



### FCCC COP-5 HIGHLIGHTS THURSDAY, 4 NOVEMBER 1999

Delegates to COP-5 convened in the morning for the final session of the high-level segment. In afternoon and evening Plenary sessions, the COP adopted 22 decisions relating to, *inter alia*: organizational matters; review of the implementation of commitments and other provisions of the FCCC; and preparations for the first session of the COP serving as the meeting of the Parties (COP/MOP-1) to the Kyoto Protocol.

#### HIGH-LEVEL SEGMENT

COP-5 President Jan Szyszko (Poland) offered his personal impressions of the high-level segment. He stated that the discussions had been frank and open, and said he sensed a strong willingness to move the process forward. Highlighting some of the views raised in the discussions, he noted that Annex I and non-Annex I Parties had emphasized their domestic actions and cooperation with others Parties in terms of meeting the FCCC's objectives. He indicated that participants were concerned about the adverse effects of climate change and noted that recent extreme weather events had generated a sense of urgency. He observed that some participants were seriously concerned about the impact of response measures. On the negotiating process, he said a new spirit marked by political commitment was evident. He noted unanimity on the need to intensify negotiations in the lead-up to COP-6, and said there was broad support for the entry into force of the Protocol at the soonest possible time. Regarding options for the intensification of the process, he drew attention to a variety of proposals, including calls for a facilitator, a Committee of the Whole, or both, while noting that other participants considered that the existing structures were sufficient to undertake the process. He concluded by saying he would consult extensively on the best way to proceed and make progress.

#### PLENARY

On the review of the implementation of commitments and other FCCC provisions, and on preparations for COP/MOP-1, President Szyszko proposed a decision for adoption by COP-5 (FCCC/CP/1999/L.14). He said his proposal expressed the will of the COP to engage in intensified negotiation to implement the Buenos Aires Plan of Action (BAPA) and added that in implementing the decision he would take into account all the views expressed. The deci-

sion was adopted. SAUDI ARABIA said he could not accept negotiations taking place outside the FCCC bodies, and opposed the appointment of facilitators.

President Szyszko reported that he was still conducting consultations on proposals from Turkey and Kazakhstan to amend the lists in Annexes I and II of the FCCC.

The Chairs of SBSTA and SBI reported on their work, expressed satisfaction in having dealt with all the matters on their agenda and listed the decisions they had arrived at. The COP took note of their reports.

On the date and venue of COP-6 (FCCC/CP/1999/L.9), the COP decided to accept the invitation of the Netherlands to host the COP. The NETHERLANDS noted the high expectations set for COP-6 and said that its success will lie in producing a package addressing the concerns of all Parties.

The COP also adopted the calendar of meetings (FCCC/CP/1999/L.12) for 2000 - 2003. On the Multilateral Consultative Committee, Neroni Slade (Samoa) reported on informal consultations he had conducted. He said this issue needed to be seen in the broader context of the consideration and resolution of other issues. He stated that COP-5 was not the appropriate moment to advance the outstanding issues relating to FCCC Article 13 (resolution of questions regarding implementation). Delegates agreed to defer consideration of the matter to COP-6.

On the Rules of Procedure, President Szyszko reported that, despite informal consultations, there was no consensus on the rules. Delegates agreed to defer the issue to COP-6.

The COP adopted the conclusions reached by SBSTA on the impact of single project emissions in the commitment period (FCCC/SBSTA/1999/L.17) that call for further consideration of the issue with a view to adopting a decision by COP-6.

On national systems, adjustments and guidelines, the COP endorsed the SBSTA conclusions (FCCC/SBSTA/1999/L.14) and encouraged SBSTA to complete by COP-6 its work on guidelines under Protocol Articles 5 (methodology), 7 (communication) and 8 (review of information).

On the development and transfer of technologies, the COP adopted the draft decision (FCCC/CP/1999/L.5) that extends the consultative process through to COP-6, when a decision on a framework for meaningful and effective actions to enhance the implementation of technology transfer under the FCCC will be taken.



Delegates adopted a draft decision approving the programme budget for the biennium 2000 - 2001 (FCCC/CP/1999/L.7). They also adopted the draft decision on income and budget performance in the biennium 1998 - 1999 (FCCC/CP/1999/L.8), which also contains arrangements for administrative support.

On the institutional linkage of the FCCC Secretariat to the UN (FCCC/SBI/1999/L.11), President Szyszko recalled that a decision was adopted earlier that defers consideration of international juridical personality of the Secretariat to 2001, in conjunction with the review of the institutional linkage of the FCCC Secretariat to the UN which will be completed by 31 December of that year.

On Annex I communications, the COP adopted a draft decision on Part I of the FCCC reporting guidelines on annual inventories (FCCC/CP/1999/L.2), together with an addendum containing the guidelines (FCCC/SBSTA/1999/6/Add.1). It also adopted a draft decision on Part II of the guidelines (FCCC/CP/1999/L.3) and the addendum containing the guidelines (FCCC/CP/1999/L.3/Add.1). COP-5 then adopted the draft decision on guidelines for the technical review of GHG inventories from Annex I Parties (FCCC/CP/1999/L.11). The guidelines, attached as an addendum (FCCC/CP/1999/L.11/Add.1), were adopted after CHINA amended the text to state that the purpose of the technical review is to assist "Annex I Parties" instead of "all Parties" in gaining experience relevant to the preparation of guidelines related to Protocol Articles 5, 7 and 8.

COP-5 adopted a draft decision on the first compilation and synthesis of initial communications from non-Annex I Parties (FCCC/CP/1999/L.10), as well as a draft decision on other matters related to non-Annex I communications (FCCC/CP/1999/L.10/Add.1/Rev.1). The COP noted with appreciation the Report of the Global Environment Facility (GEF) contained in the draft report of SBI-11 (FCCC/SBI/1999/L.11).

The COP adopted draft decisions on capacity building for developing countries (FCCC/CP/1999/L.19) and economies in transition (FCCC/CP/1999/L.20). The decisions, *inter alia*, provide for financial and technical support for capacity building and assessment of existing capacity-building activities.

The COP adopted a draft decision on FCCC Articles 4.8 and 4.9 and Protocol Article 3.14 (adverse effects) (FCCC/CP/1999/L.22) that, *inter alia*: continues the process of implementation of FCCC Articles 4.8 and 4.9; requires the process to identify actions necessary to meet the specific needs of developing and least developed countries; and decides to organize a workshop on the consideration of initial actions.

On activities implemented jointly (AIJ) under the pilot phase (FCCC/CP/1999/L.13), the COP decided to conclude the review process and extend the AIJ pilot phase beyond the end of the present decade.

The COP adopted the draft decision on matters relating to LULUCF (FCCC/CP/1999/L.16). The decision endorses a work programme and elements of a decision-making framework to address LULUCF with a view to COP-6 recommending that COP/MOP-1 adopt draft decisions on Protocol Articles 3.3 (net changes in emissions and removals) and 3.4 (additional human-induced activities relating to changes in emissions and removals).

On mechanisms, the COP adopted the draft decision on the work programme on mechanisms (FCCC/CP/1999/L.15). The decision requests the SBI and SBSTA Chairs to revise their Synthesis of Parties' proposals on mechanisms and consolidate a text to be used as a basis for further negotiation. On principles,

modalities, rules and guidelines, the draft decision requests the SBI and SBSTA Chairs to convene inter-sessional meetings and workshops to assist in undertaking preparatory work for COP-6. Contact group Chair Chow (Malaysia) suggested that a working paper prepared by him and with no official status could assist Parties in making further proposals. He said he would send an electronic version of this working paper to interested delegates, and provided his e-mail address: chow@kgc.gov.my.

On procedures and mechanisms relating to compliance under the Protocol, the COP took note of the report of the Joint Working Group on compliance (JWG) (FCCC/SB/1999/CRP.7) and adopted a draft decision (FCCC/CP/1999/L.21) requesting the JWG to continue its work beyond COP-5 and make substantial progress toward completing its work and fulfilling its mandate by COP-6.

Delegates then considered other matters referred to the COP by SB-11. On research and systematic observation, the COP adopted a draft decision (FCCC/CP/1999/L.4) aimed at improving global climate observation systems. The draft decision also adopts the FCCC reporting guidelines on global climate observing systems (FCCC/CP/1999/L.4/Add.1).

The COP adopted a draft decision on the relationship between efforts to protect the stratospheric ozone layer and efforts to safeguard the global climate system (FCCC/CP/1999/L.6). The decision, *inter alia*: invites each Party to give consideration to information on available and potential ways and means of limiting emissions of hydrofluorocarbons and perfluorocarbons and associated emissions in CO<sub>2</sub> equivalent; and requests the IPCC to take into account this information in the elaboration of its Third Assessment Report.

COP-5 took note of the draft conclusions on the scientific and methodological aspects of the proposal by Brazil (FCCC/SBSTA/1999/L.13/Rev.1), which states that SBSTA, *inter alia*, takes note of a revised version of the proposal by Brazil and decides to consider any new information on this issue at subsequent sessions, as appropriate. A draft decision on cooperation with the IPCC was also adopted (FCCC/CP/1999/L.18), as was a draft decision on emissions based on fuel sold to ships and aircraft engaged in international transport (FCCC/SBSTA/1999/L.17).

### IN THE CORRIDORS

Participants were expressing a sense of pleasant surprise at the prospect of an early finish to COP-5. Many observers felt that the frank exchange of views in the high-level segment had acted as a catalyst by providing the political impetus needed to complete negotiations and ignite intensified efforts in the lead-up to COP-6. However, while many felt satisfied with technical progress made in Bonn, others were concerned that discussions on substantive and complex issues lagged behind and would require intensified intersessional work if COP-6 was to be a success and the Protocol was to come into force in time for Rio+10 in 2002.

### THINGS TO LOOK FOR TODAY

**PLENARY:** COP-5 will meet in Plenary at 10:00 am to conclude its outstanding business and adopt its report.