

APA Agenda Item 5: Informal Consultations on Modalities, Procedures and Guidelines for the Action and Support referred to in Article 13 of the Paris Agreement

November 8, 2017 – 16:00-18:00, Room Bangkok

Informal Session Summary:

This session focused primarily on a preliminary materials document prepared by the co-facilitators, based on party submissions. The document is available [here](#). In this session, parties were asked to primarily respond to headings A and B, while C, D, and E are reserved for later discussion (November 9). Co-facilitators asked Parties to primarily focus their responses on missing issues or misrepresentations in the text. On this matter, some Parties (Saudi Arabia) expressed opposition to moving forward with this document, on the grounds that it was unclear in the current document which positions were held by which Parties. They suggested a reorganization of the document in to a tabular format that clearly separated the positions of developed and developing nations. Other parties did not agree, and the European Union specifically rejected this suggestion. Overall, the room expressed an interest in moving forward with the current document, and continuing to refine it.

On the content of the document, there were three primary points made:

- 1) While there is an interest in streamlining the document, Parties expressed worries about doing so at this stage and overlooking the nuanced positions that have been included here. Additionally, many Parties argued that section A regarding objectives and principles should not be included in the MPGs themselves, but should continue to be include as revisions occur as a form of guidance.
- 2) Most contentiously, the preliminary document includes several positions that suggest the bifurcation of the MPGs based on capacity, implying that different standards may exist for developed and developing countries. Several Parties found this proposal unacceptable, excluding for Article 13.09 and 13.10 in the Paris agreement (including the US, the EU, Canada, and Switzerland). No Party specifically advocated for a bifurcated process, but several did make reference to the need to recognize Parties' different capacities, the importance of flexibility, and clarification on the phrase "Built-In Flexibilities" (Bhutan, on behalf of the LDCs).
- 3) Finally, several placeholders exist in the text that reference ongoing streams of other work, in particular discussions about support provided. The group shared the sentiment that the work of these other bodies should be incorporated, and as such it does not make sense to focus on these issues and risk duplicating efforts and introducing contradictions.

Moving forward, the next session will continue the conversation to headings C, D, and E, where parties are likely to make similar comments about omissions or misrepresentations in the preliminary document. Full written comments are expected to the Secretariat on sections A and B by 6:00 Friday, November 10th, and on the remaining sections by 6:00 Saturday, November 11th. The Secretariat will then incorporate these comments and is expected to produce a new version.

- *Kevin M. Adams, Stockholm Environment Institute*

Co-Facilitator

- UNFCCC developed and posted a document of preliminary material
- Notes that this preliminary in preparation for the first iteration of the informal note
- Has no formal status
- Plan for today:
 - Overarching consideration
 - Greenhouse Gas Inventory
 - Adaptation
- Two Key Questions:
 - Are any fundamental issues missing from preliminary material document?
 - Are proposals captured accurately, are they in the right place, and is there a way to streamline this proposal?

Switzerland

- On behalf of Environmental Integrity Group
- Speaking on overarching consideration and national inventory
 - Comments on other sections as well, but to be read by other parties
- Thinks the proposal is useful
- No need for bifurcated provisions aside from 13.09 and 13.10 (in cases where countries are lacking the capacity where support will be provided)
- All other bifurcation considered unacceptable
- National inventory reports:
 - Don't agree with element B1 – contradicts the PA
 - B2 – agree that is useful to define objectives and principles, no objections
 - Definitions – agree
 - B4 – national circumstances and institutional arrangements – focuses primarily on institutional arrangements, but we believe this is ok as circumstances should be included in other documents – title should be shortened to institutional arrangements
 - B5 – would like to see Establishment of processes for improvement of inventory
 - Methodologies parameters and data – suggests merging provision on methods and reporting guidance – could make more readable and avoid duplication
 - Use of methodology obligation – All parties should be using the most recent IPCC guidelines, but in light of capacity constraints we will have to accept older ones, but with plans to improve in the future
 - On support – agree on importance
 - Metrics – important to use common metrics

Co-Facilitators

- Would like to focus on significant missing issues

Brazil

- Process clarification – looking for missing elements, accurate representation, and how to streamline – would like us to respond on a) overarching principles, b) c) and d)
- Only speaking on behalf of Brazil – no time to coordinate with Argentina
- On Item A
 - Did not at this point identify missing elements
 - Reserves the right to identify more as negotiations continue

- On accuracy, does not perfectly reflect our views now – there is a need to improve the accuracy
- On text in the right place – much of the information seems unnecessary. A can be streamlined substantially, but this will need to be done on a case-by-case basis
- On B
 - Nothing missing at this point
 - A lot of repetition – need to combine these statements which will necessarily help with accuracy and streamlining
 - Things included here that do not belong to B, or any place in the MGP

Co-Facilitator

- Asks that when we reference text, if specific locations could be provided

European Union

- Similar to previous, find this paper useful
- Generally, captures well the submissions and discussions in the round tables
- Support some of the statements made by Switzerland
- Omissions:
 - In inventory sections, parties should indicate why they were not able to implement certain MPGs in the event this occurs
 - On time series for inventories – suggested that countries who need flexibility could begin reporting from the base year of their NDCs
- Overall, small areas to change
- On streamlining –
 - Section A could be streamlined a lot
 - Good to start a discussion on how this could be done. Agree with Brazil that a lot of the detail does not need to be included in the MPGs
 - Section A.4 with linkages to other transparency items - list of other transparency items not needed itself in the MPGs. May be useful, but no need to include here specifically

Saudi Arabia

- On behalf of the Arab Group
- Apprehensive about where this is headed
- Document structure is not working
 - Not clear, often confusing, extremely unhappy with the document as it stands
- Issues:
 - Notations – extremely helpful to attribute the who, but difficult to track and read at this point.
 - Suggestion: compile the different groups into separate documents or tabular format. Simply rearrange so it is easier to read and follow
 - Five groupings of parties – notation confuses the who to a degree that new categories have been created (for example b and d, which are not necessarily two different categories – rather a reflection of how we'll apply the flexibility, this is confusion between the who and the how flexibility will be applied
 - Overarching considerations attributed to everyone
 - Would like to see references to two different groups (developed and developing), with a common section on principles where commonalities do exist

- Do not think it is appropriate to streamline at this time

China

- On behalf of Like Minded Developing Countries
- Perhaps were too ambitious with this document
- Agree with but do not wish to repeat what Saudi Arabia has said
- First, need to revise headings, subheadings and placeholders – currently unclear
- Second, bullet point format could be acceptable at this stage, but some narrative writing will be needed as well
- Some items deserve multiple attribution

South Africa

- Section A4 – would like to add process around article 9.5 in COP and article 8 of APA

Brazil

- Confused on whether or not we can work on this document. Some have provided many substantive comments, while others have said they cannot, while more still have said they cannot and then provided comments anyway
- Can and would like to engage with this document, but would like to know what the best way to move forward is

Co-Facilitator

- Encourage parties to discuss among yourselves to try to find a way to satisfy all these groups
- Would like to continue this discussion

New Zealand

- Agrees with Environmental Integrity Group that MPGs should apply to all except for 13.09 and 13.10
- Much of the text is not seen as sitting within the MPGs themselves, especially in section A
 - Happy to keep for now as guidance for the work, though with the expectation that these should be recalled in the final decision

Australia

- Some problematic aspects, but prepared to work with this
- Agrees with EIG
- Items C, D, and E, should be in the support section
- Principles are to guide the work, but don't need to appear in the MPGs
- Lost the option to develop a new set of MPGs for common inventory reports

Costa Rica

- Think the document is a good starting point
- Overarching considerations, echoes Brazil, a lot could be streamlined

Co-Facilitators

- Encourage countries to submit comments on specific items

United States

- Don't agree with the bifurcation in the material – no foundation for this
- Article 13 suggests us to work on common MDGs
- Flexibility is available in 13.09 and 13.10, but labels developed and developing do not apply to any other section
- On overarching principles, do not see as a structure or section in MPGs themselves, but rather as concepts to guide the work – this should be reflected as an option in the document
- On tracking progress, options to streamline, because much of the information on baselines and to reflect the achievement of the NDC would be the same – may also help with readability
- On impacts and adaptation, placeholder exists for APA4
- Cannot provide detailed comments at this time

Japan

- Not necessary to include loss and damage
- Necessary to avoid double counting
- Would like to continue this discussion on this paper

Bhutan

- Speaking on behalf of LDCs
- On overarching and guiding principles
 - Transparency work is not limited just to the implementation of article 13
 - Room for us to capture the information that needs to cover all aspects with the relation to the implementation of the Paris Agreement
- On flexibilities
 - Paris agreement talks about built-in flexibilities, linked to capacity issues
 - Would like clarification of this term – need clear understanding of this term to understand how flexibilities would work
- Role of CBIT

Rep. of Korea

- Adding to Switzerland's points on the overarching considerations, missing parts:
 - Focused on c (tracking progress) – would like to add any qualitative description related to 6a, and if number 6 would be developed, it should be prevented up to maximum up to xxx words. Information here is rich and useful, but practitioners may be confused.
 - On C7, need to add summary of total emissions from 1990 OR from when they first reported emissions
 - On C8, would like to include cutoff year for projection analysis
 - Include with measures and without measures in projections

Maldives

- On behalf of AOSIS
- Good base to start substantive deliberations
- No time to review in detail

Norway

- Support comments about notation keys (Australia and US)
- Many parts of A section should not be included in MPGs themselves

- No fundamental issues
- Issue not captured accurately – B6, bullet 8
 - Parties may report indirect CO2 – currently says if possible, which is stronger than our intention would have been
 - Only from Methane, etc, not NOx and SOx
 - Will follow up

European Union

- Placeholders should be consistent with the work of other groups and processes at the COP – should not engage on these specific parts of the text as we all hope to incorporate what comes out of the other areas, in particular for support provided
- Should not engage on these pieces as it will duplicate efforts
- Responding to China:
 - Yes, options exist at different levels in these bullets, and they need a clearer structure, but this is exactly what we as parties should do here in the room
- Responding to Saudi Arabia:
 - Cannot imagine how to do this in a tabular format. In particular identification of options would be more difficult.
 - Open to think about how we can work options in this document that makes the text acceptable to all parties on a working basis
 - What options in the text are missing so that we can work with it? Table would complicate this

Saudi Arabia

- To clarify – we did have an agreement yesterday to prepare material, take into account our comments, etc.
- Regarding the table – this was one example of how to guide us out of these issues, but open to other options. Clearest reservation about structure is the issue separating the two groups options, which remains
- Specific comments:
 - A1 (Objectives) – Clearer to spell out what is in article 13.05 and 13.06
 - A4 – Heading has an addition that was not present in previous outline – mistake?
 - A2 (Principles) – Missing insertions – Reference to differentiation specifically, ETF will be enhanced based on the differentiated arrangements of the convention, or recognizing the different starting points of developing and developed countries
 - Disappointed in content related to response measures – suggest in A5 that modalities for response measures in current MRVs can be built on “building on current arrangements for response measures”
 - Response measures as part of reporting and review not captured but needs to be reflected

Canada

- Echoes Switzerland, EU, Australia, New Zealand
- Willing to work with this document too
- Seek a tool that is not differentiated on developed and developing countries
- Question of how you see things proceeding? How do you intend to use the remainder of the session today and others until Saturday?

Switzerland

- Can screen full document and engage on all remaining sections and items for next session (proposal to move forward?)

Brazil

- Can co-facilitators summarize and propose next steps?

Co-Facilitator

- Proposal is to close this meeting
- This time can be used to coordinate with group
- Come back tomorrow with transparency of support provided section

Brazil

- A lot of parties wish to send comments by e-mail
- When is the deadline for this, so you can incorporate these into a new version of the text
- Do you plan to do this or not? When should we see a second version of the document?

Switzerland

- Similar concerns to Brazil
- We can do much of this by e-mail
- Need to begin to evolve elements on the table, which would be a better use of our time

Co-Facilitator

- Wish to receive written inputs by 6 PM Friday, and for deadline is 6 PM Saturday for us to incorporate comments

Brazil

- Tomorrow we will have a session, you expect us to read comments, and on Friday we send by email whatever we read or didn't read, Friday, we will engage in the same exercise

Co-Facilitator

- For parts we have already discussed, we would like to have your comments by 6PM Friday, for parts not yet discussed, by Saturday at 6PM
- Substantive comments primarily

Australia

- Does substantive mean things missing, things that shouldn't be there or both?

Co-Facilitator

- Yes, both

Costa Rica

-

China

- On behalf of LMDC

- Support your approach to proceed in the following sessions, would like to exchange views on the various options
- Will only provide key insertions

Brazil

- Should not micromanage what parties send to you
- Spirit of the room seems to suggest that we do not intend to make the text longer, but rather more concise and manageable
- Would like to find common ground
- Would like to (Sunday or Monday) to see a new version of the document that reflects the substantive issues – we need a list of elements which can be discussed in a positive spirit

Maldives

- Proposals are on missing elements, placement, and how they could be streamlined, but we are not going to delete anything that is in the text?

Co-Facilitator

- Yes – parties' views or positions should not yet be deleted at this stage

Singapore

- When is the technical experts review?

Co-Facilitator

- Confirmation on this tomorrow – event is not tomorrow morning

Brazil

- What do you have planned and confirmed for tomorrow?

Co-Facilitator

- Original proposal is from 12-1, but there is time clash with the finance group, so changes may be made

China

- Would like to see word document of this proposal for editing purposes

Canada

- Who do we send the input too?

Co-Facilitator

- To co-facilitator (jigme@unfccc.int or tisu@unfccc.int)

*** *Close* ***