

Advance unedited version

Decision -/CP.14

Advancing the Bali Action Plan

The Conference of the Parties,

Recalling decision 1/CP.13 (the Bali Action Plan),

1. *Welcomes* the progress achieved by the Ad Hoc Working Group on Long-term Cooperative Action under the Convention in addressing all the elements contained in paragraph 1 of decision 1/CP.13 (the Bali Action Plan), and the group's resolve to enable the Conference of the Parties to reach an agreed outcome and adopt a decision at its fifteenth session on the full, effective and sustained implementation of the Convention;
2. *Takes note* of the report of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention on progress made, presented by its Chair;¹
3. *Welcomes* the assembly by the Chair of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention of ideas and proposals on the elements contained in paragraph 1 of the Bali Action Plan² as a valuable tool for advancing the negotiations;
4. *Takes note* of the conclusions of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention on its work programme for 2009 and the invitation to its Chair to help focus the negotiating process by preparing further documents, including a negotiating text;³
5. *Welcomes* the determination of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention to shift into full negotiating mode in 2009 and its invitation to all Parties to put forward further proposals regarding the content and form of the agreed outcome as early as possible, so that Parties might review and assess the scope and the progress of the negotiations at the sixth session of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention in June 2009.

¹ FCCC/AWGLCA/2008/L.11, annex.

² FCCC/AWGLCA/2008/16/Rev.1.

³ FCCC/AWGLCA/2008/L.10.

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Development and transfer of technologies

The Conference of the Parties,

Recalling chapter 34 of Agenda 21 and the relevant provisions of the programme for the further implementation of Agenda 21 on the transfer of environmentally sound technologies adopted by the United Nations General Assembly at its nineteenth special session,

Recalling also the relevant provisions of the Convention, in particular Article 4, paragraphs 1, 3, 5, 7, 8 and 9, Article 9, paragraph 2(c), Article 11, paragraphs 1 and 5, and Article 12, paragraphs 3 and 4,

Further recalling decisions 13/CP.3, 4/CP.7, 6/CP.10, 6/CP.11, 3/CP.12, 3/CP.13 and 4/CP.13,

1. *Welcomes* the Poznan strategic programme on technology transfer,¹ as a step towards scaling up the level of investment in technology transfer in order to help developing countries address their needs for environmentally sound technologies, and recognizes the contribution that this strategic programme could make to enhancing technology transfer activities under the Convention;
2. *Requests* the Global Environment Facility:
 - (a) To promptly initiate and expeditiously facilitate the preparation of projects for approval and implementation under the strategic programme referred to in paragraph 1 above in order to help developing countries address their needs for environmentally sound technologies;
 - (b) To collaborate with its implementing agencies in order to provide technical support to developing countries in preparing or updating, as appropriate, their technology needs assessments using the updated handbook for conducting technology needs assessments for climate change published by the United Nations Development Programme, to be made available in early 2009 in collaboration with the Expert Group on Technology Transfer, the UNFCCC secretariat and the Climate Technology Initiative;
 - (c) To consider the long-term implementation of the strategic programme, including: addressing the gaps identified in current operations of the Global Environment Facility, that relate to investment in the transfer of environmentally sound technologies; leveraging private-sector investment; and promoting innovative project development activities;
 - (d) To report on the progress made in carrying out the activities referred to in paragraph 2 (a–c) above to the Conference of the Parties at its sixteenth session, in addition to providing interim reports to the Subsidiary Body for Implementation at its thirtieth and thirty-first sessions, with a view to assessing its progress and future direction in order to help inform Parties in their consideration of long-term needs for implementation of the strategic programme.

¹ Previously referred to as strategic programme of the Global Environment Facility (FCCC/SBI/2008/16) as named by the COP at its fourteenth session.

3. *Invites Parties and relevant organizations to make submissions to the secretariat, by 16 February 2009, in accordance with paragraph 9 of the terms of reference for the review and assessment of the effectiveness of the implementation of Article 4, paragraph 1(c) and 5, of the Convention, contained in the annex to document FCCC/SBI/2008/L.28.*

Advance unedited version

Decision -/CP.14

Financial mechanism of the Convention: fourth review of the financial mechanism

The Conference of the Parties,

Recalling Article 4, paragraphs 3, 4, 5, 8 and 9, of the Convention and taking fully into account Article 11 of the Convention,

Recalling decisions 11/CP.1, 12/CP.2, 3/CP.4 and 6/CP.13,

Recalling also the annex to the memorandum of understanding between the Conference of the Parties and the Council of the Global Environment Facility on the determination of the funding necessary and available for the implementation of the Convention,¹

Noting that the fourth review of the financial mechanism may benefit from, and provide valuable inputs to, other processes under the Convention,

Further noting the update to the paper on investment and financial flows to address climate change² and other relevant technical papers and reports prepared by the secretariat,

1. *Decides* that the report on the assessment of the funding necessary for the implementation of the Convention³ will be taken into account in the fifth replenishment negotiations of the Global Environment Facility Trust Fund;
2. *Calls upon* developed country Parties and invites other Parties that make financial contributions to the Global Environment Facility to secure a successful fifth replenishment of the Global Environment Facility and to ensure that the findings of the mid-term review of the Resource Allocation Framework are fully taken into account;
3. *Urges* the Council of the Global Environment Facility to help to ensure that adequate and predictable funding is made available for the implementation of commitments under Article 4, paragraph 3, of the Convention;
4. *Decides* that the fourth review of the financial mechanism shall be conducted on the basis of the guidelines contained in the annex to decision 6/CP.13 and in the annex to decision 3/CP.4;
5. *Requests* the Subsidiary Body for Implementation to recommend, in accordance with decision 2/CP.12, a draft decision on the review for adoption by the Conference of the Parties at its fifteenth session.

¹ FCCC/CP/1996/9, annex.

² FCCC/TP/2008/7.

³ FCCC/SBI/2007/21.

Decision -/CP.14

Additional guidance to the Global Environment Facility

The Conference of the Parties,

Recalling Article 3, Article 4, paragraphs 1, 3, 4, 5, 7, 8 and 9, Article 11 and Article 12, paragraphs 3, 4 and 7 of the Convention,

Also recalling decisions 13/CP.1, 10/CP.2, 11/CP.2, 12/CP.2, 12/CP.3, 1/CP.4, 2/CP.4, 8/CP.5, 2/CP.7, 3/CP.7, 6/CP.7, 7/CP.7, 5/CP.8, 6/CP.8, 7/CP.8, 3/CP.9, 4/CP.9, 9/CP.9, 8/CP.10, 5/CP.11, 3/CP.12 and 7/CP.13,

Noting the report of the Global Environment Facility to the Conference of the Parties,¹

1. *Requests* the Global Environment Facility:

- (a) To fully address issues raised over the implementation of the Resource Allocation Framework;
- (b) To provide information on a regular basis on the composition and objective of the co-financing for projects funded by the Global Environment Facility;
- (c) To continue to enhance action on mitigation and, as appropriate, adaptation, in developing country Parties, including to promote, facilitate and finance, as appropriate, transfer of, or access to, environmentally sound technologies and know-how;
- (d) To continue to improve access for all developing countries, in particular least developed countries, small island developing States and countries in Africa, to Global Environment Facility resources;
- (e) To continue to encourage its implementing and executing agencies to perform their functions as efficiently and transparently as possible, in accordance with guidance of the Conference of the Parties;
- (f) To ensure, as a top priority, that sufficient financial resources are provided to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1, of the Convention, noting and welcoming that a number of Parties not included in the Annex I (non-Annex I Parties) plan to initiate the preparation of their third or fourth national communications by the end of the fourth replenishment of the Global Environment Facility;

2. *Invites* the Global Environmental Facility to inform its implementing agencies of the guidelines for the preparation of national communications from non-Annex I Parties and of relevant provisions of the Convention, in particular its Article 4, paragraph 3, on the provision of new and additional financial resources to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1, of the Convention;

3. *Reiterates* the following requests made by the Conference of the Parties at its thirteenth session to the Global Environment Facility:

¹ FCCC/CP/2008/2/Rev.1.

- (a) To continue to ensure that financial resources are provided to meet the agreed full costs incurred by developing country Parties in complying with their obligations under Article 12, paragraph 1, of the Convention;
- (b) To refine, as appropriate, operational procedures to ensure the timely disbursement of funds to meet the agreed full costs incurred by those non-Annex I Parties that are in the process of preparing their third and, where appropriate, fourth national communications;
- (c) To assist, as appropriate, non-Annex I Parties in formulating and developing project proposals identified in their national communications in accordance with Article 12, paragraph 4, of the Convention and decision 5/CP.11, paragraph 2;
- (d) To work with its implementing agencies to continue to simplify their procedures and improve the effectiveness and efficiency of the process through which non-Annex I Parties receive funding to meet their obligations under Article 12, paragraph 1, of the Convention, with the aim of ensuring the timely disbursement of funds to meet the agreed full costs incurred by developing country Parties in complying with these obligations;

4. *Also reiterates* the invitation made by the Conference of the Parties at its thirteenth⁵ session to the Global Environment Facility to continue to provide information on funding for projects that have been identified in the national communications of non-Annex I Parties in accordance with Article 12, paragraph 4, of the Convention and subsequently submitted and approved;

5. *Further reiterates* its request to the Global Environmental Facility to make continued efforts to provide adequate financial resources to support the implementation of capacity-building activities consistent with decision 2/CP.7;

6. *Further requests* the Global Environment Facility to continue to include, in its regular report to the Conference of the Parties, information responsive to guidance of the Conference of the Parties.

⁵ FCCC/SBI/2007/34, paragraph 36 (a).

Draft decision -/CP.14

Further guidance for the operation of the Least Developed Countries Fund

The Conference of the Parties,

Recalling Article 4, paragraph 9, of the Convention,

Also recalling decisions 6/CP.9 and 3/CP.11,

Further recalling the least developed countries work programme as defined in decision 5/CP.7,

Noting the importance of the national adaptation programme of action process as a first step towards the scaling up of adaptation and integration of climate change into national development plans,

Recognizing the value of lessons learned from the preparation and implementation of the national adaptation programmes of action to the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, in particular its work on action on adaptation and financing,

Recognizing also that 39 least developed country Parties have submitted their national adaptation programmes of action,

Recognizing further that the least developed countries have initiated the implementation of national adaptation programmes of action,

Reiterating the need to implement national adaptation programmes of action as soon as possible after completion,

Taking note of the efforts by the Global Environment Facility to improve access to the Least Developed Countries Fund for implementation of national adaptation programmes of action,

Acknowledging that least developed country Parties experience challenges in accessing funding for the implementation of national adaptation programme of action project activities,

1. *Requests* the Global Environment Facility, as an operating entity of the financial mechanism of the Convention operating the Least Developed Countries Fund:
 - (a) To work with its agencies to improve communication with least developed country Parties and to speed up the process through, for instance, establishing a time frame within which least developed country Parties can access funding and other support for the preparation and implementation of projects identified in national adaptation programmes of action;
 - (b) To assist, as appropriate, and in collaboration with its agencies and the Least Developed Countries Expert Group, the remaining least developed country Parties that have not submitted their national adaptation programmes of action, in completing and submitting their national adaptation programmes of action as soon as possible;
2. *Also requests* the Global Environment Facility, in parallel to supporting the ongoing implementation of the national adaptation programmes of action, to facilitate the implementation of the remaining elements of the least developed countries work programme;
3. *Invites* the Global Environment Facility to inform its agencies of relevant provisions of the Convention and decisions of the Conference of the Parties on the operation of the Least Developed

Countries Fund, in order to allow the agencies to take these into account in fulfilling their Global Environment Facility obligations;

4. *Invites* Parties and relevant organizations to submit to the secretariat, by 17 August 2010, information on the preparation and implementation of national adaptation programmes of action, including on accessing funds from the Least Developed Countries Fund for compilation by the secretariat as a miscellaneous document, for consideration by the Subsidiary Body for Implementation at its thirty-third session;

5. *Requests* the secretariat to prepare a synthesis report on the national adaptation programme of action process including preparation and implementation, taking into account information from the Global Environment Facility and its agencies, the submissions referred to in paragraph 4 above, reports of the Least Developed Countries Expert Group and other relevant sources of information, for consideration by the Subsidiary Body for Implementation at its thirty-third session;

6. *Invites* the Global Environment Facility and its agencies to consider the views of, and any concerns expressed by, Parties regarding their experiences with the Global Environment Facility and its agencies in relation to the provision of financial and technical support for the preparation and implementation of national adaptation programmes of action and related elements of the least developed country work programme, as contained in documents FCCC/SBI/2007/32, FCCC/SBI/2008/14 and FCCC/SBI/2008/MISC.8;

7. *Requests* the secretariat to mobilize relevant organizations to assist in making national adaptation programme of action documents and related information materials available in multiple languages, upon request by least developed country Parties;

8. *Invites* the Global Environment Facility to raise awareness of the need for adequate and predictable resources under the Least Developed Countries Fund to allow full implementation of the least developed country work programme, in particular national adaptation programmes of action;

9. *Also invites* Parties to continue contributing to the Least Developed Countries Fund for the implementation of all elements of the least developed countries work programme;

10. *Requests* the Subsidiary Body for Implementation to review, at its thirty-third session, the experiences gained from implementing the least developed countries work programme, including those in accessing funds from the Least Developed Countries Fund;

11. *Also requests* the Global Environment Facility to include, in its reports to the Conference of the Parties, information on steps it has taken to implement this decision, for consideration by the Conference of the Parties at subsequent sessions;

12. *Decides* to assess progress made in implementing this decision and to consider the adoption of further guidance, as appropriate, at its sixteenth session.

Decision -/CP.14

Capacity-building for developing countries under the Convention

The Conference of the Parties,

Recalling decisions 4/CP.9, 9/CP.9 and 4/CP.12,

Reaffirming that decision 2/CP.7 is the basis for and guides the implementation of capacity-building activities in developing countries,

Further recalling decision 2/CP.10 to initiate a second comprehensive review of the implementation of the framework for capacity-building in developing countries at the twenty-eighth session of the Subsidiary Body for Implementation with a view to completing this review at the fifteenth session of the Conference of the Parties,

Having considered the conclusions of the Subsidiary Body for Implementation at its twenty-eighth session relating to capacity-building for developing countries under the Convention,¹

Having taken note of the terms of reference for the second comprehensive review of the implementation of the framework for capacity-building in developing countries,²

1. *Requests* the Subsidiary Body for Implementation to prepare, at its thirtieth session, in accordance with the terms of reference for the second comprehensive review of the implementation of the framework for capacity-building in developing countries, a draft decision on the outcome of this review for adoption by the Conference of the Parties at its fifteenth session;
2. *Decides* to take into account, in the second comprehensive review, recommendations made by the Subsidiary Body for Implementation at its thirtieth session on further steps to regularly monitor and evaluate capacity-building activities undertaken pursuant to decisions 2/CP.7 and 4/CP.12.

¹ FCCC/SBI/2008/8, paragraphs 69–75.

² FCCC/SBI/2008/8, annex IV.

Decision -/CP.14

Continuation of activities implemented jointly under the pilot phase

The Conference of the Parties,

Recalling decisions 5/CP.1, 10/CP.3, 13/CP.5, 8/CP.7, 14/CP.8, 10/CP.10 and 6/CP.12,

Having considered the conclusions of the Subsidiary Body for Scientific and Technological Advice at its twenty-ninth session,

Acknowledging that activities implemented jointly under the pilot phase have been providing an opportunity for learning-by-doing and that a number of Parties are maintaining programmes on activities implemented jointly under the pilot phase,

Noting that reports on activities implemented jointly under the pilot phase may be submitted at any time and are available on the UNFCCC website,

1. *Decides* to continue the pilot phase for activities implemented jointly;
2. *Decides also* that the deadline for the submission of reports on activities implemented jointly under the pilot phase to be considered in the eighth synthesis report on such activities shall be 1 June 2010.

Decision -/CP.14

Administrative, financial and institutional matters

The Conference of the Parties,

Recalling decision 13/CP.13, which approved the programme budget for the biennium 2008–2009 and requested the Executive Secretary to report to the Conference of the Parties at its fourteenth session on income and budget performance, and to propose any adjustments that might be needed in the programme budget for the biennium 2008–2009,

Recalling also paragraph 11 of the financial procedures for the Conference of the Parties,¹

Having considered the information in documents prepared by the secretariat on administrative, financial and institutional matters,²

I. Audited financial statements for the biennium 2006–2007

1. Takes note of the audited financial statements for the biennium 2006–2007, the audit report by the United Nations Board of Auditors, which includes recommendations, and the comments of the secretariat thereon;
2. Expresses appreciation to the United Nations for arranging the audits of the accounts of the Convention and for the valuable audit observations and recommendations;
3. Urges the Executive Secretary to implement the recommendations of the auditors, as appropriate;

II. Budget performance for the biennium 2008–2009

4. Takes note of the reporting on budget performance for the biennium 2008–2009 and of the status of contributions as at 15 May 2008 and 15 November 2008 to the Trust Fund for the Core Budget of the UNFCCC, the Trust Fund for Supplementary Activities and the Trust Fund for Participation in the UNFCCC Process;
5. Authorizes the Executive Secretary to incur expenditure for the biennium in United States dollars up to the equivalent of EUR 41,172,068³ at the average exchange rate between 1 January 2008 and 31 December 2009, provided that expenditure is covered by related income;
6. Also authorizes the Executive Secretary to draw up to an additional USD 2.0 million from unspent balances (carry-over) from previous financial periods to offset part of the shortfall due to exchange rate fluctuations;
7. Urges Parties to make voluntary contributions to the core budget to help cover the shortfall referred to in paragraph 6 above;

¹ Decision 15/CP.1, annex I.

² FCCC/SBI/2008/3, FCCC/SBI/2008/10, FCCC/SBI/2008/13 and Add.1 and 2, FCCC/SBI/2008/18, FCCC/SBI/2008/INF.6 and FCCC/SBI/2008/INF.9.

³ This amount was approved by the Conference of the Parties at its thirteenth session by its decision 13/CP.13. The authorization to spend up to this amount will not affect indicative contributions in the biennium 2008–2009.

8. *Expresses appreciation* to Parties that have paid their contributions to the core budget in a timely manner;

9. *Calls upon* Parties that have not paid their contributions to the core budget to do so without delay, bearing in mind that contributions are due on 1 January of each year in accordance with the financial procedures;

10. *Expresses its appreciation* for the contributions received from Parties to the Trust Fund for Participation in the UNFCCC Process and the Trust Fund for Supplementary Activities;

11. *Also expresses its appreciation* for the contributions received from the Governments of Finland, France, Japan, Luxembourg, Malta, and Spain in support of the work of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol and the Ad Hoc Working Group on Long-term Cooperative Action under the Convention, in particular Denmark and Norway for the sessions held in Bangkok, Thailand and Accra, Ghana;

12. *Urges* Parties to further contribute to the Trust Fund for Participation in the UNFCCC Process to ensure the widest possible participation in the negotiations in 2009, and to the Trust Fund for Supplementary Activities, particularly in view of the decision⁴ to increase the number of sessions in 2008–2009;

13. *Reiterates its appreciation* to the Government of Germany for its annual voluntary contribution to the core budget of EUR 766,938 and its special contribution of EUR 1,789,522 as Host Government to the secretariat in Bonn;

III. Continuing review of the functions and operations of the secretariat

14. *Notes* the information relating to the functions and operations of the secretariat as contained in relevant documents, in particular that contained in document FCCC/SBI/2008/10;

15. *Invites* the Secretary-General of the United Nations, in consultation with the Conference of the Parties through the Bureau, to undertake an independent review of the secretariat's structure, including an evaluation of the current levels and responsibilities, taking into account the scope and complexity of work;

16. *Agrees* that the Subsidiary Body for Implementation should consider this matter at its thirty-first session, in keeping with its decision taken at its twenty-first session to continue to consider the matter annually;⁵

IV. Programme budget for the biennium 2010–2011

17. *Requests* the Executive Secretary to submit, for consideration by the Subsidiary Body for Implementation, at its thirtieth session, a proposed programme budget for the biennium 2010–2011;

18. *Also requests* the Executive Secretary, when preparing the programme budget for the biennium 2010–2011, to take into consideration ways to minimize the effects of exchange rate fluctuations on the core budget, including the measures suggested in document FCCC/SBI/2005/8, and a contingency for funding conference services, should this prove necessary in the light of decisions taken by the General Assembly at its sixty-third session;

⁴ Decision 1/CP.13 (the Bali Action Plan).

⁵ FCCC/SBI/2004/19, paragraph 105.

19. *Requests* the Subsidiary Body for Implementation to recommend, at its thirtieth session, a programme budget for adoption by the Conference of the Parties at its fifteenth session, and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its fifth session;

20. *Also requests* the Subsidiary Body for Implementation to authorize the Executive Secretary to notify Parties of their contributions for 2010 on the basis of the recommended budget.

Decision -/CP.14

Dates and venues of future sessions

The Conference of the Parties,

Recalling Article 7, paragraph 4, of the Convention,

Recalling also United Nations General Assembly resolution 40/243 of 18 December 1985 on the pattern of conferences,

Recalling further rule 22, paragraph 1, of the draft rules of procedure being applied¹ regarding the rotation of the office of President among the five regional groups,

1. *Decides* to adopt the dates of 3–14 June and 11–22 November for the sessional periods in 2013 as recommended by the Subsidiary Body for Implementation;²
2. *Notes* that in keeping with the principle of rotation among regional groups, and in the light of recent consultations among the groups, the President of the sixteenth session of the Conference of the Parties would come from the Group of Latin America and the Caribbean;³
3. *Invites* Parties to come forward with offers to host the sixteenth session of the Conference of the Parties and the sixth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (2010);
4. *Decides* to accept with appreciation the offer by the Government of South Africa to host the seventeenth session of the Conference of the Parties and the seventh session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (2011) in South Africa, subject to confirmation by the Bureau that all logistical, technical and financial elements for hosting the sessions are available, in conformity with General Assembly resolution 40/243;
5. *Also decides* that the fifteenth session of the Conference of the Parties and the fifth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol shall be held from 7 to 18 December 2009, superseding the dates as agreed in decision 14/CP.13, paragraph 4;
6. *Expresses its gratitude* to the Government of Denmark for the flexibility it demonstrated in agreeing to move the dates of the sessions referred to in paragraph 5 above.

¹ FCCC/CP/1996/2.

² FCCC/SBI/2008/8, paragraph 140.

³ FCCC/SBI/2008/8, paragraph 141.