



Subsidiary Body for Implementation

Thirty-sixth session

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Agenda item 5(b)

Nationally appropriate mitigation actions by developing country Parties

Composition, modalities and procedures of the team of technical experts

under international consultations and analysis

Composition, modalities and procedures of the team of technical experts under international consultations and analysis

Draft conclusions proposed by the Chair

1. In accordance with decision 2/CP.17, paragraph 62, the Subsidiary Body for Implementation (SBI) initiated, but did not conclude, consideration on the composition, modalities and procedures of the team of technical experts. The SBI decided to continue the consideration on this matter at its next session, on the basis of the draft text annexed to these conclusions, taking into account decisions 1/CP.16 and 2/CP.17, and Article 4, paragraph 7, of the Convention, with a view to recommending a draft decision for adoption by the Conference of the Parties at its eighteenth session.

2. The SBI also recognized the need to have an efficient, cost-effective and practical international consultations and analysis process, which does not impose an excessive burden on Parties and the secretariat, and requested the secretariat to prepare additional input to the discussion under this agenda item at its thirty-seventh session in this regard.

Annex

Draft [elements for COP]decision -/CP.18

Composition, modalities and procedures of the team of technical experts under international consultations and analysis

The Conference of the Parties,

Recalling decisions 1/CP.16 and 2/CP.17, establishing a process for international consultation and analysis of biennial update reports (BURs) under the Subsidiary Body for Implementation that aims to increase the transparency of mitigation actions and their effects, and adopting the modalities and guidelines for international consultation and analysis,

[Recognizing][Noting] that international consultation and analysis is non-intrusive, non-punitive, and respectful of national sovereignty,]

Also recognizing the need to have an efficient, cost-effective and practical international consultation and analysis process, which does not impose an excessive burden on Parties, and on the secretariat,

[Having taken note of, as provided by the secretariat, the estimated budgetary implications of the actions requested of the secretariat in paragraph 3 below and other actions contained in the appendix to this decision,]

[Recognizing the difficulties faced by non-Annex I Parties in reporting under the Convention and the need to take into account national capabilities and circumstances, and to build capacity, and the need for the provision of financial support in a timely manner to non-Annex I Parties to facilitate the timely preparation of biennial update reports,]

[Urging Annex II Parties and other developed country Parties in a position to do so to provide support for the preparation of biennial update reports,]

Recognizing that the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention could also play an important role in facilitating technical advice and support for the preparation and submission of the first biennial update report[, and building capacity for the teams of technical experts referred to in paragraph 1 hereunder],

[Also having taken note that the requirements for additional resources for implementation of the relevant actions referred to in paragraph 3 below cannot be met by the approved UNFCCC core budget for the biennium 2012–2013,]

Also having taken note that the UNFCCC core budget for the biennium 2014–2015 will need to [cover][address] the resources necessary for the implementation of the actions in the appendix to this decision,

1. *Adopts* the composition, modalities and procedures of the team of technical experts referred to decision 2/CP.17, annex IV, paragraph 1, as contained in appendix XX;
2. *[Invites* Parties [and, as appropriate, intergovernmental organizations] to nominate technical experts with the relevant qualifications to the roster of experts;]
3. *[Requests* the secretariat to:
 - (a) Maintain and update the roster of technical experts;

(b) Develop and conduct appropriate training programmes for nominated technical experts;

(c) Develop the technical tools necessary to conduct the technical analysis of the biennial update reports efficiently;]

4. *Encourages* Parties included in Annex II to the Convention to provide the financial resources necessary for actions of the secretariat called for in paragraph 3 above[, and the actions required within the provisions contained in appendix to this decision];

5. [*Also encourages* developed country Parties and other developed Parties included in Annex II to the Convention to provide new and additional financial resources at the agreed full cost in accordance with Article 4, paragraph 3, of the Convention and relevant decisions of the COP with a view to supporting any reporting needed for international consultations and analysis;]

6. [*Requests* that the actions of the secretariat called for in this decision, and the actions required within the provisions contained in the appendix, be undertaken subject to the availability of financial resources.]

Appendix

Composition, modalities and procedures of the team of technical experts referred to in decision 2/CP.17, annex IV, paragraph 1

The objective of this document is to provide details on the composition, modalities and procedures of the team of technical experts referred to decision 2/CP.17, annex IV, paragraph 1.

A. Modalities and procedures of the team of technical experts

Option 1

1. [A single team of technical experts (TTE) drawn from the UNFCCC roster of experts shall be responsible for conducting the technical analysis of [one to four][each][six to eight] [submitted] biennial update report[s] (BURs) from Parties not included in Annex I to the Convention (non-Annex I Parties), or for a group of Parties, within six months of its submission. In accordance with decision 2/CP.17, paragraph 58(d), small island developing States and the least developed country Parties may undergo international consultation and analysis as a group of Parties at their discretion.]

1 bis. [The technical analysis will result in individual summary report for each submitted biennial report.]

1 ter. The technical analysis shall be conducted as a centralised process where several BURs may undergo analysis by same TTE. The TTE shall sub-divide the work such that relevant skills are deployed according to the individual skills of the TTE.

Option 2

xx. The CGE shall serve as the team of technical experts for international consultation and analysis by undertaking the technical analysis of biennial update reports, in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in accordance with paragraphs 56–62 of Decision 2/CP. 17 and its Annex IV.

yy. The CGE may establish committees, panels or working groups to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE.

2. [The technical analysis of a BUR[from a Party or BURs from a group of Parties] by the TTE shall be coordinated by the secretariat.]

2 bis. CGE may decide on the organization of committees, panels or working groups for conducting the technical analysis of individual or group of biennial reports (up to four biennial update reports) from Parties not included in Annex I to the Convention (non-Annex I Parties) within [six] months of its submission.

3. [The [CGE][*to be defined*] shall, with the administrative support of the secretariat,][The secretariat shall] for each [BUR] technical analysis activity:

- (a) [Prepare a brief workplan for the technical analysis activity;
- (b) Monitor the progress of the technical analysis activity;

(c) [Coordinate preparation of the summary report of the technical analysis activity;]

(d) Coordinate receipt of the comments received from a Party on the draft summary report of technical analysis of its BUR;

(e) Coordinate the [appropriate] response to the comments, including follow-up clarification with the Party concerned and incorporating [relevant] comments, [as needed]].

Alternative to (a)-(e)

(a) Prepare a brief workplan for the technical analysis activity;

(b) Prepare the draft summary report of the technical analysis activity taking into consideration the information referred to in decision 2/CP.17, paragraphs 56–62 and its annex IV, and share it with the Party concerned for review and comment over the following four months;

(c) To respond to and incorporate comments referred to in item (b) above from the Party concerned and finalize, in consultation with the Party concerned, the summary report, which shall be presented to the Subsidiary Body on Implementation (SBI).

4. [[The [CGE][*to be defined*] [collectively]][A representative group of the technical experts that undertake the analysis of BURs] shall meet periodically to, with a view to continuously improving the international consultation and analysis (ICA) process:]

(a) Prepare a report to the SBI biennially, with suggestions on how to improve the technical analysis [and the ICA] process;

(b) Advise on technical support tools to facilitate the technical analysis.

(c) [*placeholder for merging paragraph 19 into this paragraph if option 1 prevails*]

4.1 [[The [CGE][*to be defined*] [collectively]][A representative group of the technical experts that undertake the analysis of BURs] shall also when it meets periodically, with a view to continuously improving the international consultation and analysis (ICA) process:

(a) Identify and provide technical assistance regarding problems and constraints that have affected the preparation of biennial update reports by non-Annex I Parties;

(b) Provide technical assistance to non-Annex I Parties for the regular development of national greenhouse gas (GHG) inventories, vulnerability and adaptation assessment, mitigation assessment, research and systematic observation, education, training and public awareness, technology transfer and capacity-building, with a view to improving the accuracy, consistency and transparency of information in their national communications and biennial update reports;

(c) Assist non-Annex I Parties, upon their request and as appropriate, in facing difficulties encountered in the use of the guidelines and methodologies for the preparation of national communications and biennial update reports;

(d) Provide technical advice and support, by organizing and conducting workshops, including hands-on training workshops at the regional or subregional level, on national greenhouse gas inventories, vulnerability and adaptation, and mitigation, as well as training on the use of the guidelines for the preparation of national communications and biennial update reports by non-Annex I Parties. Special attention shall be given to the training on the use of guidelines for the preparation of the first biennial update reports by non-Annex I Parties;

(e) Provide technical assistance and support for the preparation of proposals regarding the funding needed for the preparation of biennial update reports from non-Annex I Parties;

(f) Provide non-Annex I Parties, upon request, with information on existing activities and programmes, including bilateral, regional and multilateral sources of financial and technical assistance, to facilitate and support the preparation of BURs by non-Annex I Parties.]

5. The technical analysis shall include the following:

(a) Checking the completeness of BUR submissions;

(b) Examining the consistency, [transparency and comparability¹] of [methodologies used][the BUR] with the UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention contained in annex III to decision 2/CP.17 [and in particular the technical analysis shall cover information listed in paragraph 3(a) of the guidelines contained in Annex IV to 2/CP.17];

[(b bis) Consideration of the information listed in paragraph 3(a) of the guidelines contained in Annex IV to 2/CP.17, including national greenhouse gas inventory reports, information on mitigation actions, including a description of such actions, an analysis of their impacts and associated methodologies and assumptions, the progress made in their implementation and information on domestic measurement, reporting and verification, and support received, as well as any additional information provided by the Party/Parties;]

[(b ter) Identifying areas for further capacity building and noting possible ways for improving the estimation and reporting of the information. Such recommendations, from the team of technical experts, should not contain any political judgement, ensuring that the appropriateness of domestic policies and measures is not part of the process;]

(c) [Preparing a [draft] summary report under its collective responsibility and in consultation with the Party concerned[, which may include advice on aspects of the BUR submissions that could be improved to ensure completeness, promote consistency with the guidelines, and facilitate the increased transparency of mitigation actions and their effects. The summary report from the technical analysis should also provide recommendations to accommodate capacity building and continuous improvement in the reporting.]]

6. The TTE shall complete its draft summary report not later than four months from the start of the technical analysis. The draft summary report after editing and formatting by the secretariat, should be shared with the respective non-Annex I [[Party][Parties]][Party or Parties] for comment to be provided within next three month of its receipt.

7. The TTE will [respond to and incorporate][take into account] [incorporate or otherwise respond to] the comments referred to in paragraph 4 above received from the Party concerned and finalize, in consultation with the Party concerned, the summary report within three months of the receipt of any comments on the draft report from the [[Party][Parties]][Party or Parties] concerned.

8. The final summary report shall be published on the UNFCCC website within two weeks of it being finalized. [The secretariat [shall][may] also forward each final summary report to the Subsidiary Body for Implementation (SBI) in time for its consideration][The final summary report shall be presented to the Subsidiary Body for Implementation (SBI)].

¹ [Comparability means that estimates of emissions and removals reported by non-Annex I Parties in their inventories should be comparable among non-Annex I Parties. For this purpose, non-Annex I Parties should use the methodologies and formats agreed by the COP for estimating and reporting inventories.]

9. [In the course of a technical analysis as set out decision 2/CP.17, annex IV, paragraphs 3 and 4, the TTE, upon request, shall be provided by the non-annex I Party concerned with information and data sufficient to assess the conformity of the BUR with the “UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention” and other relevant guidelines adopted by the COP.]

10. [Where some of the additional information or data, including the data used by the Party concerned in the preparation of its BUR, requested by the team of experts in accordance with decision 2/CP.17, annex IV, paragraph 4, falls under confidentiality protection in accordance with the national legislation of the Party concerned, the Party shall inform the TTE thereof, indicating the reasons for classifying the information. Any confidential information and data provided by a Party to the TTE shall be maintained as confidential by the TTE.]

11. The obligation of a member of a TTE not to disclose confidential information shall continue after termination of his or her service on the TTE.

12. [Participating experts from non-Annex I Parties, Parties included in Annex I to the Convention (Annex I Parties) with economies in transition [and Annex I Parties whose special circumstances are recognized by the Conference of Parties] shall be funded in accordance with the existing procedures² for participation in UNFCCC activities. Experts from other Parties included in Annex I to the Convention shall be funded by their governments and those representing the intergovernmental organizations shall be funded by their respective organizations]. [*This option relates to options 1 and 2 under section B*].

[12 bis. As a general rule the technical analysis will be conducted as a centralised process where several BURs may undergo analysis by the same TTE. On a voluntary basis, and at the request of the Party concerned, the TTE may undertake its work during an in-country visit.]

B. Composition of teams of technical experts

[*Option 1*]:

13. The members of the team of technical experts shall [compose][be composed] of experts nominated to the roster of experts by Parties to the Convention and, as appropriate, by intergovernmental organizations.

14. Participating experts shall serve in their personal capacity.

15. The secretariat shall select the members of the TTEs from the roster of experts maintained by the secretariat to conduct technical analysis of biennial update reports in a way that the collective skills of each team address areas of information defined in decision 2/CP.17, annex IV, paragraph 3(a). A TTE formed for a technical analysis may vary in size and composition, taking into account the national circumstances of the Party whose BUR is under technical analysis and the different expertise needs of each technical analysis activity. At least one member of the TTE shall be an expert in greenhouse gas inventories. The need for experts dedicated on the associated methodologies and assumptions behind mitigation actions should be determined based on the national circumstances of the Party whose BUR is under technical analysis.

16. The secretariat shall, to the extent possible, select the members of the TTE with a view to achieving a balance between experts from Annex I Parties and non-Annex I Parties in the overall composition of the team, without compromising the selection criteria referred to in paragraph 15 above. The secretariat should, to the extent possible, ensure geographical

² Under this procedure, funding is limited to an air ticket for the most direct route and at the least costly fare, plus daily subsistence allowance at the established United Nations rate.

balance among the experts selected from non-Annex I Parties and among the experts selected from Annex I Parties.

17. The secretariat shall also ensure that members selected for the TTE shall neither be nationals of the Party under analysis nor be nominated or funded by that Party, and the secretariat shall ensure that analysis of successive BURs from the same Party are not undertaken by the same TTE.

18. The secretariat shall ensure that any TTE is co-led by two experts: one from an Annex I Party and another from a non-Annex I Party. The co-lead experts should ensure that the technical analyses in which they participate are performed in accordance with the relevant guidelines contained in relevant COP decisions. The size of the TTE may vary in size and composition, taking into account the national circumstances of the Party undergoing ICA, and the TTE should include at least one greenhouse gas inventory expert.

19. The co-lead experts collectively also shall, with a view to continuously improving the international consultation and analysis (ICA) process and enabling a prompt response to feedback from Parties undergoing the ICA process, exchange with the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) on how the technical assistance and support of the CGE to non-Annex I could be further improved.

[Option 2]:

20. The Consultative Group of Experts (CGE) shall also serve as the team of technical experts for international consultation and analysis by undertaking the technical analysis of biennial update reports, in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in accordance with decision to 2/CP.17, paragraphs 56–62, and its annex IV.³ The membership of the CGE shall be the same as in decision 3/CP.8, annex, paragraphs 3–8.

21. The CGE may establish committees, panels or working groups to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE.

22. The CGE may decide on the organization of committees, panels or working groups for conducting the technical analysis of individual or group of biennial reports (up to four biennial update reports) from Parties not included in Annex I to the Convention (non-Annex I Parties) within [six] months of its submission.

[Option 3]:

23. The TTE shall be housed within the secretariat on a permanent basis.]

³ This proposal shall be considered in conjunction with the Brazilian submission on views and proposals on the term and mandate the Consultative Group of Experts - CGE, and the need for continuation of the group, contained in document. FCCC/SBI/2012/MISC.6. The terms of reference of the Consultative Group of Experts on National Communications from non-Annex I Parties should be reviewed accordingly.