

Wrangling over agenda delays opening of SBI by over a day

Bonn, June 7 (Meena Raman) -- The opening of the 34th session of the Subsidiary Body for Implementation (SBI) of the United Nations Framework Convention on Climate Change (UNFCCC) could not take place on June 6 as scheduled in Bonn because of a wrangle over the agenda of the SBI's work. By 7 June noon, the opening had still not taken place.

Many developing countries requested the Chair of the body to amend the provisional agenda, and closed door meetings were held throughout the morning, while the opening session was delayed several times as participants waited.

A new agenda was issued just before 5 pm but more closed meetings continued as some countries were still unhappy with one or more items in the agenda. Eventually the Chair of the SBI, Mr. Robert Owen Jones of Australia, announced that the opening would be postponed till Tuesday 7 June.

Behind the apparent wrangling over the agenda was a larger issue – whether some issues considered to be key to the developing countries would be discussed in the SBI or in another body – the Ad-hoc Working Group on Long-term Cooperative Action (AWG-LCA) which is charged with producing an outcome for the Bali Action Plan adopted in December 2007.

By evening of 6 June, the remaining contentious issue related to the Cancun decision (para 66) on the reporting by developing countries on their mitigation actions (including the controversial issues of MRV (measurement, reporting and verification) and ICA (international consultation and analysis). A related item is the reporting by Annex I parties on their mitigation actions. The question is whether these should be discussed at the AWG-LCA or the SBI.

Most developing countries want the issues to be negotiated in the AWG-LCA where they originated rather than have them transferred to the SBI,

especially since the Cancun decision did not mandate this transfer to the SBI.

The original provisional agenda dated 16 May 2011 was prepared by the Executive Secretary of the UNFCCC, Ms. Christiana Figueres with the agreement of the Chair of the SBI and was planned to be presented for adoption on 6 June.

Saudi Arabia, had on 24 May communicated to the secretariat requesting deletion of some items and an inclusion of other items on the provisional agenda. Following this, a supplementary provisional agenda was issued on 1 June 2011.

It is learnt that Saudi Arabia communicated to the secretariat that “the SBI Chair had done some major rearrangements and shuffling of items as well as introducing new items at his own discretion, even though there are very clear rules and procedures for how agenda items are introduced or removed once concluded.”

Saudi Arabia proposed corrections to be made to the original agenda “to avoid wasting the whole meeting discussing and trying to adopt the agenda, like what happened in Bangkok.”

It was referring to an intense two and a half day negotiations in Bangkok over the agenda to be adopted under the Ad-hoc Working Group on Long-term Cooperative Action (AWGLCA) in early April this year in which the G77 and China proposed an alternative agenda to that proposed by the Chair of the AWGLCA.

Among the proposals made by Saudi Arabia to correct the SBI agenda included the removal of the following agenda items-

- “Other matters relating to the work programme referred to in decision 1CP/16 (the Cancun decision on the outcome of the work of the AWGLCA) paragraph 46” and “Other matters relating to the work programme referred to in decision 1CP/16,

paragraph 66” as there was no mandate for the SBI to do any work in this regard;

- “Matters Related to Adaptation” (and all sub headings)” as this was not part of the SBI agenda and were incorrectly added.
- “Matters Related to the implementation of response measures” (and all subheadings) as this agenda item was not part of SBI agenda, and they were incorrectly added.

Among others, it wanted the following agenda items restored-

- “Matters Relating to Article 4, Paragraphs 8 and 9, of the Convention
- (a) Progress on the implementation of decision 1CP/10 ;
- (b) Matters Relating the Least Developed Countries as work was not concluded under this agenda items, and all its subheadings, and thus it cannot be removed or changed

Saudi Arabia also wanted the following additional agenda items to be included -

- Forum on the impact of the implementation of response measures (Paragraph 93 of Decision 1/CP16);
- Modalities and Guidelines to enable Least Developing Countries to formulate and Implement National Adaptation Plans (Paragraph 17 of Decision 1/CP16)
- Activities to be undertaken under a work programme to consider approaches to address loss and damage (Paragraph 27 of Decision 1/CP16)

Following informal consultations by the Chair with Parties on 6 June (the scheduled day of opening of the SBI), a revised version of the provisional agenda was issued in the late afternoon. This new agenda seemed to have taken on board the proposals by Saudi Arabia **except** the proposals for deletion of two agenda items on “Other matters relating to the work programme referred to in decision 1CP/16 (the Cancun decision on the outcome of the work of the AWGLCA) paragraph 46” and “Other matters relating to the work programme referred to in decision 1CP/16, paragraph 66”, which appears as items 3(e) and 4(e) in relation to the national communications of Annex 1 and Non-Annex 1 Parties respectively.

Item 3(e) deals with reporting methods and procedures for the reporting of Annex I Parties’ mitigation actions and Item 4 (e) deals with non

Annex I parties’ reporting of mitigation actions (including MRV and ICA).

It is learnt that many developing countries had supported the Saudi Arabian proposal for deletion of items 3(e) and 4(e) as there has been no mandate given to the SBI to undertake the work and that these were matters for the AWGLCA to continue to address and this concern had been brought to the attention to the SBI Chair.

When the revised provisional agenda was circulated to Parties at close to 5 pm on Monday, the G77 and China convened an informal consultation among members of the Group to consider the matter. The SBI opening was then suspended and is expected to reconvene on June 7.

The contentious paragraph 66 from the Cancun decision (referred to in item 4(e) of the SBI provisional agenda) deals with “Nationally appropriate mitigation actions by developing country Parties”. It states:

“66. *Agrees* on a work programme for the development of modalities and guidelines for: facilitation of support to nationally appropriate mitigation actions through a registry; measurement, reporting and verification of supported actions and corresponding support; biennial reports as part of national communications from non-Annex I Parties; domestic verification of mitigation actions undertaken with domestic resources; and international consultations and analysis;”

The paragraph does not state that the “work programme for the development of modalities and guidelines” should be undertaken under the SBI.

In fact, paragraph 67 of the Cancun decision “*Invites* Parties to submit views on the items in paragraph 66, including with respect to the initial scheduling of the processes described in this section, by 28 March 2011”.

Several countries have in fact submitted their views in relation to items in paragraph 66 in accordance with paragraph 67 above, clearly indicating the need for further discussions and negotiations on how the work-programme is to be developed.

Paragraph 46 of the Cancun decision (which is referred to in item 3(e) of the SBI provisional agenda) deals with reporting by Annex I parties of their mitigation actions. Many developing countries also want this item deleted from the SBI agenda.