

Second and Third APA Agenda Item 5: Informal Consultation on modalities, procedures and guidelines for the transparency framework for action and support referred to in Art. 13 of the Paris Agreement

Thursday, 3 May 2018, 10am - 12pm, Genf, SB48

Note taker: Melissa Low, Research Fellow, Energy Studies Institute, National University of Singapore (esimlyx@nus.edu.sg)

Co-Facilitators:

Following documents have been uploaded:

- For information on the organization of the work, please click [here](#)
- For the light revision of APA 1.4 informal note by the Co-facilitators, please click [here](#)
- For the tracking changes in the light revision, please click [here](#) (excel table)

Reflection note has set the overall objective of the informal consultation

4 sections:

- G, H, C, B (30 mins per issue)
 - TER & FMCP (sections G and H)
 - Tracking progress and GHG inventories (sections B and C)
- Let discussions continue until all flags have been heard and not cut anyone off
- May need to take remaining issues at the next informal consultation
- At end of the day, Co-Facilitators will attempt to capture issues
- If Parties prefer to send inputs instead of making interventions, Co-Facilitators asked that they be sent in by 4pm today
- Propose to have a tool – approaches that Parties support, do not support and which can be reflected better or more accurately
- Co-Facilitator asked the Secretariat to show the tool for Section G

Technical Expert Review (Section G)

Section G:

- Scope
 - Approach 1: PA Art 13.11, 13.12
- Format
- Frequency

Singapore

- On behalf of G77 and China
- Thank Co-Facilitator for preparing revised note
- Operationalizing flexibility in all aspects of transparency
- Look forward to engaging with partners on discussions

Brazil

- On behalf of Argentina, Brazil, Uruguay
- Thank you for documents
- On the scope of review (G4), prefer to limit the scope to be reviewed to what was agreed in Paris (Approach 1) but we see some value in 4, could go along with Approach 1
- The word “assessment”, don’t see it in the context of the PA, should avoid this word and elements not in the PA
- On improvements, do not see as a parallel track
- On capacity building needs (Approach 1), should be decided together with the Parties not only through the TER. List has to be defined together with the Party
- More clarification needed for Approach 4 and 5. Not completely in understanding of the two ideas, thus cannot take up any position. Need to have an explanatory debate before moving on this.
- Flexibility on timing and frequency – elements 3-9
- Working on proposal on frequency and will send soon
- See proposed outline in Informal note but need more detailed outline and this needs to be agreed by Parties and not developed by the Secretariat once we have the MPGs
- This can be done next year and have in the decision of MPG this kind of work programme to be developed regarding the TER report e.g. checklist and tabular report but important that Parties discuss before giving to Secretariat to fine tune
- Does capture key aspects of TER but we will send by deadline of 4pm

Co-Facilitators clarified that Approaches 4 and 5 cannot be explained by Co-Facilitator as the text came from Parties.

European Union

- In relation to scope of TER, should be one approach that reflects scope as indicated in Art 13.12 that includes consideration of support, implementing and achieving of NDCs, review of MPGs. Good to have second approach that merges all proposals that go beyond scope indicated in Art 13. Good to move those elements that indicate what the review should do into a separate approach e.g. Identification of areas of improvement, capacity building needs as this is somewhat a slightly different element
- Elements that speak to Art 13.12 are pretty similar but some have wording that deviate from PA. Strongly recommend using words reflected already in Art 13.
- Approach 4, would have different – to define what is outside of the review i.e. what the review does not do. Good to group these together
- Current elements use different words or verbs e.g. assessment, examination, consideration etc. prefer to use terms in Art 13 (consider, review, identify)
- Easier for mutual understanding to not use different words in this section
- Element L, 11: legal approaches of review – Art 13 not accurately reflected, cannot be self-determined
- In relation to frequency, maybe we can go to lower number of approaches. One clear option is that some approaches/Parties link frequency to submission frequency i.e. each report is

reviewed. Some not very clear i.e. every second or fourth year. EU prefers to define review in relation to frequency of reporting.

- See some approaches as subset of Approach 4 e.g. linking TER with NDC cycle, based on criteria so as to simplify the approaches

Ecuador

- On behalf of LMDC, support Singapore on behalf of G77 and China
- Preface with overall approach of LMDC in terms of how we view transparency: reflection of flexibility for developing countries is key
- Happy to hear from other Parties that ensuring flexibility should be reflected
- Operationalization of common but differentiated responsibilities
- Helps us answer the “How” question that we discussed a couple of days ago
- We think of taking a “WISE” – Workable, Implementation-oriented, Simple, Effective – approach
- That is how LMDC countries think, as a group of countries that represent half the world’s population
- Perhaps after implementing a simple system, we can develop more complicated transparency system and learn lessons from developed countries
- Fundamental basis that does into the text – see us as jumping off Art 13.3 and 13.4 of PA – principles on differentiation in the Convention to be reflected
- Suggest that next iteration of Informal Note, find some way to mark out or identify which elements are currently in effect so Parties can understand how much additionality there will be
- On the specific items in light revision note,
 - Section G.1.13: IAR, ICA guidelines – suggest to put into Scope G.3.11 (p.41) – so as to clearly identify and jumping off from differentiated arrangements and fully compliant with Art 13.3 and 13.4 of PA
 - Section G.3.4: Assessment of Progress made - differentiated approach between developed and developing countries, see it only applying to developed countries
 - Section G.3.9: Identification of Capacity Building Needs – suggest split into two as second part does not belong in this
 - G.5.1.3.c: An in-country review – only applicable to developed countries; to be based on existing guidelines

Saudi Arabia

- On behalf of Arab Group, support Singapore for G77 & China and Ecuador for LMDC
- Thank you for revised note
- Some elements not in the right place or accurate, will submit in written format
- Missing a few approaches
- Approach needed is one that captures existing guidelines and how to build on them; need to capture in Informal note
- Useful and helpful to navigate discussion as we move forward
- With regard to specifics, points we wanted to say already shared but for us Approach 4, bullet 2 – see this issue on flexibility being outside of the scope – could be the language and having consistency will be helpful

- Agree with colleagues from Brazil and EU on using language in options consistent with PA so using “consideration” rather than “assessment”
- TER to be done with respect to national circumstances needs to be included

New Zealand

- Thank you for hard work of Co-Facilitators gearing us up to this week
- We are not trying to re-write the PA through the process of writing the MPGs under Art 13
- We should use language as close as possible to PA in describing scope of what we’re doing here in review part
- Looking at Approach 4 – maybe should look at language in Art 13; process should be in a “non-intrusive, non-punitive and respectful of national sovereignty” so as not to reinvent language
- Reduce number of options if possible
- On Format (G.5.1), don’t see approaches as being mutually exclusive, can see options with various approaches
- Comfortable with reflecting all those approaches under format
- On Frequency (G.7), would work on reducing number of approaches (currently 8)

China

- Thank you and Secretariat for putting up the revised note
- Support intervention by G77 & China and LMDC
- On Scope (G.3), Approach 1 and 4 looks quite helpful – comfortable to stay with language in PA without more elaboration or interpretation; especially on Approach 4 we need to elaborate more in addition to principles. Helpful to further define scope of TER to help us feel comfortable and safe when we submit reports
- Build on current, existing guidelines especially in IAR and ICA guidelines – not in TER objectives. There is still scope in current review guidelines. We can further send written input to better capture the difference between developed and developing country Parties
- Identification areas of improvements, this language in PA is clear enough but when look at sub-bullet points, we should not be going further beyond this. Experts should identify areas of improvements but improvement plans should not be made mandatory linked to TER.
- On Format not mutually exclusive, but need clarification e.g. simplified approaches, peer reviewed groups – less familiar with these, but don’t want to see backsliding approach from current exercise since are talking about enhancements in PA
- On Frequency, some not at same logical level but would like to highlight the need to elaborate or explain more some of the approaches like how it is linked to NDCs – encourage Parties who suggested this to elaborate
- On threshold for national GHG and quality of BTR – don’t support. Flexibility needs to be given to developing countries since we still face difficulties with regard to reporting based on support. Want to have more streamlined approach on frequency issue.

Egypt

- “Shall” requirement – not captured in any Approaches
 - Approach 5: Approach 4 in addition to using current arrangements under Convention

- Approach 6: to design system practical and implementable, keeping in mind huge differences between developed and developing countries
- Approach 4, bullet 3 on political judgement needs to be worded as it was in the informal note

United States

- Agree with a number of others to be consistent with language of PA
- On Scope, clearly defined under PA. Approach 1 preferred
- TACCC Principles with regard to review, reflected under Approach 1
- Tracking progress
- Approach 3 is outside of Scope as defined in PA, not quite sure consistent for TER
- Approach 4 is important for clarification, value in those discussions but couple of points like limitation: domestic policies and consideration of support provided
- PA is clear that it shall pay particular attention to national circumstances and capabilities in terms of how TER works
- Concerned on IAR/ICA to be superseded. Not reflected in Art 13.11, 12. Best practices should be captured and applied here.
- Prefer in-country review
- Not sure what others mean by Approach 4 and 5, grateful for explanation
- As Brazil said, need to discuss format of review report and process
- On review, annual inventory report can be reviewed as is currently being done
- On Frequency, Approach 6, SIDS and LDCs – timing and frequency to be given consideration
- Willing to understand some of the proposals on criteria but think that this will likely to be determined by SBSTA rooms and will need to be added
- Other issues need to be discussed, as China mentioned

Costa Rica

- On behalf of AILAC, associate with Singapore on behalf of G77 & China
- Thank you for effort for elaboration of new note
- Consider that it is still difficult to understand different approaches; useful to learn about what each of the approaches mean
- Support suggestion by other Parties in relation to keeping to PA language
- Appreciate opportunity to submit written inputs, given limited time
- Common standard, ETF, in time all Parties will be able to implement it
- Specifics, TER – sort of combination of Approaches 1 and 2 – good if can send elements to support point
- On Format, a cocktail and combination of the different approaches.
- Learn from current experiences e.g. subject to centralized review. In-country review only for developed countries but also for developing country Parties who request it. Open to regional reviews by regional experts.
- Need to understand elements behind Approaches e.g. National GHG Inventory subject to annual review for developed countries (IAR), Biennially for developing countries (ICA) and for LDCs and SIDS every 5 years

Australia

- Thank Co-Facilitators for light revised note
- Will be brief as others have covered points
- Agree with EU to include approach to distinguish information to be reviewed and actions to be taken by TER
- On Format, note as mentioned by others, not mutually exclusive. See it as operating in combination with others. Useful to include approach here that picks up made by other Parties to make good use of standard formats and tabular formats and would apply to all others before we decide on MPGs.
- On Frequency and Format, agree with USA on every report submitted should be subject to TER as defined in PA.

Co-Facilitator clarified on G5 and G3.

Maldives

- On behalf of AOSIS
- Thank you for the revised note
- Would want to see deletions at this point
- See reflections of progress
- In terms of flexibility and TER, raise point that our group of view that common MPGs should be made applicable to all but flexibility for developing countries to facilitate and improve transparency and reporting over time
- In terms of Scope, prefer Approach 1.
- WRT format, useful to have in-depth in-country reviews, but in light of flexibility, desk or light in-country review can be conducted. Useful for SIDs to have in-country reviews.
- WRT Frequency, every 2 years/biennially to coincide with BURs
- For GHG reports for developed countries, should be done annually

Bhutan

- Thank Co-Facilitators for light revision
- On behalf of LDC Group, support intervention by G77 & China
- On particular points in terms for approaches on Scope, 1 is important for LDC group. Worth looking at Approach 4.
- On Frequency, to be read with Article 6
- Look forward to more substantive discussions

Switzerland

- On behalf of EIG
- Useful slide, but takes some time to digest
- Notion in Art 13.3 – review is a positive thing, will help Parties and not something we should be afraid of
- Formats not mutually exclusive
- Simplified review proposed by our submission, happy to share views at a later stage

- Need additional approach under Frequency: TER for every second inventory report; could undergo a simple review (G.7.10b)

Canada

- Need to reflect legal nature of PA and captured in MPGs
- Highlight MPGs for Enhanced Transparency Framework so reiterating current and existing arrangements not in line with our mandate
- Support Maldives suggestion for common guidelines and US's suggestion to guide work but have flexibility for developing countries
- On Scope, Approaches 1, 2 and 4 supported but not mutually exclusive
- On format, 1, 2 and 3 supported; 4 and 5 need to have more substantive discussions on like what Switzerland said

Japan

- Single and common guideline
- New MPGs supersede ICA and IAR

South Africa

- Emphasize importance of role of flexibility in the ETF and the way this is approached by the review team
- Need to be very clear on what it contains in Approach 4, second point
- Need clarity on the review team and capacity building
- Flexibility will be provided in each part of the ETF and built in. See review team job to make recommendations based on the national circumstances, and to be done in conjunction with Parties and make more long-term suggestions to improve transparency and reporting
- TACCC principles to be applied to GHG inventory reporting
- Continue in-country reviews for developed country Parties, centralized review for developing countries and request only for in-country reviews
- Frequency, reports should be reviewed on reception

Chile

- Support intervention by Singapore for G77 & China and Costa Rica on behalf of AILAC
- Guidelines as part of one common set of rules for all Parties but with embedded flexibility
- Common guidelines very relevant
- On need to build on current transparency framework, that's what we are doing now
- Already based on current provisions for transparency
- Common set of guidelines will be an enhancement and new transparency framework (Para 90); and will eventually supersede current arrangements for transparency
- To complement Costa Rica/AILAC – cocktail of Approaches to improve Parties capacities. With interaction between team reviewing and Parties, will help Parties to improve information and how they come up with the information domestically through a steady approach over time. Medium to long-term work to improve information provided
- Will be some short-term recommendations that can be implemented quicker than others

Maldives

- On frequency, LDCs and SIDs would participate at their own discretion and lend support to Approach 4 for simplified review – see merits in this approach as well

Saudi Arabia

- Question: options vs. approaches
- Not appropriate to remove anything at this stage
- Egypt's suggestions extremely valuable
- Build and enhance transparency arrangements e.g. Art 13.3, 13.13, para 90. But clear in Art 13.4 that part of building and drawing upon guidance specifically linked to ICA and IAR. Appropriate to include it at this stage. Like that reflected very clearly.

Turkey

- On Scope, support common guidelines applicable to all. Support Approach 2.
- On Format, propose to combine Approach 2 and 3. First TER in country then second centralized... and support Approach 4 with simplified review format for LDCs for example can be integrated.
- On Frequency, biennially.

Ecuador

- True that work here will eventually supersede. Build upon, not build away or excavate or hollow-out. Build upon means (at least for LMDC) that arrangements need to have robust reporting arrangements but simpler one for developing countries because of differences in capacity
- Move towards more robust reporting arrangement when developing countries feel ready to do so rather than have a complicated arrangement (at least from the perspective of our developing countries)
- Language and approach is important
- How we are supposed to draw from Convention arrangements and to arrive a more robust TF for developed countries but simple and more robust one for developing countries with support. Once they feel they can, developing countries then can move towards more robust and complicated process.

Norway

- Stick with language of PA, Approach 1; elements under Approach 2 belong under Approach 1; do not support Approach 3 and Approach 4 can be written in more positive manner
- Approach 4 simplified

India

- Associate with statement made by Singapore for G77 & China and Ecuador for LMDC
- Many points I would like to raise have been mentioned
- Art 13.3 is important for Indian delegation

- When discussing each section, need to see how we use existing provisions. Building upon the basic structure of existing arrangements have to be expected and see how we can move forward in differentiated approaches.
- See value in common guidelines but we have to see how differentiated approaches will be developed
- Flexibilities in TER have to be done with countries

Brazil

- Important not to create the expectation that recommendations from review process will automatically create improvements
- Make sure that we do not have these expectations when we develop and implement MPGs as it will depend on support received, national capacities etc.
- Sympathetic that we need to have this in to move forward but keep in mind expectations
- Only 20 mins left for FMCP

Co-Facilitator clarified that if we are unable to finish list for FMCP, it will carry forward onto the next informal consultation.

Ecuador

- Suggest need to give equal time for support as well
- Need to have a good going through of all elements under Transparency

Brazil

- Flexible on process and where Co-Facilitator allocates things but understood the goal would be to give equal treatment to all issues
- Have to allow all to speak to issues as much as necessary

United States

- Treat all sections in equal manner

European Union

- Equal treatment
- Speakers should not be cut off in any sections
- Strongly recommends you ask for more time
- Revise the posting on the listing of topics to be discussed; so we know clearly what is happening

**

Facilitative, Multilateral Consideration of Process (FMCP) (Section H.4 Format and Steps)

Brazil

- Relevant to have debate in H.2 and H.3
- Here we want to limit scope to PA, elements outside PA should not be included but should not preclude Parties from submitting any information they want

- Proposal to rearrange will be submitted

New Zealand

- Need to look at language in Art 13.11 when talking about participation: “each Party shall participate” so do not know why we have any other approach other than Approach 1

China

- Can we project slide to make it full screen
- On participation, China does not think common is contradictory
- Building on and recognizing starting point is more effective and pragmatic way of designing MPGs under PA
- Don’t want a lot of conceptual debate but we need to keep options on the table then we can have a clear understanding of what each other means, trigger more substantive discussions on elements
- On FMCP, Approach 1 works fine on current experience, open to online conference
- With New Zealand on all Parties participating but see merits in other options to have flexibility built in
- On Actors, Approach 1 is definitely acceptable. Approach 2 is fine but need to elaborate on non-Party stakeholders’ access to the process whether we can see if it is ok or not.
- On Section H5 Timing:
 - Frequency of FMCP
 - Some 4, some 6 months. Need to be elaborated, along with legal status
 - Commencement of FMCP
 - All approaches have merit
 - Can further elaborate how processes are interlinked
 - Discussion can be had on which is more logical and more information can be brought forward
 - Completion of FMCP

United States

- On Format, potential to combine Approach 1 and 2. In-person will be where the best dialogue can be held. Online conference has merits but need elaboration on how it would be done.
- On Steps, ...
- On Participation, clear that all Parties shall participate
- No entirely sure on Approach 3
- Value to have observers pose questions but Parties will need sufficient time to pose questions like that to be reflected
- On Timing, important to have FMCP after each BR/BUR. Important to have this process, as the review currently feeds into the multilateral assessment or facilitative sharing of views.
- Will send in writing greater detail views on many of the sub-approaches.

Co-Facilitator said they will post the slides on the website. FMCP discussion will continue. Written comments should be submitted by 4pm today (tisu@unfccc.int). On TER, intend to issue a revised Co-Facilitator informal note and will make that available this evening based on inputs received.

Brazil

- Seek clarity on whether the revised not will be issued per issue, given FMCP being incomplete

Co-Facilitator said TER revised not will be published this evening only.

On specific schedule, tomorrow's informal consultation will be provided this evening. APA Co-Chairs will need to be consulted to ensure that no clashes occur. Will report back to APA Co-Chairs on progress or lack of progress e.g. 3/13 sub-headings on TER taken up only.

European Union

- Exact order and schedule?

Co-Facilitator said he would need to check with APA Co-Chairs and Secretariat on scheduling for other Agenda Items. Intend to take up all issues and sections as had announced but key to juggle timing.

Egypt

- Post slides before session

Saudi Arabia

- To reference what exists in sub-script, trouble assessing who it is going to be applied to
- Color notation key perhaps. Have the whats without the who.

Co-Facilitator said that if they added superscript, it would not fit.

Canada

- Notation keys already difficult to understand, concern around adding more types

USA

- Slides already hard to read
- Do not want to prejudice views on differentiation
- Need to simply, not add

Brazil

- Focus on issues and thoughts, not what is on the screen
- Urge everyone to be flexible and present ideas and allow us to do interventions we need to do

Switzerland (EIG)

- Been a constructive session
- Slide/screen needs to be easy to read

Co-Facilitators said that specific references at the end were included so there would be reference back to the paragraph to whom the provision would apply. In fact, had a good discussion today about to whom the provisions would apply. Useful when Parties intervene. Struggle getting everything on one screen. Goal is to have slides as clear as possible. Slides have no status at all only to facilitate.

Saudi Arabia

- Not appropriate to negotiate this
- Challenging to go back and forth

Egypt suggested not to change paragraph numbers at this stage.

The informal consultation ended at 12.09pm.