

APA Informal Consultation on Agenda Item 7 Modalities, Procedures, and Guidelines for the Implementation Committee under Article 15 of the Paris Agreement

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NORWAY:

- Committee will have access to reports and information and can best address challenges. However, committee does not have power to address challenges. Must refer to CMA
- Several important linkages
 - Procedural aspect relates to binding obligation to provide info Art 13/7. If no reporting, committee must address issue, due provide grace period
 - Substantive (follow guidelines MPGs or inconsistencies) depends on outcome of transparency negotiation, will depend on the MPGs – committee will have role in recurrent and repeated inconsistencies
 - Work with placeholders depending on outcome of negotiations, but may need multiple placeholders

CANADA:

- OPTIONS:
 - Legal obligations in Art. 13.7 (a) and (b), Art. 4 – subject to Committee review, no one is doing review
 - Technical expert review may also review transparency and public registry submissions (Art. 15 can provide value after technical review) – committee can provide advice on remedies, capacity building
 - Art. 13 facilitative process is in the heart of the agreement. Parties must feel comfortable in engaging. Links to Art. 15 must not recognize that. If linkage jeopardizes, drop.
- 12 members involved in process where information is coming out of Art 13 reporting. Streamlined committee's work in an appropriate way
- Beneficial to have mechanism that has clear competencies to start with (individual party obligations). If gaps exist, we can deal with those later
- Common issues can be referred to CMA – appropriate balance in committee identifying these issues
 - RESOURCES?
 - NO JEOPARDY TO ART. 13
- Possible linkages to support arrangements – to respect non-duplication, committee is not an avenue to access support in any way. Support arrangements are institutionalized in the agreement. Committee cannot supplant the arrangement. Value to the committee is to provide advice as to how pursue the support already received.

CHINA:

- Linkage with support – important to establish linkage to maintain facilitative nature.
 - Committee can gather information in supporting parties, involve them in the dialogue, make recommendation to those bodies
- Systemic issues – role to play, commencement of the work of the committee in systemic issues

- Identify systemic issues by themselves (CMA) – discretion, from objective sources
- Actions committee can take to address the issues – recommend to CMA, but not address

EGYPT:

- Transparency – too early to make determination on linkage between Art. 13 and 15.
 - TF coming into play upon request of the involved party
 - TF should not be used to trigger work of the committee
- Linkage to support mechanisms – supports this linkage
 - Through committee's invitation of relevant parties to participate in its work
 - Recommendations to constitutive bodies
 - Bodies may consider sharing their research on systemic issues relevant to compliance
- Systemic – New idea that warrants consideration. Need more time to consider the implications of the committee's expanded role
 - Should there be a process to address systemic issues? Yes. But whether that is the concern of the committee or anybody warrants further scrutiny

UGANDA:

- Support Gambia
- SCOPE – committee must not duplicate efforts. Added value is ability to oversee compliance with the PA
 - Systemic Issues
 - Unforeseen issues
 - Committee should be able to handle these complex issues as they arise.
- LINKAGES with SUPPORT ARRANGEMENTS – need to coordinate with support institutions, can refer issues to appropriate bodies, enhanced tool to enable best use of support mechanisms
- Assistance in consultation, go through engagement, follow up with party to make sure support is effective
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Preliminary Materials

CHINA:

- The way forward is to consider the document as forming a good basis for discussions going forward
- Use the document to create clearer headings and subheadings. But document already includes all relevant bullet points
- Cannot agree with all bullet points
- What's the outcome?
- PRINCIPLES AND CROSS-CUTTING ISSUES – COMMON PRINCIPLE PROVIDED GENERALLY AT FIRST THEN ELABORATED IN EACH SECTION
- Scope
 - Comprehensive Scope – operations of the agreement
 - Process – needs more elaboration. Ultimately the committee needs to know what it needs to do in each stage,
 - How many stages?
 - What does the committee need to receive? Do? Issue? In each stage
 - Dialogue? Participation of other bodies?

- Making final measures? Develop initial output and then seeking comments before making a decision?
- Measures – factors committee needs to consider
 - Legal Character to the provision concerned?
 - Differentiation? Developed or developing country involved
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JAPAN

- Agrees with China
- OK to discuss based on this paper missing points and points that need to be elaborated
- CASES:
 - Individual Case
 - Systemic Issue – systemic issues will not happen regularly. Main case would involve individual country's case

ARGENTINA (Argentina, Brazil, Uruguay):

- Good base to discuss this Agenda Item
- Opportunity to make a deeper analysis
- Chance to incorporate elements of submission
- DIFFERENTIATION – should be reflected, but need to consider this when we discuss each of the elements
- STRUCTURE AND COMPOSITION – will provide information afterwards, chance to talk about the structure, overlapping items, items that can be placed as sub-items

EU:

- Opportunities in some of the element, Elements A and B can be merged into purpose and nature of Art. 15
- Suggests to focus discussion on two aspects: referrals to committee and outputs and measures
- Suggestions on headings and subheadings later
- Interlinkages – language on interlinkage exists – but there are several other interlinkages that deserve mention

SAUDI ARABIA (Arab):

- Only self-trigger will be the trigger
- Scope and function depending on MPG decided – but these should be discussed under each type of trigger. Content of these element will differ depending on the trigger
- Impact should be incorporated with national communications, etc. because it will determine output of the committee
- Must include option to further discuss other types of triggers

Mali (Africa):

- Missing:
 - Scope – cannot understand what 3.1 and 3.2 mean, MPGs can be negotiated after COP24, but did not hear parties agree to decide on scope
 - Function – elaborate further on committee's systemic role
 - Sources of information – new, but need additional questions to elaborate on this heading
 - National capabilities and circumstances – should get its own heading, could be discussed how to operationalize it – prioritize its discussion

- Relationship to other bodies – important because we should be aware that committee has linkages to other bodies even if we don't agree on other interlinkages

Turkey:

- Dividing set of rules
 - Procedural
 - Procedures and Mechanisms for Compliance with Paris Agreement
- Attendance – think about how many times a committee member can be absent

Canada:

- Not useful to create section that parties do agree with
 - Some parties do not agree that there are underlying principles in the mechanism. The Principles are already set out with in the Provision
 - Many other subjective principles that we can add, but we have to follow what's negotiated
- Scope – not clear that NCC will be taken into account, mechanism is applicable equally to all parties. Adding “whether NCC should be taken into account with respect to scope?”

Gambia:

- Linkages - Important part of what should be reflected in the document, mention other provisions
- Scope – the way action is triggered does not change the scope.

New Zealand

- Procedural aspects have begun to take shape
- Section A – Principles – decided already in Paris
- Operationalization – account NCCs. Consider flexibility in specific elements rather than in an umbrella heading CONTEXT of technical guidance does not pull out other concepts

St. Kitt's (AOSIS)

- Appreciate that doc includes systemic issues – one of the areas that needs filling out
- More in depth discussion on NCCs – will apply in some areas. Maybe should be based on committee's discretion
 - Must analyze guidelines in terms of how initiation will affect the guidelines
 - We might end up with a more complicated set of guidelines
 - Response measures?
- Discussion of LND? How it relates to Article 15 generally. – we should not try to bring in these issues on their own. Use NCCs to identify the really important aspects