

Addressing inconsistencies

AOSIS

Workshop on Article 6

Session 7

Text from Bonn has useful elements

- Scope and timing of review we have agreed
- But texts needs to
 - Define **significant** and **persistent** inconsistencies
 - Clarify **means** by which Parties are expected to respond to inconsistencies identified and **within what timeframe**
 - **Flag up that different reports and entries** in different information reports (IR, AEF, BTR, A6DB, CARP) are not consistent, until they are fixed, and **flag links**
 - Flag up **units** come from cooperative approaches that have inconsistencies
 - Set out **clear consequences** for different types of inconsistencies
 - Clarify **impedance** of actions and operations until corrections made – limits on transactions and on use and when they kick in
 - Need **clear link** to Article 15
- We need to **rationalize the text – many useful elements but some gaps**

Example - need definitions of significant and persistent inconsistencies

Option 1

62. [Recalls decision 6/CMA.4, annex II, paragraph 50, and encourages lead reviewers, when discussing how to improve the quality, efficiency and consistency of Article 6 technical expert reviews, to identify common and recurring situations across Parties of significant and persistent inconsistencies;

63. Clarifies that:

(a) “Significant inconsistencies”, for the purpose of decision 6/CMA.4, annex II, paragraph 49, means inconsistent with two or more notations (e.g. 52(d)(i) to (ii) above);

(b) “Persistent inconsistencies”, for the purpose of decision 6/CMA.4, annex II, paragraph 49, means inconsistencies that remain unresolved by the time of the subsequent review];

Clarity on duration for persistent is good, but need to be clear for initial report which is reviewed once, what is the next information

Other options in text – formal / data / material inconsistencies - see para 67

Example – be clear on context of inconsistencies identified

Option B2

(c) Inconsistent:

(i) Checks performed on the information submitted by the participating Party in its initial report indicate that the information submitted is not consistent with the requirements of decision 2/CMA.3, annex, paragraph 18, and decision 6/CMA.4, annex II, paragraph 3;⁴

(i) Checks performed on the information for each further cooperative approach indicate that the information is not consistent with the requirements of decision 2/CMA.3, annex, paragraph 18(g–i);⁵

(ii) Checks performed on the information in relation to its participation, submitted in its regular information as an annex to the BTR, indicate this information is not consistent with the requirements of decision 2/CMA.3, annex, paragraphs 21–23;⁶

(iii) Checks performed on the information in respect of internationally transferred mitigation outcomes referred to in decision 2/CMA.3, annex, paragraph 33(a), indicate inconsistencies or mismatches of information;⁷

(iv) Not available: information required to perform the consistency check was not available;

- Review of initial report

- Review of information for each further cooperative approach

- Review of info related to regular information

- Review of info related to ITMOs

Then para 3 of 6/CMA.3, Annex II – notes that submitted info is “consistent” when info is all of “complete, transparent and consistent” with 2/CMA.3 and decisions, and across different reporting requirements – IR, UIR annual info, regular info, structured summary

Example – be clear on implications for Parties

Option 1

67. *Decides* that the implications of non-responsiveness shall be guided by the type of inconsistency, considering that:

(a) For formal inconsistencies, they shall be pointed out in the report by the Article 6 technical expert review team with a request for correction;

(b) For data inconsistencies:

(i) They shall be pointed out in the report by the Article 6 technical expert review team;

(ii) The internationally transferred mitigation outcome marked with data inconsistencies may be transacted, but shall not be used towards achievement of nationally determined contributions or for other international mitigation purposes;

(c) For material inconsistencies:

(i) They shall be pointed out in the report by the Article 6 technical expert review team under a specific subheading, alongside the previous recommendation;

(ii) All actions and operations involving the internationally transferred mitigation outcome remain impeded until correction of the inconsistency;

What are the consequences?
E.g., impedance, limits on transactions, limits on use?

Example - link to Article 15 and Paris Agreement Implementation and Compliance Committee (PAICC)

Option A

68. *Encourages* lead reviewers to liaise with the Paris Agreement Implementation and Compliance Committee with respect to the inconsistencies referred to in paragraph 67 above;

E.g., Information flow and recommendations