

Parties provide views on work of Ad Hoc Working Group on the Paris Agreement

Marrakech, 8 Nov (T' Ajit) — Following the opening of the 22nd meeting of the Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC) in Marrakech, Morocco on 7 November, the Ad Hoc Working Group on the Paris Agreement (APA), a body established following the adoption of the Paris Agreement, convened to resume its work and hear views from Parties on the mode of work.

During the its first plenary session, the APA Co-chairs **Sarah Baashan (Saudi Arabia)** and **Jo Tyndall (New Zealand)** said that the APA would work in a single contact group which would meet at least 3 times and that the contact group would conduct technical work for each of the six substantive agenda items through informal consultations to be facilitated by 2 co-facilitators.

[The 6 substantive agenda items of APA relate to (i) guidance on features, information and accounting of nationally determined contributions (NDCs); (ii) guidance related to the adaptation communication; (iii) modalities, procedures and guidelines for the transparency framework for action and support; (iv) matters relating to the global stocktake; (v) modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance; and (vi) further matters related to the implementation of the Paris Agreement (PA).]

Baashan also said that the APA Co-chairs would facilitate informal consultations on all further matters related to the implementation of the PA, adding that during the first contact group, scheduled to commence on 8 November, the Co-chairs would provide a clear mandate on the guidance on work and expected outcomes and

as work evolves, the guidance would be readjusted as needed.

She also said that the unprecedented pace at which the PA had entered into force (on 4 November this year) had increased the pressure on the APA to complete its work expeditiously and efficiently.

During the session, various groups of Parties also presented their expectations for the work in Marrakesh and outlined their views on the key issues under discussion in the APA (see highlights of exchange below). These ranged from the organization of work to the instructions to be given to the co-facilitators.

Developing countries stressed that the work of the APA must proceed in a balanced and coherent manner and transparency and coherence must be ensured.

The **Like-minded Developing Countries (LMDC)** cautioned against a mitigation-centric approach in the work of the APA under its various agenda items, and to correctly reflect and implement Article 3 of the PA, “which defines clearly the full scope of the NDCs, including mitigation, adaptation, finance, technology-development and transfer and capacity-building”.

All the groups stressed that no Party should be left behind in the decision-making process irrespective of whether they have ratified the PA or not. Developing countries stressed the importance of the means of implementation for actions under the PA.

Speaking for the **Group of 77 and China, Thailand** said the work of the APA should be Party-driven and undertaken in a balanced and coherent manner. It stressed that transparency

and inclusiveness must be ensured and highlighted the importance of guidance given to facilitators to ensure comparable treatment and even progress for all issues.

Thailand added that the PA had achieved a delicate balance of all the issues. In this regard, the G77 reiterated that nationally determined contributions (NDCs) are a key vehicle to deliver enhanced action under the PA to achieve its long term goals on all issues, including mitigation, adaptation and means of implementation.

It said that “national determination is one of the features of NDCs and that the further guidance should take into account such character. The guidance should assist Parties with the preparation and communication of their NDCs in order to facilitate clarity, transparency and understanding of Parties’ contributions.”

It added that the guidance should be developed in a flexible manner to accommodate the diversity of NDCs and the national circumstances of developing country Parties. “Developed country Parties should continue to take the lead in applying the guidance for accounting. Implementation of NDCs, by Parties who have presented them, should reflect the principle of common but differentiated responsibilities and respective capabilities, (CBDR-RC) in light of different national circumstances,” said Thailand.

On the issue of the adaptation communication, Thailand emphasized the importance of adaptation and said the balance between adaptation and mitigation should continue to be pursued in the implementation of the PA. It stressed that the guidance must reflect the country-driven nature of adaptation and aim to enhance the adaptive capacity, reduce vulnerability and increase resilience without creating additional burdens on developing countries, be comprehensive and have optional elements help guide Parties’ adaptation communication.

On modalities, procedures and guidelines for the transparency framework for action and support, Thailand said that it was important to get started on the technical work which would be “Party driven and guided by the key principles of the enhanced transparency framework”. The Group emphasized that the work should progress in a balanced manner across all elements of the

enhanced transparency framework, recognizing there is less experience to draw upon for transparency of support. On flexibility, the Group highlighted that flexibility applied to all aspects of the enhanced transparency i.e. reporting, review and multilateral consideration for developing countries in light of their capacities. Thailand said that agreeing on a work programme would be a good start to the work ahead.

On the global stocktake, Thailand said that the modalities of the stocktake should be done in comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support, and in light of equity and the best available science. “Further discussion on the scope of global stocktake is important for reaching a common understanding and will provide a strong basis for addressing its designs including sources of input and modalities and ensure that it assists Parties in enhancing and/or updating action and support,” said Thailand.

On modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance, the G77 reaffirmed that the committee shall be “facilitative in nature and function in a transparent, non-adversarial and non-punitive manner”. “National capabilities and circumstances of Parties shall be reflected and the adequate participation of Parties concerned is important for its effective operation. Self-triggering could be an important mechanism to trigger the work of the committee,” said Thailand.

The G77 underscored the importance of accelerating the implementation of pre-2020 commitments and actions, including the ratification of the Doha Amendment (for the second commitment of the Kyoto Protocol), and the need to address the significant gap between the aggregate effect of Parties’ mitigation pledges by 2020 and aggregate emission pathways. “We emphasize the urgency to revisit and increase the emission reduction targets under the Convention and its Kyoto Protocol. We also emphasize the importance of implementing and enhancing the provision of finance, technology development and transfer and capacity building support by developed country Parties for developing countries, including the implementation of the road map

to achieve the goal of providing USD 100 billion annually by 2020,” said Thailand.

Speaking for the **Least Developed Countries, Democratic Republic of Congo (DRC)** said the planning of APA’s work for the next year should allow Parties to capture progress for the consideration of the Conference of Parties meeting as the Parties to the PA (CMA) in 2017.

On the features and information for NDCs, DRC said that Parties must move towards a measure of uniformity while respecting the right of Parties to determine their contributions nationally and for the guidelines to cover both reporting and accounting of NDCs. DRC added that the group recognised the need to consider how accounting guidelines could be phased in over time, ensuring sufficient flexibility for LDCs.

On adaptation, DRC emphasised the importance of the national adaptation plan (NAP) process for LDCs to facilitate medium- and long-term adaptation planning that would protect vulnerable communities and build enduring resilience to climate impacts. “NAPs should remain a key tool through which adaptation communications can be made to prevent creating additional burden for LDCs who are already engaged with this process. We recognise that common reporting and standardisation for adaptation communications could facilitate the evaluation of the effectiveness of adaptation projects and support needs of developing countries but should not create additional reporting burdens for LDCs,” said DRC.

On transparency, DRC said that the Group looks forward to developing a clear set of modalities, procedures and guidelines for the transparency framework, with built-in flexibility that would enable LDCs to participate in the process. DRC also called for a balanced focus on both transparency of action and transparency of support, particularly on support provided.

On the mechanism for facilitating implementation and promoting compliance, DRC said that it must be linked with the transparency framework and said that the mechanism and its committee should draw on experience from the Kyoto Protocol (KP) while recognising there would be greater flexibility under the PA.

Speaking for the **Alliance of Small Island**

States (AOSIS), Maldives called for accelerating progress in Marrakech and for additional meetings or technical workshops to be held in 2017. It stressed that the delivery of means of implementation was crucial for the full implementation of the NDCs and that the special circumstances of the SIDS should be recognised when it came to financing. Maldives also said that Parties should set clear deadlines for completing the work.

Iran for the Like Minded Developing Countries (LMDC) said that the work of the APA should progress in a balanced manner together with the work being undertaken by the other UNFCCC subsidiary bodies, especially those related to adaptation, finance, technology development and transfer, and capacity-building.

It added that the focus of the APA’s work in all its agenda items must be based on and respect the integrity of the PA and not renegotiate them. “In this regard, we must stress that the entire context for the work of the APA includes the principles and provisions of the Convention, in particular the principle of equity and CBDR, and all of the provisions of the PA, in particular its Article 2 and 3,” said Iran.

It cautioned against a mitigation-centric approach in the work of the APA under its various agenda items, to correctly reflect and implement Article 3 of the PA, “which defines clearly the full scope of the NDCs, including mitigation, adaptation, finance, technology-development and transfer and capacity-building”.

Iran underlined that achieving common understanding on cross-cutting issues, in particular the scope of NDCs and reflection of differentiation in the APA outcomes, was significant and fundamental for Parties to make progress on the technical issues under each APA agenda item.

On capturing the APA’s work at COP22, Iran said the outcome could be formally or informally captured through modalities that are “open and transparent, inclusive, Party-driven and based on consensus, provided that such modalities would allow for fully, comprehensively, and in a neutral manner, capturing the views, perspectives and concerns that all Parties may have put forward in the APA process”. Iran added that the outcome should not prejudice the rights of Parties to the Convention that are not Parties to the PA to being

provided with the means of implementation for their climate change actions in accordance with the Convention.

Speaking for the **African Group, Mali** highlighted that it had some concerns with some reflections in the Co-chairs' scenario note, which misrepresented Parties' views and prejudiced positions. "We believe the mandates for the various agenda items are clear and the views submitted by Parties ahead of the session are a useful starting point," said Mali.

(The APA Co-chairs had issued a scenario note to guide Parties ahead of the Marrakech meeting. The note had a long section in part IV called 'moving forward on agenda items' which set out the reflections and impressions of the Co-chairs from the submissions of Parties on the various agenda items "to help initiate discussions in Marrakech rather than represent a comprehensive summary of the views expressed by Parties". Also see TWN Marrakech News Update 1: [What to expect at the Marrakech climate talks](#))

In relation to mitigation component of NDCs, Mali said guidance should provide a sufficient basis for credible transparency arrangements and an effective global stocktake process. "This should be developed taking into account the diversity of NDCs and national circumstances of Parties noting the different obligations of Parties and flexibility embedded in the PA," said Mali.

On adaptation communications, Mali said the PA provides substantive guidance on features "for which we need to define minimum information that ensure clarity, transparency, consistency and the ability to aggregate such information to fulfil stocktaking provisions of the agreement. We see this as a critical element of operationalising the global goal of adaptation, as such an effective global stocktake".

"We see best use of our time in further unpacking these features to identify the relevant minimum information for each of these, and the relevant modalities. We do not think it is best use of time to consider the relationship of the adaptation component of NDCs with existing reports as it confuses the communication processes with reporting processes under the Agreement," said Mali.

On transparency of action and support, Mali stressed that it placed a direct link between the

progress in the implementation of the Capacity Building Initiative for Transparency (CBIT) and the development of modalities, procedures and guidelines for transparency of action and support.

"Effective building of institutional capacity in the African region to undertake transparency obligations is essential in ensuring effective participation of the African region in the PA," said Mali. It further highlighted the importance of the component of transparency of support, taking into account that many NDCs from developing countries were linked to the provisions of support, in particular finance and technology.

On the global stocktake, Mali said the topic should achieve the dual target of facilitating an accurate assessment of Parties' collective efforts against the long-term goals of the Agreement, and stimulate enhanced action and support that is grounded in equity and the best available science.

On the compliance mechanism, Mali highlighted the importance of finalizing the work programme of the PA in particular those related to transparency of action and support before finalising the compliance mechanism.

On the outcome of work, Mali said the outcome could be captured in conclusions that reflect emerging understanding on issues. Mali also called on the Co-chairs to provide "consistent guidance to the facilitators across the different agenda items".

Saudi Arabia spoke for the **Arab Group** welcomed the entry into force of the PA and hoped that discussions would retain the balance in all issues and include everyone in decision-making. It said that the concept of national determination should be preserved as regards NDCs and that there should be no interpretations of the PA by the co-facilitators in the outcomes of the facilitated sessions. All the elements should be covered as per Article 3 and on the basis of the Convention, and its provisions and that transparency should be maintained, it said. "Developing countries' sovereignty should be maintained," said Saudi Arabia. It added that for the global stocktake, it would take into account all aspects including support, technology transfer, finance and response measures to face climate change, and this should be done in a consultative manner. It

added that the mechanism for implementation should have a constructive and non-punitive approach.

Speaking for the **Bolivarian Alliance for the Peoples of Our America (ALBA)**, **Bolivia** said that any result connected to implementation must be applicable by the countries that have signed or ratified the PA. Any item on financing should not have adverse effects on countries that have not ratified the PA, it added. It called for integrated and balanced negotiations of mitigation, adaptation and means of implementation issues and that the results of the work of the APA should be in keeping with the work of the other bodies of the Convention. It said that the solutions to climate change lay in the provisions of means of implementation and implementation of equity and CBDR. It warned against any attempt to replace or rewrite the Convention and for evading the commitments of developed countries. Bolivia emphasized that any decision should be on the basis of negotiations, and not constitute the impression of the co-facilitators or the Co-chairs.

Speaking for the **Independent Association of Latin America and the Caribbean (AILAC)**, **Costa Rica** called for parity between mitigation and adaptation and said the adaptation discussions under the APA should define categories of information on adaptation information. On transparency, Costa Rica said that the framework should enhance existing provisions to reduce uncertainties, increase quality of information and support institutional arrangements. It said that the global stocktake should be understood as a political process. On the compliance mechanism, AILAC called for it to be facilitative, non-punitive and non-adversarial in nature. It also stressed that the work of the APA should be on par with work under the other bodies under the Convention.

Speaking for the **Umbrella Group**, **Australia** said when the APA convened, Parties had arrived with two common aims: to bring the PA to life and bring step change from political to technical work involving implementation. It added that with the opening of the CMA there was significant work load, and called for preparatory work under APA to be carried out until 2018. Australia said that the group supports progress of work captured through the

Co-chairs and the Co-facilitators' notes rather than in the form of draft decisions. Australia said that transparency arrangements were central to the integrity and effectiveness of the PA and that progress should be made in the area of having common modalities, procedures and guidelines.

The **European Union** said that APA had the responsibility to advance on the detailed rule book of the PA. It said that the PA is universal and that work should continue in a universal manner with all the Parties of the Convention for a certain period of time, with the inclusion of those who have not ratified it.

It said that it was keen to move to the development of clearer guidance in the communication of NDCs and developing successive NDCs to move Parties towards achieving the mitigation goal. On adaptation communication the EU said they saw their task in finding a common understanding in relation to existing instruments and common instruments.

On transparency, the EU called for robust modalities and guidelines to help Parties facilitate domestic reporting and said that they hoped to begin work based on general requirement and then address the guidelines. It added that it was of critical importance to design the global stocktake so that it was fit for purpose to assess collective progress and which would drive domestic action.

Switzerland, for the **Environment Integrity Group (EIG)**, said that at the present APA session, Parties have to move from scoping discussions to identifying questions and specific proposals. It said that in the facilitated sessions, it would be important to ensure space where Parties could interact "just among themselves" and added that the co-facilitators could use different approaches. Switzerland asked of the Co-chairs to allow comparable progress in areas and said that some areas might need more time and not all the issues needed the same amount of follow up. On the outcome of work, it proposed that the summaries of the co-facilitators could be attached to the Co-chairs note at the end of the session.

(Edited by Meena Raman)