# Scenario note on the second part of the first session of the Ad Hoc Working Group on the Paris Agreement

## **Note by the Co-Chairs**

23 October 2016

#### I. Introduction

- 1. The Conference of the Parties (COP), by decision 1/CP.21, established the Ad Hoc Working Group on the Paris Agreement (APA). The COP decided that the APA, inter alia, shall<sup>2</sup>
  - (a) Prepare for the entry into force of the Paris Agreement and for the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA);
  - (b) Hold its sessions starting in 2016 in conjunction with the sessions of the Convention subsidiary bodies;
  - (c) Prepare draft decisions to be recommended through the COP to CMA 1 for consideration and adoption.
- 2. The COP requested the APA to complete its work by CMA 1.3
- 3. The APA will resume its work at the second part of its first session (APA 1-2), to be held in Marrakech, Morocco, from 7 to 14 November 2016. It will be held in conjunction with COP 22, the twelfth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol, CMA 1 and the forty-fifth sessions of the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice (SBSTA).
- 4. At the first part of its first session (APA 1-1), held in Bonn, Germany, from 16 to 26 May 2016, the APA elected its Bureau, adopted its agenda, agreed on the organization of work and initiated substantive consideration of all items on the agenda. It is now time to move forward decisively. We, the APA Co-Chairs, are confident that with the strong political will of Parties to ensure the successful implementation of the APA mandate the Marrakech session of the APA will achieve the outcome we all strive for.
- 5. We would like to reiterate to Parties our sincere gratitude for the trust and confidence placed in us as well as for their continued support.
- 6. Through this note, we seek to assist Parties in their preparations for APA 1-2 and to help them in maximizing the use of the limited time available.
- 7. On 5 October 2016, the threshold for entry into force of the Paris Agreement was met. The Paris Agreement will enter into force on 4 November 2016. We would like to commend Parties for acting swiftly to bring the Paris Agreement into force. The pace at which the Paris Agreement is entering into force is unprecedented for an international treaty of such magnitude, and it increases the pressure on the APA to complete its work efficiently and expeditiously.
- 8. In view of the entry into force of the Paris Agreement, we encourage Parties to engage actively and constructively in all issues across the APA agenda so that the Paris Agreement work programme can be implemented swiftly and with full respect to the delicate political balance achieved in Paris. It is our firm commitment to continue to use a comprehensive approach in which all agenda items are considered in a balanced and coherent manner. We will also maintain close coordination with the Chairs of the subsidiary and constituted bodies in relation to their mandated work under the Paris Agreement.

<sup>&</sup>lt;sup>1</sup> Decision 1/CP.21, paragraph 7.

<sup>&</sup>lt;sup>2</sup> Decision 1/CP.21, paragraphs 8 and 11.

<sup>&</sup>lt;sup>3</sup> Decision 1/CP.21, paragraph 10.

# II. Objective of the session

- 9. The resumed first session provides an opportunity to move forward in the understanding and articulation of the range of issues to be deliberated under each agenda item; it also provides an opportunity to address each item in detail and, through focused deliberations, to move from scoping discussions to identifying the essential questions to be addressed, allowing for the development of specific proposals. To that end, the APA will need to move to a more focused mode of work in Marrakech.
- 10. In its conclusions adopted at APA 1-1, the APA invited Parties to submit, by 30 September 2016, their views on agenda items 3–6. We are pleased to acknowledge that 72 submissions have been received,<sup>4</sup> which have been compiled into information documents, as mandated.<sup>5</sup> The rich content of the submissions (along with the interventions made during the May session) will help Parties in understanding each other's positions, provides a basis for focused substantive work and will guide us in planning the work of the APA in this and subsequent sessions.
- 11. We also recall that the APA invited Parties and admitted observer organizations to provide information, views and proposals on any work of the APA before each of its sessions. Several submissions were received to this effect and they are available at the UNFCCC website.
- 12. We are confident that Parties will come fully prepared for substantive discussions and for engaging interactively and constructively on all issues. We must make the best use of the six working days available during the session.

# III. Organization of work

- 13. The annotated agenda for APA 1-2 provides context for the modalities and organization of work for the Marrakech session. In addition to the annotated agenda, Parties will have available before them the submissions of views on agenda items 3–6, compiled by the secretariat into information documents.
- 14. In Marrakech, we propose to start work with a focused, short plenary on 7 November to provide an overview of the session and give Parties and groups of Parties an opportunity to make brief remarks. Subsequently and in the light of the APA 1-1 conclusions, the APA will continue working in a single contact group on agenda items 3–8, which will meet at least three times as follows: at an opening meeting to set the direction of work; at a mid-session meeting to assess progress and adjust guidance, if needed; and at a closing meeting to assess the results of the session. The contact group will conduct technical work for each of the six substantive agenda items through informal consultations, each to be facilitated by two co-facilitators. We, the Co-Chairs will facilitate the informal consultations under agenda item 8.
- 15. We have invited the following delegates to facilitate the informal consultations on agenda items 3–7 and would like to express our appreciation to them for agreeing to undertake that role:
  - (a) Agenda item 3 Further guidance in relation to the mitigation section of decision 1/CP.21: Mr. Sin Liang Cheah (Singapore) and Ms. Gertraud Wollansky (Austria);
  - (b) Agenda item 4 Further guidance in relation to the adaptation communication: Mr. Richard Muyungi (Tanzania) and Ms. Beth Lavender (Canada);
  - (c) Agenda item 5 Modalities, procedures and guidelines for the transparency framework for action and support: Mr. Xiang Gao (China) and Mr. Andrew Rakestraw (United States of America);
  - (d) Agenda item 6 Matters relating to global stocktake: Mr. Nagmeldin G. Elhassan (Sudan) and Ms. Ilze Prūse (Latvia);

<sup>&</sup>lt;sup>4</sup> As at 23 October 2016.

<sup>&</sup>lt;sup>5</sup> < http://unfccc.int/meetings/marrakech\_nov\_2016/session/9680/php/view/documents.php#c>.

<sup>&</sup>lt;sup>6</sup> See paragraph 23 in document FCCC/APA/2016/2.

<sup>&</sup>lt;sup>7</sup> For Party submissions see:<<u>http://unfccc.int/documentation/submissions from parties/items/5900.php</u>>. For observer organization submissions see: <<u>http://unfccc.int/documentation/submissions from non-party stakeholders/items/7478.php</u>>.

<sup>&</sup>lt;sup>8</sup> < http://unfccc.int/meetings/marrakech\_nov\_2016/session/9680/php/view/agenda.php#c>.

<sup>9 &</sup>lt;a href="http://unfccc.int/meetings/marrakech\_nov\_2016/session/9680/php/view/documents.php#c">http://unfccc.int/meetings/marrakech\_nov\_2016/session/9680/php/view/documents.php#c>.

- (e) Agenda item 7 Modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance: Ms. Janine Felson (Belize) and Mr. Peter Horne (Australia).
- 16. Based on Parties' views and their deliberations at the contact group, and consistent with the APA 1-1 conclusions, we will be providing guidance to facilitators on how to achieve specific tasks, designed to maximize progress across all items on the agenda, through a process that will continue to be Party-driven and built on inputs from Parties, with the outputs of the process reflecting inputs from Parties. We will hold daily meetings with facilitators to assess, guide and coordinate the work across the agenda. Given the breadth and diversity in the substantive content of APA agenda items, the facilitators may have to consider using different approaches to advance the items, under our general guidance, which should nonetheless ensure comparable treatment for all issues. Any approach used must remain Party-driven, transparent and fully inclusive.
- 17. All efforts will be made to ensure that no more than two informal consultations take place at the same time, and we will take particular care to avoid scheduling any two meetings on closely interlinked items in parallel.
- 18. The facilitated groups are expected to finalize their work and complete their assigned tasks by 6 p.m. on 11 November. The closing plenary, which will consider the outcomes of the work of the contact group through the facilitated consultations and the next steps in APA work, will be held on 14 November.
- 19. We also intend to continue our active engagement with observers in the APA process. As done during APA 1-1 in Bonn, we will convene a special event in Marrakech with observer organizations.
- 20. It is our firm commitment to continue to remain open to all Parties in order to seek their views on the suggested mode of work and to adjust it if required. We intend to hold pre-sessional meetings, as well as meetings with groups of Parties whenever necessary during the course of the session to ensure any issues are addressed in a timely manner and to ensure effective coordination during the session. We very much look forward to working with Parties in Marrakech and are confident that with the continued support of Parties the APA will be able to make a significant step forward. We can be contacted directly at <CAPA@unfccc.int>.

# IV. Moving forward on agenda items

21. In preparing for APA 1-2, we have reflected on the submissions by Parties in accordance with APA 1-1 conclusions<sup>10</sup> and the views expressed by Parties during the May session. In doing so, we paid particular attention to the outcome the APA is mandated to deliver in accordance with decision 1/CP.21. The reflections below are our impressions from the submissions. They are intended to help initiate discussion in Marrakech rather than representing a comprehensive summary of the views expressed by Parties. We make these observations also with the understanding that it is up to the Parties to determine how to move forward on each item.

### Agenda item 3: Further guidance in relation to the mitigation section of decision 1/CP.21

- 22. The COP, by decision 1/CP.21, requested the APA:<sup>11</sup>
  - (a) To develop further guidance on features of the nationally determined contributions (NDCs);
  - (b) To develop further guidance for the information to be provided by Parties in order to facilitate clarity, transparency and understanding of NDCs;
  - (c) To elaborate, drawing from approaches established under the Convention and its related legal instruments as appropriate, guidance for accounting for Parties' NDCs.
- 23. For this item, we would like to note the following:

Context, principles, purpose

24. In their submissions, Parties referred to the Paris Agreement and its objectives, and identified agreed provisions on features of, and information on, NDCs. They stressed, in particular, national determination as the main feature of NDCs. The need to draw upon existing arrangements under the Convention and the Kyoto Protocol, including agreed principles, was emphasized in some submissions.

<sup>&</sup>lt;sup>10</sup> FCCC/APA/2016/2, paragraph 22.

<sup>&</sup>lt;sup>11</sup> Decision 1/CP.21, paragraphs 26, 28 and 31. See also Article 4, paragraph 13, of the Paris Agreement.

#### Recurring themes

25. The information communicated by Parties in their submissions revealed that boundaries between the different sub-items of agenda item 3 are not always clear-cut, with some submissions making, for example, similar observations with regard to both features and information. Many Parties noted that further guidance on features of and information on NDCs should focus on the operationalization of existing provisions. Such guidance would seek to assist Parties with the preparation and communication of NDCs and with improving the quality and completeness of the information to facilitate the clarity, transparency and understanding of these contributions. Possible approaches put forward were to add further details to existing provisions (for example, specifying information elements per type of target), and to identify areas where more information may be required (for example, on time frames, conditionality and support aspects).

Key issues to be resolved and suggestions for further work

- 26. A key question to be addressed, given the nationally determined nature of contributions, is how directive guidance on features, information and accounting should be (for example whether the outcome might take the form of a 'best practice' guide for NDCs). To that end, it would be useful to clarify how to achieve the purposes of NDCs without impacting national sovereignty. It would also be useful to determine what further guidance would be necessary in terms of drawing upon the existing arrangements under the Convention and the Kyoto Protocol.
- 27. As regards accounting, the views communicated by Parties demonstrated the need to 'demystify' this issue. In particular, clarity is needed on issues such as:
  - (a) How should accounting be understood and what would its objectives be (e.g. transparency and facilitating understanding; ensuring environmental integrity; avoidance of double counting and/or tracking of progress in the implementation and achievement of NDCs);
  - (b) What level of guidance would be required to achieve these objectives, considering, for example: the variety of NDCs, including different types of targets; the variety of national circumstances and the need for flexibility; and specific areas such as the land sector and international cooperation.
- 28. Parties' proposals for further work include convening technical meetings to share experiences and lessons learned with the preparation of intended nationally determined contributions and to discuss technical aspects of accounting, and inviting further targeted submissions.

#### Agenda item 4: Further guidance in relation to the adaptation communication

- 29. Article 7, paragraph 10, of the Paris Agreement states that each Party should, as appropriate, submit and update periodically an adaptation communication, which may include its priorities, implementation and support needs, plans and actions, without creating any additional burden for developing country Parties. Article 7, paragraph 11, of the Paris Agreement states that the adaptation communication shall be, as appropriate, submitted and updated periodically, as a component of or in conjunction with other communications or documents, including a national adaptation plan, a nationally determined contribution 12 and/or a national communication.
- 30. For the adaptation communications, we note the following:

#### Context, principles, purpose

- 31. In their submissions, Parties presented their views on principles and guiding elements relevant to this item. They highlighted the need to keep adaptation communications flexible and voluntary and to avoid burdens on developing countries. Parties also indicated that the objectives, principles and commitments of the Convention remain relevant.
- 32. Parties reflected on the purpose of the adaptation communications. Parties consider them useful for, inter alia: maintaining the high profile and visibility of adaptation; contributing to the goals of the Paris Agreement and the objective of the Convention; identifying vulnerabilities; setting goals and priorities; recognizing, strengthening and understanding efforts and enhancing their effectiveness; mobilizing stakeholders; understanding the aggregate effect of efforts; providing input to the global stocktake; sharing information and

<sup>&</sup>lt;sup>12</sup> Article 4, paragraph 2, of the Paris Agreement.

facilitating cooperation; enhancing the provision of support; communicating support needs; and enabling the assessment of adequacy of actions and support.

#### Recurring themes

- 33. Many submissions suggested possible elements of the adaptation communications. These included vulnerability assessments; long-term objectives; contributions to the global goal on adaptation; priorities, implementation and support needs; plans, policies, actions and strategies; the development context and/or national circumstances; legal frameworks and institutions; monitoring and evaluation and/or assessment; progress and results; lessons learned; cooperation; co-benefits; gaps; costs of efforts; as well as support provided and received.
- 34. In their submissions, many Parties explored options for possible communication 'vehicles'. It was emphasized that all vehicles outlined in Article 7, paragraph 11, of the Paris Agreement (e.g. national adaptation plans, NDCs, national communications) or others can be used, while some Parties also identified their preferred vehicles. It was also noted that adaptation planning processes and submitting an adaptation communication are two different obligations, and there might be some benefit in exploring their relationship.
- 35. The frequency of communication was considered to be up to Parties, but some suggested it could follow the cycle of Parties' national communications or NDCs, and/or be aligned with the global stocktake cycle.
- 36. The submissions also elaborated on various linkages between this item and other issues:
  - (a) The importance of clarity and consistency in the relationship with the transparency framework was emphasized (item 5 of the APA agenda). One example is that the adaptation communications could contain forward-looking information, while the transparency framework would be backward-looking;
  - (b) Regarding the relationship with the global stocktake (item 6 of the APA agenda), many Parties consider adaptation communications an essential input to the global stocktake, and some indicated that more clarity on the stocktake would be helpful;
  - (c) On the links with existing reports and documents on adaptation, many Parties emphasized the importance of avoiding duplication and suggested that existing reports and documents could help identify the required categories of information, and some submissions suggested they should be strengthened (for example by revising the relevant reporting requirements for national communications) and streamlined (for example by using the adaptation communication for showcasing, in a distilled and accessible manner, a country's national adaptation planning process).

Key issues to be resolved and suggestions for further work

- 37. In order to progress work on this agenda item, Parties might wish to consider clarifying, inter alia:
  - (a) The relationship between existing reports and documents on adaptation and the value added by adaptation communications vis-à-vis those reports and documents;
  - (b) Identification of elements of guidance that are most suitable for the purposes of the adaptation communications;
  - (c) The need for consistency across communication 'vehicles' and the importance of delineating the adaptation communication clearly.
- 38. It has been suggested that the secretariat could compile existing guidance for reporting adaptation actions and needs under the Convention. To that end, it was also suggested that Parties could immediately engage in discussion of the features of adaptation communications to progress collective understanding.

## Agenda item 5: Modalities, procedures and guidelines for the transparency framework for action and support

39. The COP requested the APA to develop recommendations for modalities, procedures and guidelines (MPGs) in accordance with Article 13, paragraph 13, of the Paris Agreement, and to define the year of their first and subsequent review and update, as appropriate, at regular intervals, for consideration at COP 24, with a view

to forwarding them to CMA 1 for consideration and adoption.<sup>13</sup> The COP also requested the APA to report on the progress of work on these MPGs to future sessions of the COP, and that this work be concluded no later than 2018.<sup>14</sup>

40. For transparency, the following points are noted:

#### Context, principles, purpose

- 41. Parties reiterated that the Paris Agreement established an enhanced transparency framework that applies to all Parties with built-in flexibility that takes into account Parties' different capacities and builds upon collective experience. Parties also highlighted that MPGs for it should be drawn from and build on the existing measurement, reporting and verification (MRV) arrangements under the Convention.
- 42. The submissions highlighted that the enhanced transparency framework under the Paris Agreement should, as outlined in Article 13, paragraphs 5 and 6, provide clear understanding of climate action, provide clarity on support provided and received, and inform the global stocktake under Article 14.
- 43. In this context, many Parties noted the importance of taking into account the linkages to further work being undertaken under the APA on matters stemming from other parts of the Paris Agreement as well as other ongoing work under the Convention and the Kyoto Protocol addressing similar substantive matters.

#### Recurring themes

- 44. Parties addressed both the organization of work and a wide range of substantive issues, including but not limited to: key operational principles relating to the design and operationalization of the MPGs; flexibility and ways of factoring it into the MPGs; the structure and components/elements of the MPGs; support to developing countries in the context of the transparency framework; and linkages to other parts of the Paris Agreement and other ongoing work and processes under the Convention and the Kyoto Protocol on similar substantive matters.
- 45. One narrative that came through was to acknowledge that Parties would be at different starting points, that the transparency framework should be designed to encourage and incentivize continuous improvement over time, and that one important way of doing this would be through the provision of capacity-building and support for those who need it.

Key issues to be resolved and suggestions for further work

- 46. The submissions from Parties touch upon considerations that are of both a political and a technical nature. While all issues are equally important and warrant full consideration, there are a few particular issues that have potential to impact the overall outcome of the work on the development of the MPGs. These include, but are not limited to:
  - (a) Overall structure of the enhanced transparency framework: some Parties propose MPGs common to all Parties with built-in flexibility, while others see the MPGs themselves to be differentiated;
  - (b) Flexibility: while all submissions highlighted the importance of providing flexibility to developing countries that need it, they contained different ideas on how such flexibility could be defined and applied to the MPGs;
  - (c) Using experience: how experience from the existing MRV arrangements under the Convention should inform the work to develop MPGs for the transparency framework under the Paris Agreement;
  - (d) Need for support: support to developing countries in the context of the transparency framework under the Paris Agreement is identified by a number of Parties as one of the elements to be addressed.
- 47. The work on the development of MPGs is going to be technically complex and substantial in volume considering that it covers mitigation, adaptation, finance, technology transfer and capacity-building in, broadly, three different dimensions: reporting, technical review and facilitative multilateral consideration. In view of such complexity, it is important that the work is undertaken in a logical, structured manner that would allow the APA to conclude its work with concrete outcome(s) as early as possible.
- 48. In the light of entry into force of the Paris Agreement, many Parties emphasized the urgency to complete the work on development of the MPGs as soon as possible and highlighted concrete expectations from the work

<sup>&</sup>lt;sup>13</sup> Decision 1/CP.21, paragraph 91.

<sup>&</sup>lt;sup>14</sup> Decision 1/CP.21, paragraph 96.

on this item in Marrakech. Some specific examples in that respect include identifying key issues/elements of MPGs, calling for further submission of views from Parties, requesting the secretariat to prepare technical papers on specific matters (to be agreed by Parties) and convening intersessional technical expert workshops.

#### Agenda item 6: Matters relating to the global stocktake referred to in Article 14 of the Paris Agreement

- 49. The COP requested the APA to identify the sources of input for the global stocktake (GST) and to develop its modalities, and to report to the COP, with a view to the COP making a recommendation to CMA 1 for consideration and adoption. The COP also requested the SBSTA to provide advice on how the assessments of the Intergovernmental Panel on Climate Change can inform the global stocktake of the implementation of the Paris Agreement pursuant to its Article 14. The COP also requested the SBSTA to provide advice on how the assessments of the Intergovernmental Panel on Climate Change can inform the global stocktake of the implementation of the Paris Agreement pursuant to its Article 14.
- 50. For the global stocktake, we note the following points:

#### Context, principles, purpose

51. Most submissions put forward specific proposals on sources of inputs for, and elements of, the modalities of the GST. Some submissions also referred to guiding principles for the GST. Many Parties made proposals on characteristics of the expected outputs of the GST, as well as on the context for conducting the GST. Furthermore, some Parties raised questions on the identification of relevant inputs and how they would be considered.

#### Recurring themes

- 52. With regard to sources of input, most submissions made proposals of an overarching nature as well as specific ones related to adaptation, mitigation and support, with some submissions emphasizing the need to consider these inputs in a balanced and tailored manner. Several submissions also proposed to build an initial/standard non-exhaustive list and to add further to it based on needs and availability of information during the GST.
- 53. On modalities, many submissions made reference to a structured expert dialogue format for the GST. It was also noted that experience with other assessment processes under the Convention could be drawn upon. Others foresaw a GST commencing with a technical component to be followed by a political or high-level moment. The technical exercise would allow for a thorough consideration of inputs, would include an expert dialogue, and would aim to distil the inputs and deliver a common understanding in a timely manner. Those referring to a political/high-level moment identified the aim as being to generate political momentum and point to options for increased global action. Most submissions identified the GST as a process with a duration of at least one year.

Key issues to be resolved and suggestions for further work

- 54. Parties might wish to explore the different GST formats proposed with a view to identifying input and modalities that are appropriate for each option.
- 55. Some outstanding issues on sources of input include:
  - (a) Determining what is relevant and useful to ensure that the technical work remains simple and manageable while producing outputs that are fit for purpose, including whether or not a list of inputs is exhaustive;
  - (b) Specifying the requirements for how to consider the inputs on the basis of best available science and equity;
  - (c) Ensuring that the inputs and outcome of the GST are comprehensive and balanced among all elements (mitigation, adaptation and support), and managing their linkage with other provisions of the Paris Agreement.
- 56. Some outstanding issues on possible modalities include:
  - (a) Identifying the body (or bodies) that would provide technical support to the CMA;

<sup>&</sup>lt;sup>15</sup> Decision 1/CP.21, paragraphs 99 and 101.

<sup>&</sup>lt;sup>16</sup> Decision 1/CP.21, paragraph 100.

- (b) Deciding whether to consider mitigation, adaptation and support separately and in parallel (and, if so, how to take account of the linkage between actions and support), or to consider all issues in a single format;
- (c) Exploring possible outputs from the technical consideration and/or political moment;
- (d) Addressing the participation of non-Party stakeholders in the GST (how and when).

# Agenda item 7: Modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance

- 57. Article 15, paragraph 1, of the Paris Agreement establishes a mechanism to facilitate implementation of and promote compliance with the provisions of the Paris Agreement. Paragraph 2 of the same Article provides that the mechanism will consist of a committee, that, in accordance with paragraph 3 of the same Article, will operate under the modalities and procedures adopted at CMA 1.
- 58. The COP requested the APA<sup>17</sup> to develop the modalities and procedures for the effective operation of the committee referred to in paragraph 31 above with a view to the APA completing its work on such modalities and procedures for consideration and adoption at CMA 1.
- 59. In accordance with the APA 1-1 conclusions,<sup>18</sup> and based on the initial discussion by Parties on this agenda item in the May session, we prepared and posted on the UNFCCC website on 9 August 2016 a set of guiding questions to assist Parties in further developing their conceptual thinking on features and elements of the committee to facilitate implementation and promote compliance.<sup>19</sup> We hope that these questions, also provided below for ease of reference, will help us frame the discussions and facilitate Parties' deliberations, while recognizing that Parties may well have more questions to clarify in the course of their deliberations:
  - (a) Question 1: How could the scope of the mechanism for facilitating implementation and promoting compliance address the mandatory elements included in the Paris Agreement?
  - (b) Question 2: How should the respective national capabilities and circumstances of Parties be reflected in the design of the mechanism for facilitating implementation and promoting compliance?
  - (c) Question 3: What will trigger the work of the Committee and how will the proposed triggers and actions be consistent with the facilitative, non-adversarial, and non-punitive nature of the mechanism?
  - (d) Question 4: What will be the relationship with existing arrangements and bodies under the Convention, if any?
  - (e) Question 5: How should the participation of the Party concerned in a process to facilitate implementation and promote compliance be enabled?

#### Agenda item 8: Further matters related to implementation of the Paris Agreement

- 60. The COP decided that the APA shall prepare for the entry into force of the Paris Agreement and for the convening of CMA 1 while retaining the COP responsibility to oversee the implementation of the work programme resulting from the relevant requests contained in decision 1/CP.21, to be carried out by the subsidiary and constituted bodies under the Convention.<sup>20</sup>
- 61. Under sub-item 8(a), the APA may wish to take note of the entry into force of the Paris Agreement on 4 November 2016, as well as of the status of signature and ratification of the Paris Agreement.
- 62. For sub-item 8(b), the APA may wish to address relevant legal and procedural issues, such as a single procedure for the credentials of Parties to the CMA and the admission of observers, as well as the procedure for the election of additional members of the Bureau by the CMA, further to the application of the rules of procedure of the COP by the CMA in accordance with Article 16, paragraph 5, of the Paris Agreement. Such deliberations

<sup>&</sup>lt;sup>17</sup> Decision 1/CP.21, paragraph 103.

<sup>&</sup>lt;sup>18</sup> FCCC/APA/2016/2, paragraph 25.

<sup>19 &</sup>lt;a href="http://unfccc.int/9680">.

<sup>&</sup>lt;sup>20</sup> Decision 1/CP.21, paragraphs 8 and 9.

would be particularly relevant in view of CMA 1 taking place in Marrakech. Under the same sub-item, the APA may wish to consider the need to address possible procedural and institutional matters relating to the implementation of the work programme under the Paris Agreement that have not yet been addressed,<sup>21</sup> such as the preparation of:

- (a) Initial guidance by CMA 1 to the operating entities of the Financial Mechanism, the Least Developed Countries Fund and the Special Climate Change Fund;<sup>22</sup>
- (b) Guidance by the CMA on common time frames and adjustment of NDCs;<sup>23</sup>
- (c) Guidance by the CMA on education, training and public awareness.<sup>24</sup>
- 63. Under agenda item 8(c), the APA may wish to consider the technical aspects of work being undertaken by other bodies, insofar as they are relevant to the work of the APA. In their deliberations, Parties may wish to make use of the information from the Paris Agreement work programme progress tracker in their identification of technical aspects they might wish to draw to the attention of the APA.<sup>25</sup>
- 64. In considering agenda item 8(c), the APA may also wish to take into account work being undertaken by the COP under its agenda item 4: "Preparations for the entry into force of the Paris Agreement and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement", whereby the COP will consider reports from the subsidiary and constituted bodies, as well as from other entities, on progress in the implementation of the work programme arising from decision 1/CP.21.<sup>26</sup> The APA may also wish to take into account the informal plenary meetings to be convened during the Marrakech Conference to take stock of the progress of work, based on the principles of openness, transparency and inclusiveness.<sup>27</sup> The APA Co-Chairs will consult with the COP Presidencies in this regard in the lead-up to the session.

## V. Further work

65. Parties' submissions contain numerous proposals for further work, such as the preparation of technical papers or the compilation of relevant existing guidance, the conduct of expert workshops on specific or crosscutting topics, and invitations for further submission of views from Parties. In preparing for the Marrakech Conference, we invite Parties to further consider these suggestions – including their nature, timeline and, where relevant, budgetary implications – to facilitate a fruitful discussion of next steps during the APA session in Marrakech.

<sup>&</sup>lt;sup>21</sup> See the presentation made by the secretariat during APA 1-1:

<sup>&</sup>lt;a href="http://unfccc.int/files/meetings/bonn">http://unfccc.int/files/meetings/bonn</a> may 2016/in-session/application/pdf/apapresentation item8.pdf>.

<sup>&</sup>lt;sup>22</sup> Article 9, paragraph 8, of the Paris Agreement and decision 1/CP.21, paragraphs 58 and 61.

<sup>&</sup>lt;sup>23</sup> Article 4, paragraphs 10 and 11, of the Paris Agreement.

<sup>&</sup>lt;sup>24</sup> Article 12 of the Paris Agreement and decision 1/CP.21, paragraph 83.

<sup>&</sup>lt;sup>25</sup> Available at:

<sup>&</sup>lt;a href="http://unfccc.int/files/paris">http://unfccc.int/files/paris</a> agreement/application/pdf/progress tracker 14102016@1230.pdf>.

<sup>&</sup>lt;sup>26</sup> FCCC/CP/2016/1, paragraphs 41–44.

<sup>&</sup>lt;sup>27</sup> FCCC/CP/2016/1, paragraph 9.