

Japan's submission on APA Item 7

“Modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance referred to in Article 15 paragraph 2, of the Paris Agreement”

Japan is pleased to submit its views on “Modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance referred to in Article 15, paragraph 2, of the Paris Agreement” responding to the guiding questions proposed by the informal Note by the Co-Facilitators.

1. How can potential linkages to other arrangements under the Paris Agreement be designed to ensure that the Committee operates effectively while still preserving the independence of these arrangements?

The Article 15 (implementation and compliance) provides for a vital element to ensure the effectiveness of the Paris Agreement and there are linkages with other arrangements especially with the Article 13 (transparency framework), and Article 14 (global stock take). The Article 15 committee will consist of 12 members. Due to this compact size, efficiency and avoidance of duplication of the work are required.

Linkages with other arrangements arise when the Article 15 committee starts its work (trigger). The party concerned should be able to trigger its own case (“self-trigger”), but in order to promote effective implementation, the trigger should include options other than “self-trigger”. It would be useful to add two more options; “automatic trigger” and “trigger by the committee”. To make the most of the information that will be obtained through the Technical Experts Review under the Article 13 (transparency framework), it would be an option to elaborate a simple check list (whether or not a party submitted NDCs, for example) so as to start “automatic trigger”.

It is also important that the Article 15 committee has the capacity to trigger its case as the information and the expertise will be accumulated within the committee with passage of time.

2. What kind of outputs of the Committee's activity would effectively facilitate implementation and promote compliance, and how?

The Article 15 committee should assist the party concerned to solve the problems it is facing. The output of the committee should include technical assistance in line with the arrangements under technology and capacity building so that the party concerned can find the way to facilitate implementation and promote compliance. The remedial actions should be offered by already established arrangements such as the capacity building mechanism, but not through the arrangements by the committee itself. The Article 15 committee should also be able to assist a party

to formulate a plan for implementation and compliance, and track the progress of the plan until the problems are solved.

3. How would the consideration of national capabilities and circumstances of Parties be operationalized in the modalities for the operation of the Art 15 Committee?

Particular attention should be paid to national capabilities and circumstances of respective parties with case-by-case basis flexibilities. The challenges for the implementation of the Paris Agreement vary as 160 Parties have concluded the Paris Agreement (as of 7th September, 2017). Any categorically differentiated procedures and modalities would not be acceptable in light of the text of the Article 15, paragraph 2. Rather, case-by-case basis flexibilities should be applied depending on different national capabilities and circumstances of each party.

4. Suggestions for the Round Table of the APA7 programmed on 6th November

It would be useful to study hypothetical cases to be taken up at the Article 15 committee during the Round Table of the APA7 scheduled on 6th November. For example, we could work on a hypothetical case of a party triggering its own case (“self-trigger”), by not submitting NDC, so as to have a clear image of the role of the Article 15 committee. These exercises would be useful to clarify the issues that require further discussion, so as to elaborate necessary elements for textual discussion at COP23.