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FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
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MATTERS RELATING TO COMMITMENTS

FIRST REVIEW OF INFORMATION COMMUNICATED BY EACH PARTY
INCLUDED IN ANNEX I TO THE CONVENTION

Issues to be addressed by the Committee: an overview

Note by the interim secretariat

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I. INTRODUCTION

A. Committee mandate

1. The purpose of this note is to provide an overview of the outstanding issues relating to the first review of information communicated by each Party included in Annex I to the Convention and thereby to assist the Committee in completing its work on this agenda item. It encompasses responses to the requests of the Committee at its ninth and tenth sessions to prepare documentation, including proposals and/or draft recommendations, on:

- the guidelines for the preparation of first communications by the Parties included in Annex I to the Convention
- the periodicity of further communications by Annex I Parties
- the modalities for the consideration by the subsidiary bodies of in-depth review reports and individual communications (See A/AC.237/55, annex I, decision 9/2 and A/AC.237/76, annex I, decision 10/1.)

2. The following documentation is also relevant to the discussions under this item:

- (a) The national communications submitted by Annex I Parties;
- (b) The executive summaries of the national communications, which are being issued as documents of the Committee (series A/AC.237/NC...) in the official languages of the United Nations;
- (c) The compilation and synthesis of 15 national communications, prepared by the interim secretariat with the assistance of experts loaned by Governments and intergovernmental organizations (A/AC.237/81);
- (d) A compilation of submissions on the review of first communications from Annex I Parties, received from Parties and other member States (A/AC.237/Misc.42);
- (e) The note by the interim secretariat on the roles of the subsidiary bodies established by the Convention (A/AC.237/85);
- (f) The following decisions of the Committee:
 - decision 9/2 on guidelines and procedures for first communications (A/AC.237/55, annex I)
 - decision 10/1 on the in-depth review of national communications (A/AC.237/76, annex I)

- decision 10/2 on the subsidiary bodies established by the Convention (A/AC.237/76, annex I); and

(g) A note on the status of submissions of first communications from Annex I Parties (A/AC.237/INF.16/Rev.2).

B. Scope of the note

3. Section II of this note proposes an approach to the discussion, at the eleventh session, of the compilation and synthesis of the national communications. Sections III and IV respond to the requests by the Committee relating to periodicity and modalities for consideration by the subsidiary bodies of in-depth review reports and individual communications, including proposals. Section V addresses the one outstanding issue relating to the in-depth review process. Section VI revisits the guidelines for the preparation of first communications. Based on the proposals in this note, the interim secretariat has prepared a draft recommendation to the Conference of the Parties at its first session (COP 1) on the communication and review process, which is attached as annex I.

C. Possible action by the Committee

4. The Committee may wish to discuss the issues raised in the sections which follow and, in that light, to consider the attached draft recommendation to the COP, with a view to adopting an agreed version together with the related draft recommendation concerning the in-depth review of communications from Annex I Parties that was provisionally agreed at the tenth session (A/AC.237/76, annex II to decision 10/1).

II. COMPILATION AND SYNTHESIS

5. At its ninth session, the Committee decided that it would, at its eleventh session and on an interim basis, carry out the task of reviewing the first communications from Annex I Parties (A/AC.237/55, annex I, decision 9/3 B). At its tenth session, the Committee requested the interim secretariat to prepare for consideration at the eleventh session and for subsequent submission to COP 1, a compilation and synthesis of the available national communications from Annex I Parties (A/AC.237/76, annex I, decision 10/1, para. 2).

6. The Committee will have before it a report by the interim secretariat compiling and synthesizing 15 national communications (A/AC.237/81). The Committee may wish to have a general discussion of the document leading to conclusions or recommendations for transmittal to COP 1. The discussion could address the substantive content of the document and the issues it raises, the approach and format adopted and the process for its preparation, among other issues. Parties are invited to bring to the attention of the secretariat, in writing,

any factual errors in the document that do not require the Committee's consideration. The compilation and synthesis can also be expected to be relevant to the discussion of other agenda items.

7. As foreseen in decision 10/1, the compilation and synthesis would also be submitted to COP 1 as a secretariat document; the negotiation of an agreed text, even if it were desirable, is not feasible in the time available at the eleventh session. Any factual errors that might be pointed out in writing or during the discussion in the Committee could be dealt with in a corrigendum prepared by the secretariat.

8. In paragraph 4 (c) of annex II to decision 10/1 (A/AC.237/76, annex I), the Committee recommends that COP 1 request the interim secretariat to prepare a second compilation and synthesis prior to COP 2 encompassing communications not covered by the first.

III. PERIODICITY OF FUTURE COMMUNICATIONS

9. The interim secretariat was requested to prepare a short note and proposals regarding the periodicity of further communications by Annex I Parties (A/AC.237/76, annex I, decision 10/1, para. 5).

10. Article 12.5 provides that the frequency of subsequent communications by all Parties shall be determined by the COP, taking into account the differentiated timetable set by the Convention. The Committee, at its ninth session, recommended that this decision should be taken at COP 1 (A/AC.237/55, annex I, decision 9/2, para. 2 (b)). Six Governments have transmitted comments on this matter to the secretariat (A/AC.237/Misc.42) expressing some concern about the burden of frequent reporting and proposing frequencies ranging from two to five years. Further, several note the usefulness of annual reporting of inventory data.

11. It will be important for COP 1 to decide on the timing of the second communication from Annex I Parties. A decision regarding ongoing periodicity of national communications could await further experience and advice from the subsidiary bodies. The Committee may wish to make a recommendation to COP 1 in this regard.

12. The COP is required to undertake a second review of Article 4.2(a) and (b) by the end of 1998. New national communications from Annex I Parties would be essential inputs to this review. If an estimated 30-35 communications are to be subject to an in-depth review and are to be compiled and synthesized in a report for a session of the COP, a minimum of 18 months would be required to complete these tasks.

13. In view of the above-mentioned time considerations, and assuming COP 4 will take place in mid-1998, the Committee may wish to consider whether the date for submission of

the second full communication by Annex I Parties should be 15 January 1997. The Committee may wish to consider recommending an exemption for any Parties who would have presented their first communications during the twelve months preceding this date.

14. Decisions on the submission date and the review of second communications from Annex I Parties will have to take into account the fact that communications from 34 non-Annex I Parties are due on 21 March 1997, with 18 more due by the end of September 1997. Whatever the decision of the COP on these matters, sufficient time and resources will need to be provided for the two review processes to be carried out by the appropriate Convention bodies and for their results to be considered by the COP. Guidelines for the preparation of communications from non-Annex I Parties and the process for their review and synthesis remain to be agreed by the COP.

15. The Committee may also wish to recommend that Annex I Parties be requested to submit updated inventory data on an annual basis. An appropriate deadline might be 15 January of each year. The first such submission could be required for 15 January 1996 with data requested for 1990 (update) if necessary, 1991, 1992, 1993 and, where available, 1994. Parties that prepare their inventories on a less-than-annual basis could propose alternative arrangements for their circumstances. Consideration could also be given to different submission schedules for different gases, with some data provided annually and others less regularly.

IV. CONSIDERATION BY THE SUBSIDIARY BODIES OF COMMUNICATIONS FROM ANNEX I PARTIES

16. The interim secretariat was requested to prepare a short note and proposals regarding the modalities for the consideration by the subsidiary bodies of in-depth review reports and individual communications (A/AC.237/76, annex I, decision 10/1, para. 5). The submissions from Parties and other member States did not address this issue.

17. At its tenth session, the Committee provisionally adopted a recommendation to COP 1 on the roles of the subsidiary bodies established by the Convention (A/AC.237/76, annex I, decision 10/2). The "draft decision" contained in annex I to decision 10/2 identifies functions of the two subsidiary bodies and lists tasks that they would undertake between COP 1 and COP 2. A programme of work for these bodies is proposed in document A/AC.237/85. The draft decision further provides that both subsidiary bodies will be involved in the review and synthesis process -- the Subsidiary Body for Scientific and Technological Advice (SBSTA) with regard to scientific and technical aspects and the Subsidiary Body for Implementation (SBI) with regard to policy aspects.

18. In this context, some of the provisions of annex II to decision 10/1 may be recalled. Each in-depth review report is to be produced under the collective responsibility of the respective review team. If the reviewed Party and the review team are unable to agree on the

incorporation of the Party's comments into the report, the secretariat is to ensure that these are incorporated in a separate section of the summary of the report. The summary should be distributed to all Parties and accredited observers to the COP. Copies of the full review report will be available on request.

19. The issue requiring clarification at this point is how the subsidiary bodies would take up the item of review of national communications on their respective agendas. As a starting point, it has been assumed that a full discussion of each individual national communication would be difficult to accommodate because of the number of communications, the amount of meeting time available and the size of the bodies. Pursuant to the request of the Committee, the interim secretariat offers the following proposal.

20. Each of the subsidiary bodies would have regularly on its agenda an item relating to the review of national communications (A/AC.237/85, para. 9). The documents available for the item would include the individual national communications, the in-depth review reports submitted by review teams prior to that session and, at some sessions, a draft compilation and synthesis document. The SBI would also have the benefit of advice from the SBSTA. Consideration of the item in the subsidiary bodies could take the following form:

(a) The secretariat could present a concise report on the scientific/technical and policy issues arising from the reviews relevant to the SBSTA and SBI respectively. In most cases these would be generic issues although there would be the possibility to note particular problems that may have been raised by the review teams in the in-depth review reports. In addition, the SBSTA could make a report to the SBI on conclusions stemming from its scientific and technical analysis;

(b) Representatives in both bodies could discuss these and any other issues. This would afford reviewed Parties the opportunity to comment on the in-depth review reports and other Parties to comment on the generic issues or to raise issues specific to an in-depth review report. Representatives would have the opportunity to pose questions to the reviewed Parties. (Members of the in-depth review teams would be present only to the extent they were part of national delegations);

(c) The SBI would transmit to the COP the summaries of the in-depth review reports accompanied by any conclusions and/or recommendations from the SBSTA and any conclusions and/or recommendations the SBI itself may have reached. (The texts of the in-depth review reports would not be amended); and

(d) At sessions involving consideration of a draft compilation and synthesis of communications, there would be a discussion of relevant aspects of the document in the SBSTA and then the SBI, after which it would be transmitted to the COP together with any conclusions of the bodies.

21. The COP can be expected to have a standing agenda item on the review of national communications. It would not normally give detailed consideration to individual national communications or to individual in-depth review reports. However, when the adoption of the agenda is being considered, any Party could propose that these be taken up.

22. The modalities should be subject to a review based on experience. In this context, the provisional recommendation by the Committee to COP 1 on the subsidiary bodies includes a request to the two bodies to develop proposals on their longer-term activities and organizational arrangements, including any adjustments to the functions and/or allocation of work. In so doing, it would be desirable for the Bureaux of the two bodies, assisted by the secretariat, to coordinate the development of such proposals.

V. IN-DEPTH REVIEWS

23. At its tenth session, the Committee decided to recommend provisionally to COP 1 that it adopt a draft decision relating to the in-depth review of first communications from Annex I Parties (A/AC.237/76, annex I, annex II to decision 10/1). In order to complete the recommended draft decision, the Committee will have to decide on how the mandates of the subsidiary bodies should be characterized. Guidance can be taken from the provisional recommendation to COP 1 on the subsidiary bodies established by the Convention, as discussed in paragraph 17 above. In order to make the two recommendations consistent, the Committee may wish to consider the following amendments to the text of the draft decision of COP 1 relating to the in-depth review of first communications. The references to "the Subsidiary Body for . . ." in paragraphs 2 (a), 2 (d), 2 (e), 4 (b) and 4 (c) of annex II to decision 10/1 (referred to above) would be deleted and replaced by "the subsidiary bodies". Consequently, the word "Chairman" in paragraph 4 (b) would become "Chairmen".

VI. GUIDELINES FOR THE PREPARATION OF COMMUNICATIONS BY ANNEX I PARTIES

24. At its ninth session, the Committee adopted guidelines for the preparation of first communications from Annex I Parties as well as procedures for their transmission, distribution and translation (A/AC.237/55, annex I, decision 9/2, para. 1). It further decided to review these guidelines and procedures at the eleventh session and asked the interim secretariat to prepare documentation, including draft recommendations to COP 1.

25. In the course of doing the initial technical analysis of the national communications for the compilation and synthesis document, a number of potential problem areas and issues became evident. They relate largely to enhancing transparency and comparability of information (A/AC.237/81, paras. 206-209). As noted in the compilation and synthesis, time did not permit the undertaking of a systematic review of the guidelines and the identification of potential improvements or of supplementary presentational devices such as standard tables,

questionnaires or electronic formats. In this context, the Committee may wish to consider recommending that COP 1 ask the secretariat to undertake such a review and prepare a report on the matter for consideration by the SBSTA and the SBI before COP 2.

26. In the meantime, the Committee could recommend that COP 1 request those Annex I Parties that have still to submit their first communications to continue to use the existing guidelines. Similarly, the existing submission, distribution and translation procedures could continue to be applied, subject to a review of the financial implications of translation in 1996.

Annex

DRAFT RECOMMENDATION

**The review of first communications from the Parties
included in Annex I to the Convention**

The Intergovernmental Negotiating Committee for a Framework Convention on Climate Change,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 47/195,

Recalling also Articles 4.1(a), 4.2(b), 7.2 and 12 of the United Nations Framework Convention on Climate Change,

Recalling further its preparatory work on the review of first communications from the Parties listed in Annex I to the Convention as reflected in documents A/AC.237/24, A/AC.237/41, A/AC.237/55 and A/AC.237/76,

Taking account of its experience in considering first communications from Parties included in Annex I to the Convention,

Recommends that the Conference of the Parties adopt the following decision:

(Draft decision of the Conference of the Parties)

The Conference of the Parties at its first session,

Recalling Articles 4.1(a), 4.2(b), 7.2 and 12 of the United Nations Framework Convention on Climate Change Convention,

Having considered the recommendation of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change contained in document ...,

1. Requests the Parties included in Annex I to the Convention, except as specified in paragraph 2 below, to submit to the secretariat, in accordance with Article 12.1 and 12.2 of the Convention and with guidelines for the preparation of such communications to be adopted by the Conference of the Parties:

(a) A second national communication, by 15 January 1997; and

(b) National inventory data on emissions by sources and removals by sinks for 1990 (update), 1991, 1992, 1993 and, where available, 1994, by 15 January 1996 and to provide annual updates of this information, including data for subsequent years, by 15 January of each year thereafter;

2. Decides that those Annex I Parties that submit their first communications during 1996 in accordance with the deadlines specified in the Convention may be exempt from the provisions of paragraph 1 (a) above;

3. Requests those Annex I Parties that compile inventory data on a less-than-annual basis to propose alternative arrangements to those outlined in paragraph 1 (b) above for consideration by the Subsidiary Body for Scientific and Technological Advice and the Conference of the Parties;

4. Decides that, until further review, the guidelines for the preparation of first communications by Annex I Parties, as elaborated in the annex to decision 9/2 of the Intergovernmental Negotiating Committee (A/AC.237/55, annex I), should continue to be used by Annex I Parties in preparing their communications;

5. Requests the secretariat, drawing on the experience in the compilation and synthesis of national communications, to prepare a report on the guidelines for the preparation of first communications by Annex I Parties for consideration by the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation before the second session of the Conference of the Parties;

6. Decides to continue to apply the procedures for the transmission, distribution and translation of communications as elaborated in Committee decision 9/2 (A/AC.237/55, annex I; and A/AC.237/45, paras. 56-66) until new procedures are established before the submission of the second national communications by Annex I Parties and subject to a review in 1996 of the financial implications of translation.

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