norway, proposed a draft decision to permit it to receive assigned amount units equivalent to the global environmental benefit created by its exports of cleaner or less greenhouse gas-emitting energy in the first commitment period, not exceeding 70 million tonnes of carbon dioxide-equivalent annually (FCCC/SBSTA/2002/MISC.3/Add.1).

Many Parties asserted that Canadian cleaner energy exports constitute "business as usual" and questioned the proposed decision's potential precedent-setting effect, its legal basis, and its possible impact on incentives for Annex I Parties to reduce emissions. The EU observed that the Marrakesh Accords took national circumstances into account, and Tuvalu noted that the proposal did not account for trade in unclean energy. The Russian Federation expressed interest in a future discussion on the matter, noting that his country also exports cleaner energy. Saudi Arabia suggested that consideration on the proposed draft decision not proceed until methodological and legal issues are resolved, and proposed organizing a workshop and an IPCC evaluation. Canada, with New Zealand, Japan and the Russian Federation, suggested that Parties discuss the proposed draft decision further at COP-8. Chair Thorgeirsson engaged in consultations, and on Thursday, 13 June, presented draft conclusions, which were adopted without amendment.

SBSTA Conclusions: In the conclusions (FCCC/SBSTA/2002/CRP.5), SBSTA takes note of proposed approaches to issues related to cleaner or less greenhouse gas-emitting energy, and of the report of the workshop, and agrees to continue considering these issues at SB-17.

PROTOCOL ARTICLE 2.3: This issue was addressed by SBSTA on Tuesday, 11 June. Saudi Arabia stressed the importance of Protocol Article 2.3, which addresses the adverse effects of Annex I Parties' P&Ms and urged a workshop on the matter. He noted the distinction between this article and Protocol Article 3.14, which he said addresses adverse effects resulting from Annex I Parties' implementation of commitments. Japan noted a COP-7 decision (9/CP.7) requesting the Secretariat to organize a workshop before COP/MOP-2 relating to reporting on minimizing impacts of response measures and, supported by the EU and Canada, said this addressed Saudi Arabia's concerns. Saudi Arabia, Libya, Kuwait and United Arab Emirates said a separate workshop should be held specifically on Article 2.3.

Chair Thorgeirsson suggested that Parties reflect on the issue and submit their views to the Secretariat. He said he would undertake informal consultations. On Thursday, 13 June, Parties adopted conclusions on the item.

SBSTA Conclusions: In the conclusions (FCCC/SBSTA/2002/CRP.2), the SBSTA agrees to continue consideration of the item at SB-17, including the need for, timing of and elements for possible workshops and the possibility of holding an initial workshop before SB-19.

The conclusions request the Secretariat to consider Article 2.3 in the compilation of information on P&Ms of Annex I Parties in the third national communications of Annex I Parties.

CLOSING SBSTA PLENARY

On Friday afternoon, 14 June, Parties adopted the report of SBSTA-16 (FCCC/SBSTA/2002/L.1). Chair Thorgeirsson thanked delegates, his Co-Chairs and the Secretariat, and said he looked forward to seeing everyone again in New Delhi. He gavelled the meeting to a close at 2:45 pm.

SUBSIDIARY BODY FOR IMPLEMENTATION

SBI Chair Raúl Estrada-Oyuela (Argentina) opened the first meeting of SBI-16 on Monday, 10 June. In a welcoming statement, UNFCCC Executive Secretary Joke Waller-Hunter stressed a focus on implementation and noted the important role of SBI in this context.

ORGANIZATIONAL MATTERS: On Monday, 10 June, Parties considered the agenda (FCCC/SBI/2002/1 and Add.1). Canada raised uncertainties over the status of the agenda item on implementation of Protocol Article 2.3, as noted in the opening meeting of the SBSTA on Wednesday, 5 June. The G-77/China, opposed by the EU and Japan, supported including this item on the agenda.

The US proposed an additional agenda item entitled "transparency in the UNFCCC process." Adoption of the agenda was deferred and Parties agreed to continue consideration of other agenda items.

On Wednesday, 12 June, Parties took up the adoption of the agenda again. The US noted that his country's proposal was now entitled "effective participation in the UNFCCC process." Parties disagreed on procedural matters, and adoption of the agenda was postponed.

Returning to the US proposal on Friday, 14 June, the US stressed interest in participating as an observer to the CDM Executive Board, and encouraged greater participation by NGOs. Chair Estrada said a paper would be prepared by the Secretariat containing an analysis of the situation in other bodies and a description of possible solutions.

Parties then proceeded to adopt the agenda, without the agenda item on implementation of Protocol Article 2.3, which was taken up by SBSTA instead.

ANNEX I NATIONAL COMMUNICATIONS

The agenda item on Annex I national communications was considered by the SBI Plenary on Monday, 10 June, and draft conclusions were adopted on Friday, 14 June.

On Monday, the Secretariat drew attention to a document (FCCC/SBI/2002/3) that details greenhouse gas emissions trends for Annex I Parties and suggests options for improving the process of reviewing and considering national communications.

Observing that emissions trends left "no grounds for complacency," the EU proposed that the review process be considered at SB-17. Canada, the US and Australia stated that the current process works well, and opposed any modifications at this time.

Chair Estrada highlighted the status report on the review of third national communications (FCCC/SBI/2002/INF.4).

On Friday, 14 June, Chair Estrada presented the draft conclusions, proposing deletion of "according to available data" in paragraph one. The draft conclusions were adopted without further amendment.



SBI Conclusions: The conclusions on Annex I national communications (FCCC/SBI/2002/L.3) include agreement that the SBI will further consider, at SB-17, issues relating to the improvement of the review process, and what action could be taken to facilitate the timely submission of national communications.

NON-ANNEX I NATIONAL COMMUNICATIONS:

Parties discussed the agenda item on non-Annex I national communications in the SBI Plenary on Monday and Tuesday, 10-11 June, addressing three sub-items on work of the Consultative Group of Experts (CGE), revision of the guidelines and financial and technical support. Closed informal consultations were held throughout the week to develop draft conclusions, which were adopted by the SBI Plenary on Friday, 14 June.

WORK OF THE CGE: At the SBI Plenary on Monday, CGE Chair Isabelle Niang-Diop (Senegal) reported on the activities of the CGE and SBI Chair Estrada drew delegates' attention to relevant reports (FCCC/SBI/2002/INF.3; FCCC/SBI/2002/2).

During the SBI Plenary on Tuesday, Chair Estrada said draft conclusions would be prepared on the work of the CGE. The conclusions were adopted on Friday, 14 June.

SBI Conclusions: The conclusions on the CGE (FCCC/SBI/2002/CRP.2) include an invitation to Parties to submit views on the review of the mandate and terms of reference of the CGE, which will take place at COP-8.

REVISION OF GUIDELINES: At the SBI Plenary on Tuesday, 11 June, Chair Estrada drew attention to the proposed improved guidelines (FCCC/SBI/2002/INF.2). The US called for a discussion on timeframes, and made a specific proposal in this regard. She also proposed that the CGE use national communications to assess opportunities for mitigation and adaptation in developing countries. An informal group convened in closed-door discussions, and conclusions were adopted on Friday, 14 June.

SBI Conclusions: The conclusions on revision of the guidelines (FCCC/SBI/2002/CRP.6) include an invitation to the GEF to provide views on funding the activities outlined in the proposed improved guidelines, and note that adequate funding for second national communications on the basis of the revised guidelines should be provided.

FINANCIAL AND TECHNICAL SUPPORT: At the SBI Plenary on Tuesday, Chair Estrada noted information received from the GEF (FCCC/SBI/2002/INF.1) and invited comments. Many Parties highlighted the importance of financial support, and Chair Estrada closed the discussion by observing that the subject would be revisited at SB-17.

SBI Conclusions: The conclusions on financial and technical support (FCCC/SBI/2002/CRP.3) take note of the progress made in the preparation of national communications and the information provided by the GEF.

FINANCIAL MECHANISM

On Monday, 10 June, Parties considered review of the financial mechanism. Chair Estrada invited delegates to provide feedback on the performance of the GEF. The EU supported the GEF's funding of medium-sized projects and welcomed its effort to streamline the project cycle. Canada hoped the review would focus on a small number of practical recommendations. The Russian Federation stressed accountability. Parties agreed to hold informal discussions, chaired by Rawlestone Moore (Barbados).

On Friday, 14 June, Moore introduced the SBI draft conclusions on the review of the financial mechanism, which were adopted in their entirety.

SBI Conclusions: In these conclusions (FCCC/SBI/2002/L.5), the SBI invites Parties, intergovernmental and non-governmental organizations to provide information on their experiences regarding the effectiveness of the financial mechanism by 8 July, and requests the Secretariat to prepare a synthesis report on the financial mechanism for consideration at SB-17 on the basis of submissions received and other documents.

ADVERSE EFFECTS

The issue of implementing UNFCCC Article 4.8 and 4.9 (adverse effects) was considered by the SBI Plenary on Tuesday, 11 June, and referred to a contact group, which met three times. The group agreed on draft conclusions, which were adopted by the SBI on Friday, 14 June.

On Tuesday, Daniela Stoytcheva (Bulgaria) reported on a workshop held from 16-18 May, on the status of modeling activities to assess the adverse effects of climate change and the impact of response measures. She said the report of the workshop would be presented for consideration at COP-8, and noted that two additional workshops to be held prior to COP-8 would address insurance and risk assessment. Zimbabwe, on behalf of the G-77/China, highlighted the importance of developing a mechanism to ensure implementation of Article 4.8 and 4.9, and expedited activities under Article 4.9 (LDCs). The US stated that current modeling remains highly uncertain, and Canada and Australia stressed the importance of data availability. Iran, Algeria and Burkina Faso encouraged establishing links with capacity building and UNFCCC Article 6. Chair Estrada, opposed by Canada, Australia, and Japan, said submissions on this issue made by Saudi Arabia and Iran could be compiled in a miscellaneous document for consideration by COP-8. A contact group chaired by Daniela Stoytcheva, was formed to consider draft conclusions.

On Wednesday, 12 June, Parties discussed Chair Stoytcheva's draft conclusions in the contact group. Zimbabwe, on behalf of the G-77/China, opposed the conclusions, stressing that they failed to make clear reference to COP-7 decision 5/CP.7 on adverse effects. She also opposed a sub-paragraph that notes that in the absence of funding, the proposed insurance and risk assessment workshops could be scheduled for after COP-8. Iran stressed that the conclusions should adequately reflect consideration of future modeling activities. Australia, Canada, the EU and US said Parties should follow SBI Chair Estrada's request for a decision on process, not on substance. Parties agreed to delete reference to financial contributions, but were unable to reach consensus on the importance of modeling activities, the scope of submission of Parties' views, and future workshops and their terms of reference. Chair Stoytcheva adjourned the meeting to hold informal consultations.

Delegates reconvened in the evening to consider revised draft conclusions. The G-77/China maintained that draft conclusions failed to reflect their concerns regarding the importance of wider implementation activities. New Zealand, Canada, the EU and US supported the revised conclusions, stating that they provided "a balanced compromise." Following informal consultations by Chair Stoytcheva with those Parties opposing the draft conclusions, delegates agreed to forward them to SBI. On Friday, 14 June, SBI adopted these conclusions in their entirety.



SBI Conclusions: According to the conclusions (FCCC/SBI/2002/CRP.5), the SBI: invites Parties to submit views on the workshop and implementation of Article 4.8 and 4.9 by 1 August; invites Parties to submit their views on possible additions to the terms of reference for these workshops by 1 August; and decides to consider workshop outcomes at SB-17.

LEAST DEVELOPED COUNTRIES

Parties considered LDCs in the SBI Plenary Tuesday, 11 June. The LDC Expert Group (LEG) Chair Bubu Jallow (Gambia) remarked on the LEG's proposed work programme (FCCC/SBI/2002/5). Mali supported prioritizing the implementation of national adaptation programmes of action (NAPAs). The EU said the LEG should focus on strategic activities where it has a comparative advantage.

Draft conclusions were presented to the SBI Plenary on Friday, 14 June, and adopted without amendment.

SBI Conclusions: The SBI conclusions (FCCC/SBI/2002/CRP.4) include an endorsement of the LEG's programme of work, and invite the Chair of the LEG to update the SBI on progress in the implementation of this programme of work at SB-17.

CAPACITY BUILDING

The SBI Plenary addressed capacity building on Tuesday, 11 June. Chair Estrada noted that frameworks for building capacity in developing countries and EITs were adopted at COP-7. The G-77/China welcomed funding to facilitate implementing capacity-building activities.

Draft conclusions were presented to the SBI Plenary Friday, 14 June, and adopted without amendment.

SBI Conclusions: The SBI conclusions (FCCC/SBI/2002/L.4) take note of the need to support the implementation of capacity-building activities relating to the preparation of national inventories and establishment of national systems, and include an invitation for Parties to submit their views on the implementation of national capacity needs self-assessments funded by the GEF.

CACAM REQUEST

On Wednesday, 12 June, Armenia, on behalf of a group of countries from Central Asia and the Caucasus, Albania and Moldova (CACAM), said the group was seeking clarification on the definition of the term "developing countries," and on their status in the context of UNFCCC decisions, including those prepared at COP-6. He said the CACAM countries were proposing that all references to "developing countries" in these decisions should be changed to "developing countries and other Parties not included in Annex I." The EU said care should be taken when drafting conclusions, using the term "Parties not included in Annex I," as employed in the UNFCCC text. Venezuela, on behalf of the G-77/China, said examination of the term "developing countries" was not necessary. Chair Estrada said he would continue consultations and report back at SB-17.

PREPARATIONS FOR THE WSSD

On Monday, 10 June, Morocco reported to the SBI on preparations for the World Summit on Sustainable Development (WSSD). He briefed delegates on the negotiations in Bali, noting that Parties had been unable to reach agreement on the means for implementation, resulting in a breakdown. Pakistan, on behalf of the G-77/China, expressed the Group's continued commitment to the WSSD and noted

concerns that Parties were failing to fulfill their Rio commitments. The EU urged strengthening links between the climate change and WSSD processes and noted the need for schedules and a programme of action.

INTERGOVERNMENTAL MEETINGS

At the SBI Plenary on Monday, 10 June, the Secretariat introduced a document on arrangements for intergovernmental meetings (FCCC/SBI/2002/4). On COP-8, the Secretariat suggested replacing the high-level segment containing national statements with a roundtable discussion. On arrangements for the first Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP-1), the EU supported work on common issues for the COP and COP/MOP, and the definition of necessary rules and procedures. Canada, New Zealand, Norway and Australia supported the use of existing UNFCCC rules of procedure. On the programme for future sessions, the Secretariat highlighted its concern about the growing number of workshops. Chair Estrada suggested prioritizing workshops and improving workshop preparation.

On the budget for conference services, the US, Japan and Canada said conference expenses should be borne by the UNFCCC budget and not the regular budget of the UN General Assembly (UNGA). On COP-9, Chair Estrada indicated that its venue has not yet been determined. The SBI adopted conclusions on these sub-items at its closing Plenary session on Friday, 14 June.

SBI Conclusions: In the conclusions on intergovernmental meetings (FCCC/SBI/2002/L.2), the SBI thanks the Government of India for hosting COP-8, recommends ministerial roundtable discussions, and urges Parties to contribute to the Trust Fund for Participation. Regarding arrangements for COP/MOP-1, the SBI notes that 74 Parties have ratified the Kyoto Protocol, and agrees to further consider procedural issues at SBI-17. Regarding the programme for future sessions, the SBI takes note of proposed future workshops and meetings, expresses concern at their number, and encourages the Secretariat to explore the possibility of convening workshops in association with the sessional period while considering constraints for small delegations. Regarding the budget for conference services, the SBI takes note of Party views and of developments at the 56th session of the UN General Assembly. Regarding the venue of COP-9, the SBI urges Parties to offer to host the meeting.

ADMINISTRATIVE AND FINANCIAL MATTERS

This agenda item was addressed by the SBI Plenary on Monday, 10 June. Regarding the status of contributions, the Secretariat introduced the report on the interim financial performance for the biennium 2002-2003 (FCCC/SBI/2002/INF.5). She drew attention to the fact that there were currently 190 contributions outstanding. Regarding possible options for responding to late payment of contributions, the Secretariat stated that publishing this information encouraged timely payment, and drew attention to a draft decision forwarded by SB-15 for adoption by COP-8. On implementation of the Headquarters Agreement, Germany gave a progress report, noting that plans for a UN campus and new conference facilities in Bonn are moving ahead. UNFCCC Executive Secretary Waller-Hunter welcomed the plans and thanked the German Government. Chair Estrada said he would draft SBI conclusions on this agenda item. The conclusions were adopted by the SBI Plenary on Friday, 14 June.

SBI Conclusions: In the conclusions, included in the report of the session (FCCC/SBI/2002/L.1), the SBI takes note of the status of contributions as of 31 May 2002. It requests the Chair to continue



consultations on possible options for responding to late payment of contributions and report back to SBI-17, and invites the host government and UNFCCC Executive Secretary to report, at SBI-17, on further progress on the implementation of the Headquarters Agreement.

OTHER MATTERS

PROPOSAL BY CROATIA ON LULUCF: This item was considered on Wednesday, 12 June. Parties addressed the proposal by Croatia to consider its forest management activities under Protocol Article 3.4 (additional activities). Chair Estrada noted consultations on a separate Croatian proposal to changing its base-year emissions were being undertaken by SBSTA. He said that both issues would be resolved concurrently, and that the proposals would be addressed at SB-17. The EU noted that the discounted forest management value proposed by Croatia exceeds the value provided by the FAO, and said the matter should be forwarded to SBSTA for consideration once the question of the base-year emissions has been resolved. Croatia said it did not consider it necessary for SBSTA to address this issue given that a technical review had already been carried out, and agreed with Chair Estrada's suggestion to take up both issues simultaneously at SB-17.

CLOSING SBI PLENARY

On Friday, 14 June, SBI Rapporteur Emily Ojoo-Massawa (Kenya) introduced the report of the session (FCCC/SBI/2002/L.1). Chair Estrada went through the document paragraph-by-paragraph and noted that a draft decision on the implementation of the Headquarters Agreement would be forwarded directly to the COP. He said conclusions on reporting and review of greenhouse gas inventories agreed in SBSTA had also been forwarded directly to the COP, rather than to the SBI. Parties adopted the report of the session. Chair Estrada thanked participants, the Secretariat, and Co-Chairs and closed the sixteenth session of SBI at 11:48 am.

A BRIEF ANALYSIS OF SB-16

PAST, PRESENT, AND FUTURE

"I will live in the Past, the Present, and the Future!" Scrooge repeated, as he scrambled out of bed. "The Spirits of all Three shall strive within me."

In one of Charles Dickens' classic novels the central character, Ebenezer Scrooge, is visited by ghostly apparitions. Three supernatural spirits compel Scrooge to consider his past, present and future, leading him to question not only who he is, but in what direction he wants the rest of his life to go.

At SB-16 the climate process seemed on the brink of a similar identity crisis. The eerily quiet corridors and half-empty plenary meetings encountered at the Maritim Hotel in Bonn presented a stark contrast to the intensity and urgency that characterized a succession of climate negotiations leading to COP-7 late last year. One delegate labeled it "the post-Marrakesh blues." Another described the shift in mood as "spooky."

In reality, change was inevitable. The agreement in November on the Marrakesh Accords brought to a close a major chapter in the climate change story by concluding work on the operational details of the Kyoto Protocol. With the urgent and immediate Protocol-related problems apparently solved, SB-16 was able to take up a range of issues largely ignored during the past few years, and to start considering what happens next.

What became apparent at SB-16 is just how different Parties' views are on what direction the climate process should take. The meeting was haunted by contradictory stances on the focus and intent of this and future negotiations. Some Parties wanted to keep that focus firmly on the present, tackling short-term technical tasks while essentially maintaining a holding pattern until entry into force of the Protocol and the generation of further political momentum. Other Parties seemed to have their sights set on the future and the need to start discussing long-term objectives and future commitments – an approach that met with stern resistance in some quarters. Still others, such as the Canadians, were arguably more focused on the recent past and their hopes to continue debates from Marrakesh by securing terms that would make ratification more politically palatable. This analysis will consider each of these perspectives in turn.

CLAIMED BY THE PRESENT?

Those delegates focused on the present seemed convinced that tackling technical tasks should be the main priority at SB-16. They felt that the meetings' mandate was to agree on process, rather than address the "substantive" issues of wider implementation. They argued that now is not the time to push too hard on longer-term issues, given the current climate of uncertainty over entry into force of the Protocol, and the apparent lack of political momentum for going beyond what was agreed at Marrakesh. These delegates, from both North and South, felt that "tinkering" with technical matters would be more pragmatic than pushing prematurely for greater gains, which could possibly further entrench positions.

This attitude was certainly reflected in the agenda, which included many technical and methodological issues, such as guidelines on greenhouse gas inventories, the revised uniform reporting format on AIJ in the pilot phase, terms of reference for workshops, and guidance to new specialist bodies like the Expert Group on Technology Transfer. Advocates of this perspective justified their approach by noting constructive discussions and visible outcomes in the groups considering these matters.

PREMONITIONS OF THE FUTURE

Some Parties attending SB-16 also had their sights set on the future. Observers identified a clear desire within the EU, Switzerland, and some others to begin a dialogue on long-term objectives and future commitments. These Parties felt that having "closed the book on the BAPA" at Marrakesh, it was now appropriate to begin looking beyond the first commitment period. This view was articulated at the very start of the meeting, when Norway called on SBSTA to launch a process to strengthen commitments beyond 2012.

This position met with strong resistance in some quarters. In particular, a number of the larger developing countries, such as China, were clearly reluctant to discuss future commitments, which in the words of one delegate, would be "premature and unfair."

This conflict was most obvious in discussions on the IPCC's Third Assessment Report, on policies and measures, and guidelines on non-Annex I national communications.

The contact group charged with producing draft conclusions on the TAR had a particularly difficult time, spending late nights mired in disagreements over text that would begin a process focusing on long-term objectives.

While the final text on the TAR may have pleased some, others were clearly disappointed. New Zealand's statement in the closing SBSTA Plenary regretting the "weak" language captured the sense of



frustration at the lack of some Parties' willingness to compromise. Divergence within the G-77/China was also apparent on this issue, with many smaller countries, such as some AOSIS members, also more eager to deal with long-term commitments.

Initial exchanges on policies and measures also illustrated the divergence of opinions on what direction to take. While the EU favored a focus on domestic action, Saudi Arabia wanted the impacts of response measures on developing countries at the top of the agenda. Meanwhile, the US and Japan preferred a focus on information exchange, avoiding a prescriptive approach. The ensuing discussion was more straightforward, if only because the Chair restricted it to simple procedural matters, and grounded it in the relevant COP-7 decision.

HAUNTED BY THE PAST

Some Parties also came to Bonn with an eye to the recent past. Canada's proposals on cleaner energy exports and sinks in the CDM, which would reduce the costs of meeting their emissions reduction target, were viewed by many as an attempt to reopen the deal struck in Marrakesh. Some participants were resentful that, having secured a favorable result at COP-7, Canada wanted to "go back to the trough for more" at SB-16.

In their defense, Canadian delegates cited an array of reasons for their position, including the political and economic sensitivities of several Canadian provinces, and the unforeseen US decision to repudiate the Protocol. Canada claims that if their companies have to reduce emissions under the Protocol, they will face a competitive disadvantage relative to their US counterparts. Better terms would make ratification more politically palatable.

Though their arguments were not well received, Canadian delegates did manage to place cleaner energy exports on the agenda for COP-8, leading many to question how Canada, and other Parties still considering ratification, will play their hands in New Delhi.

Meanwhile, the all-important matter of the Russian Federation's position on the Protocol continued to hang over the heads of delegates, much as it did in Bonn and Marrakesh. With the EU and Japan recently ratifying and Australia following the US lead, all eyes were focused on Russia's intentions. However, those hoping for a clear signal at SB-16 left disappointed. And in an intervention that sent shivers down the spines of many delegates, Russia indicated its interest in Canada's proposal. The intervention seemed to confirm fears that another major energy exporting country yet to ratify would demand further concessions, thereby undermining the Marrakesh deal.

LAYING THE GHOSTS TO REST

The vast array of views expressed at SB-16 on the present state and future of the climate process raised what one delegate called "a crisis of identity." Commenting on the current mood, several self-styled "climate dinosaurs" attending SB-16 emphasized the need for leadership and vision to help Parties define the next phase of negotiations. Noting the loss of many "old faces" at SB-16, one delegate highlighted the potential for the new Executive Secretary to play a key role during this transition period. But in the short-term, she may simply have to bide her time. Events in Johannesburg at the World Summit on Sustainable Development in late August could have spillover effects on this and other environmental processes. More importantly still, a clear signal or outcome on entry into force of the Protocol would have dramatic implications for COP-8 and beyond.

THINGS TO LOOK FOR BEFORE COP-8

FORUM ON THE CDM AND KYOTO PROTOCOL – OPPORTUNITIES FOR JAPAN IN ASIA: This Forum will take place from 24-25 June 2002, in Tokyo, Japan. Organized by the United Nations Industrial Development Organization (UNIDO) and the Mitsubishi Research Institute, Inc. (MRI), the Forum includes international speakers representing policymakers, the private sector and financial institutions. For more information, contact: UNIDO/MRI Forum Secretariat; tel: +81-3-3406-7012; fax: +81-3-3406-7528; e-mail: cdm2002@newsbase.co.jp; Internet: <http://www.unido.or.jp/f020624e.htm>

TWENTY-SECOND OPEN-ENDED WORKING GROUP MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL: This meeting will take place from 23-25 July 2002, in Montreal, Canada. For more information, contact: Ozone Secretariat; tel: +254-2 62-3850 or 62-1234; fax: +254-2 62-3601 or 62-3913; e-mail: Michael.Grabner@unep.org; Internet: <http://www.unep.org/ozone/oewg/22oewg/22oewg.shtml>

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT: The World Summit on Sustainable Development will take place from 26 August to 4 September 2002, in Johannesburg, South Africa. For more information, contact: Andrey Vasilyev, DESA; tel: +1-212-963-5949; fax: +1-212-963-4260; e-mail: vasilyev@un.org; Major Groups contact: Zehra Aydin-Sipos, DESA; tel: +1-212-963-8811; fax: +1-212-963-1267; e-mail: aydin@un.org; Internet: <http://www.johannesburgsummit.org/>

INTERNATIONAL WORKSHOP ON REGIONAL INTEGRATED ASSESSMENT OF CLIMATE IMPACTS: This workshop will take place from 16-20 September 2002, in Castelvecchio Pascoli, Italy. The workshop seeks to evaluate how assessments of the impacts of climate variability and change are performed. It also focuses on seasonal forecasting and how climate variations affect key natural resources at the regional level. For more information, contact: Adrienne Karpov, Climate Impacts Group, University of Washington; tel: +1-206-616-5350; fax: +1-206-616-5775; e-mail: cig@atmos.washington.edu; Internet: <http://jisao.washington.edu/PNWimpacts/RIAworkshop/>

FIRST INTERNATIONAL CONFERENCE ON THE CONTROL OF THE GREENHOUSE EFFECT: This conference will take place from 3-6 October 2002, in Strasbourg, France. This conference focuses on how communities and companies can act in order to reduce the emission of greenhouse gases. For more information, contact: Réseau IDEAL; tel: +33 1 45-15-09-09; fax: +33 1 45-15-09-00; e-mail: ideal@reseau-ideal.asso.fr; Internet: <http://www.greenhouse-effect.org>

GLOBAL ENVIRONMENT FACILITY: The GEF Council will meet in Beijing, China, from 14-15 October 2002, to be followed by the second meeting of the GEF Assembly in Beijing from 16-18 October. These meetings will be preceded by NGO consultations on 13 October. For more information, contact the GEF Secretariat, tel: +1-202-473-0508; fax: +1-202-522-3240/3245; e-mail: secretariat@gef.org; Internet: <http://www.gefweb.org>

EIGHTH CONFERENCE OF THE PARTIES TO THE UNFCCC (COP-8): COP-8 will be held from 23 October 2002 - 1 November 2002, in New Delhi, India. For more information, contact: UNFCCC Secretariat; tel: +49-228-815-1000; fax: +49-228-815-1999; e-mail: secretariat@unfccc.int; Internet: <http://unfccc.int>