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Developing countries raise key concerns at Subsidiary Body for Implementation

Kathmandu, 15 May 2018 (Prerna Bomzan) – Developing countries raised major concerns over several issues at the closing plenary of the forty-eight session of the UNFCCC's Subsidiary Body for Implementation (SBI 48), which adjourned it's meeting on 10 May, after a two-week intersession climate talks in Bonn, Germany.

The other two bodies of UNFCCC bodies, the Subsidiary Body for Scientific and Technological Advice (SBSTA 48) and the Ad Hoc Working Group on the Paris Agreement (APA), also had their closing session on the same day, and will meet again in Bangkok from 3-8 in September this year, to resume work on the Paris Agreement Work Programme (PAWP).

(Decisions on the modalities, procedures and guidelines for the implementation of the Paris Agreement [which is PAWP] are expected to be adopted at the 24th meeting of the Conference of Parties to the UNFCCC (COP 24) and the first session of the Conference of Parties serving as the meeting of the Parties to the PA [CMA], scheduled to take place at the end of the year in Katowice, Poland.)

The **SBI Chair**, **Emmanuel Dlamini (Swaziland)** at the closing plenary session, stressed several times that "success in Katowice starts here and now and that success at the SBI 48 will be defined by progress on the two SBI workstreams". (Workstream one deals with the PAWP related matters and workstream two deals with the broader implementation issues under the UNFCCC and its Kyoto Protocol.)

The SBI adopted many conclusions that arose from the discussions under the various agenda items. Many developing groupings and countries made interventions on several key issues of concern to them, during the adoption of draft conclusions that arose under the SBI's work in Bonn.

Among two agenda items under workstream one that drew much attention, were items relating to the public registry for nationally determined contributions (NDCs) and the registry for adaptation communications relating to the PA, which were agenda items 6 and 7 respectively of the SBI. Several developing country groupings wanted these two agenda items to be dealt with jointly, instead of having separate discussions as these items were intricately linked. Developed countries and some developing countries did not agree to this.

(Some developing countries are of the view that there is no need to have two separate registries, arguing that NDCs comprise both mitigation and adaptation as well, while others are of the view that the features of the registries for NDCs and adaptation communications are different. This issue is linked to intense discussions taking place under the APA on the scope of NDCs, whether they relate to only mitigation or whether they also include adaptation as well as the means of implementation.)

Saudi Arabia for the **Arab Group** said that it had always wanted these two agenda items to be considered jointly requested that this be considered in the coming session in Bangkok.

China for the **Like-Minded Developing Countries (LMDC)** echoed similar views, saying that the proposal for "joint consultations (on the two agenda items) is quite reasonable" given that "70 to 75% of the informal notes (from the discussions under the agenda items) across the two items are almost identical" and therefore, there is a need to deal with "duplications and redundancies" in a "joint manner". The purpose is not to "prolong" the discussion but to "accelerate" the pace of work by addressing the problem of repetition and "allowing more time to discuss the differences between the two items," added China further. In this regard, it also requested the SBI Chair "to consider the possibility of joint consultations during the Bangkok meeting."

South Africa for the **African Group** disagreed and said that the two registries have "very distinguished" features and "in our view, there are no similarities that calls for joint consultations". It said, however, it could explore and exchange views on how to "harness the interlinkages and synergies".

Switzerland for the **Environmental Integrity Group (EIG)** said that the issue of the registry "is not a complex issue" but a "political question" which should be given "minimal time" in Bangkok since the 'political issues' will only be able to be resolved in Poland.

Japan said that it was "not in a position to support" a joint consultation as the two agenda items deal with "two different subjects". The **European Union (EU)** said that "we should continue to consider them according to their respective mandates".

Agreeing with the Arab Group and the LMDC, **India** said that the request made was "very reasonable and justified" for an "efficient delivery of the entire PAWP". It further said that "it is good to make efforts to bring about synergy and avoid duplication" since both items have "similar focus". It stressed that "all items which have a bearing on the PAWP" need "clarity" on how things are "progressing," and therefore, such conversations will help "in advancing our work and arriving at a package that we are all looking forward to in Katowice."

Australia said that "respecting mandates" is its "guiding light" and the two agenda items are "separate mandated areas of work and we would like to keep it that way."

Maldives for the **Alliance of Small Island States (AOSIS)** said that "at this stage, we do not want to see a joint consultation" and that in its perspective, "it will not advance work".

China, for the **LMDC,** took the floor again and underscored that although Parties have different views, "we have a clear understanding i.e. the technical connections and the difference between the two items." It added that the proposal of the joint consultation is "not to prolong the discussion but to deal with the synergies and linkages without prejudice to the final outcome on these two issues, whether (there should be) one registry or two registries. "It is just a technical solution to promote work under these two agenda items," stressed China, adding that it "was willing to work constructively, collectively and innovatively to address the connection and difference between the two items" towards a successful outcome in Katowice.

Iran said that "a joint session could really help" given the "identical" and "common" areas that are "really interlinked together". It further hoped that "we could have a way out of this situation."

Saudi Arabia also took the floor again and stressed that "it's not our intention to have a decision here in this plenary" but putting in "a proposal to reconsider in the coming session". It said that the request is not to "merge" the two agenda items but "simply to have a joint consultation on this issue" to minimize duplication and ensure coherence. It further said that such an approach has been taken before in relation to other agenda items under the various bodies.

Developing countries also had strong reactions on five agenda items under the non-PAWP related matters under workstream two which are reflected below.

Reports from Annex 1 Parties to the Convention

In relation to item 3 on 'reporting from and review of Parties included in Annex I to the Convention' and sub-item 3(b), 'compilation and synthesis of the second biennial reports from Parties included in Annex I to the Convention', the informal consultations at this session could not arrive at any conclusions. Further, in accordance, with Rule 10(c) and Rule 16 of the UNFCCC's draft Rules of Procedure, the agenda items were decided to be included in the provisional agenda of the next SBI session (SB49) in December.

(Rule 16 of the Rules of Procedure states that *"Any item of the agenda of an ordinary session, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next ordinary session, unless otherwise decided by the COP."*)

Gabon on behalf of the **African Group** expressed "its concern, first, on the use of rule 16" and "second, on the inability of taking stock of what is being provided by Annex I countries." "We believe that it is a worrisome issue" and Parties need to have "deeper discussions" on what is happening, adding that the process "does not really take us forward or help us under the discussions that we are having under the transparency framework under the PA."

It also highlighted that "five Annex I countries" have "not provided their national communications" or their biennial reports and that "they also constitute substantial amount of emissions which is an issue that we really need to consider further." It stressed further its concern over the use of Rule 16 to "stop progress or even stop any conclusions coming out of the agenda items," and cautioned over the expanded use of this rule as "this might have implications on other agenda items".

Consultative Group of Experts on national communications

On agenda item 4(b) on the 'review of the terms of reference of the Consultative Group of Experts [CGE] on national communications [NCs] from Parties not included in Annex I to the Convention),' no substantive conclusions were reached in this session.

(As the UNFCCC Secretariat notes on its website, "in order to improve NCs and the Biennial Update Reports [BURs] from developing country Parties through technical advice and support, in 1999 the COP established the CGE. The COP, by decision 19/CP.19, continued the CGE for five years, from 2014-2018. This group is the key technical support element under the Convention to assist developing country Parties in meeting their reporting obligations.)

Egypt for the **G77 and China** said that the Group "noted with much concern that no substantive conclusions were made on the work of the CGE" considering that the term of CGE ends in Dec. 2018 and that the work of the body "may be suspended" if no concrete decision is adopted by the end of the year. "We see the CGE's role as extremely important as they support the non-Annex I countries on reporting their NCs and BURs in the context of pre-2020 MRV (measurement, reporting and verification) arrangements under the Convention."

The G77 stressed that it was "disappointed that some Parties have not shown enough willingness to continue the CGE's work after 2020, which will bring a great deal of uncertainty to this body's future and will definitely undermine its supporting role for developing countries." The Group further emphasized "the importance of fulfilling our mandate to revise the terms of reference of the CGE by the end of this year to ensure continued support for developing countries".

It added further that "considering the close relationship between the APA transparency agenda and the SBI agenda items on MRV arrangements under the Convention, the G77 and China would like to request the close coordination among SB Chairs and the APA Co-chairs on the selection of the Co-facilitators on those agenda items." The G77 said further that "the renewal of the mandate of the CGE is vital to build trust between Parties as we finalise the new PA transparency system. For developing countries, capacity-building for reporting is part of the package in Katowice."

Gabon for the **African Group** expressed "deep disappointment for not reaching a concrete conclusion to extend the mandate of the CGE". "We note with concern that some Parties are not willing to support the continuation of the work of the CGE after 2020. For the African countries, capacity-building for transparency is extremely important and we see the CGE playing a vital role for the enhanced transparency framework under the PA. We believe and expect that there will be a concrete and a positive outcome on this issue in Katowice".

Saudi Arabia for the **Arab Group** also "noticed with great concern that no substantive conclusions was made on the work of the CGE" and "we are facing the risk that the CGE work may be suspended if no decision will be adopted at the end of 2018." It also believed that "it is critical for the CGE to continue its support for developing countries in implementing the transparency framework and its related capacities under the PA. We also see close coordination between the SB Chairs and APA Co-chairs on those agenda items would be very important. Therefore, we would like to highlight the urgency for fulfilling our mandate of the CGE this year to ensure continued support developing countries in this regard".

China for the **LMDC** also expressed its disappointment and the "failure" in reaching any conclusions on this matter, which it said was "vital to support pre-2020 work" as well towards reaching "balanced" outcomes in Katowice.

India also echoed similar sentiments and urged all Parties to reconsider the matter and "extend the mandate (of the CGE) by a reasonable period of time to ensure smooth transition for the transparency framework which we are currently discussing (under the PA.) It pointed out that Article 13(3) of the PA "very clearly mentions that the transparency framework shall build on and enhance the transparency arrangements under the Convention" and that the "extension of this mandate for a future period" is needed "to ensure that the capabilities and requirements of developing countries for the transparency framework are met."

Brazil speaking for **Argentina, Brazil and Uruguay** also expressed deep concerns and said that the "right political signal" should be given and that "building trust in this process" requires "the renewal of mandate of the CGE" as Parties finalise work on the new PA transparency framework under the APA.

Iran said that since all pre-2020 transparency related items were not advanced at the Bonn session, it suggested that these items should be dealt with together with the post-2020 transparency framework as a package" in the future sessions and should "move in harmony" together. **Bangladesh** also echoed similar sentiments stressing the importance of the CGE to developing countries.

Provision of finance

On agenda item 4(c) on the 'provision of financial and technical support,' **Egypt,** speaking for the **G77 and China**, took the floor to express concern and regret that "some developing countries are still unable to access the financial and technical support to which they are undeniably entitled to" and "the lack of response from the institutions concerned to the request for support continues to cause much concern". The G77 said that it had "every intention to continue to raise this issue until we reach satisfactory conclusion for it".

(The G77 was referring to the Global Environment Facility [GEF] where support to some developing countries have been denied such as Palestine.)

Change in UNFCCC logo

In the consideration of agenda item 21 on 'administrative, financial and institutional matters', **Gabon** on behalf of the **African Group** said that it noticed that there has been a change in the logo of the Conference as the banner says "United Nations Climate Change." It highlighted that "the official name of this institution is the UN Framework Convention on Climate Change and we expect that all documents that will be coming out will still keep the official name" reiterating that "the official name stays the same."

(In the corridors of the talks, several developing country Parties and observers who spoke to TWN, noted subtle changes both to the logo on the website of the UNFCCC Secretariat and on the banners in the plenary halls, where a "re-branding exercise" seems to have taken place, with the UNFCCC logo being replaced with "UN Climate Change." Some wondered if this was an effort to forget the Convention.)

Matters relating to Least Developed Countries (LDCs)

On agenda item 12 as regards 'matters relating to the least developed countries', **Timor Leste** said that it this was a "very important agenda item" for LDCs and expressed that the "LDC Fund (LDCF) is almost not enough for addressing our national adaptation programmes of action (NAPA) priorities and even the national adaptation plans (NAPs) formulation" referring to the national adaptation programme of action and national adaptation plans.

It added that the LDCs "have been struggling very much in developing proposals and also in submitting our proposal to get support from the LDCF," adding that "since financial availability under this financial mechanism is not enough, we do not have enough …to address our NAP formulation". It called on developed country Parties to "provide further support for the LDCF." Timor Leste also said that it had submitted a proposal to get support for NAP formulation but "it has been there for quite long time because of financial constraints".

The next meeting of the SBI in relation to the PAWP will take place in Bangkok, while other matters related to the non-PAWP work will be taken up in Poland end of the year.