

Submission by Ethiopia on behalf of the Least Developed Countries Group on how to progress work of the APA in a coherent, balanced and coordinated manner

The Least Developed Countries Group welcomes this opportunity to submit its views on how to progress work in the period after the third part of the resumed first session of the APA (May 2017) in a coherent, balanced and coordinated manner, bearing in mind the related matters being considered by the SBI and the SBSTA.

The LDC Group believes that we should accelerate our work here in Bonn and start directing our discussions toward textual outputs. Therefore we believe it would be important to instruct the co-facilitators of the various thematic issues under the APA to share informal notes that contain possible elements of skeletal decision text. This does not have to be too detailed. It would simply give Parties a way of focussing our work at the COP in November this year.

To further enhance this mode of work, it would be useful to have a call for submissions from Parties on possible decision text on each of the thematic elements of the work of the APA. We would encourage the APA co-Chairs to suggest a similar approach to the Chairs of the SBI and SBSTA on matters they have under their responsibility relating to the Paris Agreement.

On the issue of making progress, we believe it is possible to identify some key milestones that we could reach at COP 23 and the resumed session of CMA 1 in November this year. With the right political will we believe that we could finalise decisions on a number of issues under the Paris Agreement. These could include: an agreement that the Adaptation Fund shall serve the Paris Agreement and institutional arrangements for the Compliance Committee, to name just two.

While work on agenda items 3 to 7 under the APA is progressing in a focussed manner and submissions have been made on each of the relevant thematic areas, the LDC Group believes that in order to progress the work of the APA in a *coherent, balanced and coordinated* manner there are a number of residual issues that must also be addressed further. This submission focusses on the work under agenda 8 of the APA – matters related to the implementation of the Paris Agreement:

- (a) Preparing for the entry into force of the Paris Agreement;
- (b) Preparing for the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;
- (c) Taking stock of progress made by the subsidiary and constituted bodies in relation to their mandated work under the Paris Agreement and section III of decision 1/CP.21, in order to promote and facilitate coordination and coherence in the implementation of the work programme, and, if appropriate, take action, which may include recommendations.

Under Agenda item 8(a): Preparing for the entry into force of the Paris Agreement

The first session of CMA 1 decided to apply the draft rules of procedure contained in Decision 2/CMA.1 which fulfils the initial requirement for this item.

Under Agenda item 8(b): Preparing for the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement

The LDCs are grateful for the Explanatory Note prepared by the Co-Chairs. The LDC's recognise that there are number of issues that require further consideration under Agenda Item 8(b). These include:

- The governance and institutional arrangements for the Adaptation Fund;
- Common time frames for nationally determined contributions (NDCs) under Article 4, paragraph 10;
- Adjustment of existing NDCs under Article 4, paragraph 11;
- Recognition of adaptation efforts of developing country Parties under Article 7, paragraph 3, and decision 1/CP.21, paragraph 41;
- Modalities for biennially communicating information in accordance with Article 9, paragraph 5;
- Guidance to the operating entities of the financial mechanism under Article 9, paragraph 8, and decision 1/CP.21, paragraphs 58 and 61;
- Guidance to the Least Developed Countries Fund and the Special Climate Change Fund in accordance with decision 1/CP.21, paragraph 58;
- Process for setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53;
- Guidance on education, training and public awareness under with Article 12 and decision 1/CP.21, paragraph 83; and
- Progress and procedural steps to enable the forum on the impact of the implementation of response measures to serve the Paris Agreement.

The LDCs believe a process for resolving these “residual” issues in a prompt manner is essential and therefore we suggest the following approaches for each item.

Governance and institutional arrangements, safeguards and operating modalities for the Adaptation Fund to serve the Paris Agreement

The LDC Group has made a separate submission on this matter. Please refer to this submission. In essence, we believe that the current Operational Guidelines for the Adaptation Fund are adequate and only require a slight amendment to the composition and membership criteria to allow for representation of Parties who are not Parties to the Kyoto Protocol on the Adaptation Fund Board.

Consideration of potential new sources of funding to the Adaptation Fund, including but not limited to potential linkages with Article 6 of the Paris Agreement, as well as other new sources of funding. These can be taken up once

the MPGs related to Article 6 have been further developed. However, this process should not delay a simple decision that the Adaptation Fund shall serve the Paris Agreement.

Process to address item: The APA 1-3 should draft a decision for adoption at the resumed session of the CMA 1 in November 2017 resolving that the Adaptation Fund shall serve the Paris Agreement.

Common Timeframes

LDCs are of the view that a system of common timeframes for NDCs should be implemented. LDCs have supported a 5-year timeframe for NDCs so that low ambition is not locked into a long timeframe.

LDCs believe that this issue is generally resolved in paragraphs 23 and 24 of Decision 1/CP.21. Any ambiguity created within these paragraphs can be easily resolved by a decision by the CMA 1 at its resumed session in 2017.

Process to address item: This item can be taken up at APA 1-3 with a view to drafting a decision for consideration by the joint COP 23 and resumed session of CMA 1 in 2017,

Elements of the decision should include:

- Parties would agree to a common timeframe of five years.
- Parties that have produced a 10-year timeframe for 2020-2030 would be invited to produce a 5-year timeframe NDC for 2025-2030.
- Procedural arrangements for the Transparency Framework under Article 13 and the Global Stocktake under Article 14 would need to take into account a 5-year timeframe.

Adjustments of NDCs:

LDCs believe that establishing guidance for adjustments of NDCs is an important process, particularly in the context of increasing ambition as prescribe in Article 4.11 of the Paris Agreement. We believe that this issue is closely linked to the Facilitative Dialogue to be held in 2018 which is the first opportunity to review the adequacy of current NDCs and should be a catalyst for Parties to enhance their ambition. Therefore a prompt resolution of procedures to allow Parties to the Paris Agreement to adjust NDCs is needed.

Process to address item: Discussion on this item can be taken up at APA 1-3 and any concluding work can be forwarded to the joint session of COP 23 and resumed session of CMA 1 with a view to adopting a decision on this at the resumed session in 2017.

Elements of the Decision:

The elements of a decision to guide adjustments of NDCs should include, inter alia:

- A Party shall be able to make adjustments to their NDCs or adaptation communication at any time so long as such adjustments represent an increase in ambition;
- An increase in ambition shall be defined in the context of any, or all, of the following:
 - Pursuing greater domestic mitigation measures towards achieving the long-term temperature goal as defined by Article 4 of the Paris Agreement;
 - Enhancing adaptive capacity in the context of Article 7 of the Paris Agreement;
 - Enhancing understanding, action and support with respect to loss and damage associated with the adverse effect of climate change in the context of Article 8 of the Paris Agreement
 - Enhancing the provision of financial resources to assist developing countries Parties with respect to both mitigation and adaptation, in the context of Article 9 of the Paris Agreement;
 - Strengthening cooperative action on technology development and transfer in the context of Article 10 of the Paris Agreement;
 - Increased cooperation to enhance the capacity of developing country Parties to implement the Paris Agreement, as identified in Article 11 of the Paris Agreement;
 - Enhancing action in taking measures to enhance climate change education, training, public awareness, public participation and public access to information in the context of Article 12 of the Paris Agreement;
- Each Party that wishes to adjust the mitigation component of its NDC, or any other adjustment, other than an adaptation communication, shall deposit a notification of adjustment, and revised NDC to the public registry established under Article 4.12 of the Paris Agreement; or the interim registry established under paragraph 30 of decision 1/CP.21, as appropriate;
- Each Party that wishes to adjust its adaptation communication, shall deposit a notification of adjustment, and revised NDC to the public registry established under Article 7.12 of the Paris Agreement;
- Any revised mitigation NDC shall be presented in such a manner that is quantifiable and fulfils the requirements of accounting as defined by the CMA with respect to paragraph 31 of decision 1/CP.21. The revised NDC shall also provide the information necessary for clarity, transparency and understanding in accordance with paragraph 27 of decision 1/CP.21 and any relevant decisions of the CMA;
- Any adjustment to the NDC shall be done without prejudice to the requirement to produce an NDC every five years in accordance with decision 1/CP.21 and any relevant decisions of the CMA;

- Any adjustment to the NDC shall be consistent with the principles and concepts outlined in the preamble of the Paris Agreement;

Recognition of adaptation efforts of developing country Parties

As noted, the Adaptation Committee and the Least Developed Countries Expert Group (LEG) are jointly considering modalities to recognize the adaptation efforts of developing country Parties for consideration and adoption at CMA. This work needs to conclude by COP 23 so that the APA can consider the conclusions and prepare a draft decision for adoption by CMA 1 in 2018.

Process to address item: The APA to instruct the Adaptation Committee and LDC Expert Group to conclude work on this item by COP 23 and forward to APA for consideration.

Modalities for biennially communicating information in accordance with Article 9, paragraph 5

Timely consideration of this work is vital, particularly in the context of work being developed under the Transparency Framework. As this work has been given to the COP to consider, the APA should give guidance to COP 23 to conclude this work at COP 23, so that this work can feed into considerations under the Transparency Framework.

Process to Address Item: APA to invite COP 23 to conclude work on this agenda item and prepare a decision for adoption at the resumed session of CMA 1. Conclusions from this work should feed into considerations under the Transparency Framework.

Guidance to the operating entities of the financial mechanism under Article 9, paragraph 8

It is important that the COP develops appropriate guidance to the Financial Mechanism by the resumed session of CMA 1 in 2018. While no timeframe was set for this work it is important that the Financial Mechanism has the necessary mandate and guidance to assist countries in meeting their obligations under the Paris Agreement.

Process to Address Item: The APA should invite COP23 to prepare guidance to the Financial Mechanism. The COP may wish to invite the SBI to undertake this work and prepare a draft decision for adoption by the resumed session of CMA 1 in 2018.

Guidance on education, training and public awareness under with Article 12

Developing work on education, training and public awareness is an essential function under the Paris Agreement. This work should be undertaken in the context of capacity building as indicated in paragraph 82 of Decision 1/CP.21.

The CMA 1 has been mandated to undertake this work and it should do so without delay.

Process to address item: The CMA should take up this item at its resumed session in 2017 with a view to mandating the SBI to develop a draft decision on guidance on education, training and public awareness for adoption at the resumed session of CMA 1 in 2018.

Progress and procedural steps to enable the forum on the impact of the implementation of response measures to serve the Paris Agreement

As indicated, the SBSTA and SBI are considering “Modalities, work programme and functions under the Paris Agreement of the forum on the impact of the implementation of response measures” for consideration and adoption at CMA 1. This matter seems to be well in hand and no further consideration is required.

Agenda item 8(c): Taking stock of progress made by the subsidiary and constituted bodies in relation to their mandated work under the Paris Agreement and section III of decision 1/CP.21, in order to promote and facilitate coordination and coherence in the implementation of the work programme, and, if appropriate, take action, which may include recommendations.

The key aspect of this work is the Facilitative Dialogue to be convened in 2018 as mandated in paragraph 20 of Decision I/CP.21. LDCs believe that the Facilitative Dialogue will play a vital role in guiding the level of ambition needed in new or updated NDCs to be communicated by 2020. At COP 22 a request was made to the President of COP 22 in collaboration with the incoming President of COP 23, to undertake inclusive and transparent consultations with Parties on the organization of the Facilitative Dialogue referred to in decision 1/CP.21, paragraph 20, including during the sessions of the subsidiary bodies to be convened in May 2017 and COP 23, and to jointly report back to COP 23 on the preparations for this dialogue.

Process to address item: It is important that the Presidencies of COP 22 and COP 23 commence their consultation at the May 2017 session of the Subsidiary Bodies with a view to developing terms of reference for the conduct of the Facilitative Dialogue and related preparatory work. It is the view of LDCs that the Facilitative Dialogue should have a technical phase and a political phase. The technical phase should include in-session workshops at SB 48. These workshops would include an assessment of emission reductions and NDCs, consideration of inputs from the scientific community and UN Agencies. A further inter-sessional session should be held in late October 2018 to consider the IPCC Special Report on 1.5 degrees and other scientific inputs.

The LDCs look forward to discussing these issues at the forthcoming APA 1-3 session.