

Ad-hoc Working Group on the Paris Agreement (APA)

Third part of the first session, Bonn, 8-18 May 2017

APA 1.3 Agenda Item 8 – Further matters related to implementation of the Paris Agreement:

- (a) 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
- (b) 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

Informal Note by the Co-Chairs – Second Iteration

15 May 2017@19:00 hours

Note: This informal note is our attempt to informally capture the views expressed by Parties on this agenda item to date. The note has been prepared under our own responsibility and thus has no formal status. The content of the note is not intended to prejudge further work that Parties may wish to undertake nor does it in any way prevent Parties from expressing other views they may have in future.

Overview of the informal consultations on this item

1. At the third part of the first session of the Ad-hoc Working Group on the Paris Agreement (APA 1.3), Parties continued consideration of further matters related to implementation of the Paris Agreement. During the informal consultations convened in the first week of the session, Parties focused the discussions under agenda item 8(a) on possible additional matters related to the implementation of the Paris Agreement (“possible additional matters”). It was agreed that item 8(b), “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” would be addressed during the informal consultations in the second week of the session. This first iteration of the informal note seeks to capture the exchange of views by Parties on possible additional matters.
2. Parties discussed the remaining seven possible additional matters from the list they had identified at the second part of the first session of the APA (APA 1.2)¹ in Marrakech, namely:
 - a. Progress and procedural steps to enable the forum on the impact of the implementation of response measures to serve the Paris Agreement further to decision 1/CP.21, paragraphs 33 and 34;
 - b. Modalities for the recognition of adaptation efforts of developing country Parties under Article 7, paragraph 3, and decision 1/CP.21, paragraph 41;
 - c. Modalities for biennially communicating finance information on the provision of public financial resources to developing countries in accordance with Article 9, paragraph 5;

¹ This list of possible additional matters is contained in the annex to the [Informal Note by the Co-Chairs previously issued during the Marrakech Conference.](#)

- d. Initial guidance by the CMA to the operating entities of the Financial Mechanism (GCF & GEF) under Article 9, paragraph 8, and decision 1/CP.21, paragraphs 58 and 61;
- e. Initial guidance by the CMA to the Least Developed Countries Fund (LDCF) and the Special Climate Change Fund (SCCF) in accordance with decision 1/CP.21, paragraph 58;
- f. Guidance by the CMA on adjustment of existing Nationally Determined Contributions (NDCs) under Article 4, paragraph 11; and
- g. Setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53.

Moving towards capturing progress at APA 1.3

3. During the consideration of these possible additional matters, Parties identified areas where further clarification is needed. The informal consultations helped to further Parties' understanding of the procedural aspects relating to each possible additional matter. Parties also noted the linkages of each possible additional matter with other issues being addressed by the Conference of the Parties (COP), and by the subsidiary and constituted bodies. Parties emphasized that the APA's role was limited to considering procedural aspects and steps relating to each additional matter, with a view to recommending a way forward, without prejudice to any action to be taken by the Conference of the Parties (COP) or the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA).

4. Each of the remaining seven possible additional matters were discussed in light of the following three guiding questions posed by the Co-Chairs:

- a. Is preparatory work on this matter currently being undertaken? If so, where?
- b. If there is no preparatory work being undertaken on this matter, is preparatory work required, and if so, by which body?
- c. What should be the timeframe for this work?

5. A summary of the discussions during the informal consultations on each possible additional matter, as well as a proposed way forward, is contained below. Should Parties reach an agreement on a way forward on any of the possible additional matter, this will be reflected in the conclusions of APA 1.3.

- a. Progress and procedural steps to enable the forum on the implementation of response measures to serve the Paris Agreement further to decision 1/CP.21, paragraphs 33 and 34

6. On this possible additional matter, Parties noted that the COP, through its Decision 1/CP.21, decided that the Subsidiary Body for Scientific and Technological Advice (SBSTA) and Subsidiary Body for Implementation (SBI) shall recommend, for consideration and adoption by CMA 1, the modalities, work programme and functions of the forum on the impact of the implementation of response measures to serve the Paris Agreement. Parties, therefore, considered that this possible additional matter may be related to the work being undertaken by the SBSTA and SBI on the forum on the impact of the implementation of response measures.

7. Parties requested clarification as to whether the specific progress and procedural steps on this possible additional matter are being addressed by the SBSTA and SBI under their current mandates. At the request of Parties, the APA Co-Chairs informally consulted with the Chairs of the SBSTA and the SBI on this matter, and informed Parties that it is the shared understanding of the four Presiding Officers that Parties may raise this possible additional matter during the negotiations being undertaken by the SBSTA and the SBI on the related issue, including during the negotiations at the forty-sixth sessions of the SBSTA and the SBI in May 2017. Some Parties, however, requested reassurance that this matter would be addressed by the SBSTA and SBI if raised by Parties. Also at the APA Contact Group on 13 May 2017, request was made for the way forward on this matter to be included in the APA 1.3 conclusions.

8. **Possible way forward:** Parties may wish to raise this matter during the negotiations of the related issue by the SBSTA and SBI. If Parties agree that a procedural mandate to SBSTA and SBI from the COP (without prejudice to the clear intent of the Parties to have the forum serve the Paris Agreement as mandated by decision 1/CP.21) is required, the APA could bring this to the attention of the COP. This approach would be reflected in the APA 1.3 conclusions. With this understanding, this possible additional matter may be removed from the list.

b. Modalities for the recognition of adaptation efforts of developing country Parties under Article 7, paragraph 3, and decision 1/CP.21, paragraph 41

9. During the discussion of this possible additional matter, Parties noted that the COP, through its Decision 1/CP.21, has requested the Adaptation Committee (AC) and the Least Developed Countries Expert Group (LEG) to jointly develop modalities to recognize the adaptation efforts of developing country Parties, as referred to in Article 7, paragraph 3, of the Paris Agreement, and make recommendations on this matter for consideration and adoption by CMA 1. Parties also took note of the special event organized by the AC and LEG on their work, convened on Friday, 12 May 2017.

10. Parties sought clarification of the procedural steps on how and when a draft decision on the recommendations of the AC and LEG would be prepared for consideration and adoption by the CMA. The Co-Chairs informed Parties that it was their understanding that:

- a. The recommendations of the AC and LEG to CMA 1 would be included in the reports of the AC to the COP, and of the LEG to the SBI;
- b. The COP would then request the SBSTA and the SBI to jointly consider the AC's report, and prepare a draft decision on the recognition of adaptation efforts to go from the COP to CMA 1 for its consideration and adoption, with a timeline for the subsidiary bodies to complete this work; and
- c. The recommendation from the LEG to the SBI would also be considered simultaneously with the AC's recommendation by the SBSTA and the SBI.

11. **Possible way forward:** At the APA Contact Group on 13 May 2017, also a request was made for the way forward on this matter to be included in the APA 1.3 conclusions. If Parties agree that an additional procedural mandate to SBSTA and SBI from the COP is required to ensure that the SBSTA and SBI prepare the draft decision for CMA 1, the APA could bring this to the attention of the COP. This approach would be reflected in the APA 1.3 conclusions. With this understanding, this possible additional matter may be removed from the list.

c. Modalities for biennially communicating information on the provision of public financial resources to developing countries in accordance with Article 9, paragraph 5

12. During the consideration of this possible additional matter, Parties were invited to recall that at COP 22 in Marrakech, the COP initiated the process to identify the information to be provided by Parties in accordance with Article 9, paragraph 5, of the Paris Agreement, and adopted Decision 13/CP.22 on this matter. That decision requested the secretariat to organize a roundtable discussion on the provision of public financial resources to developing countries, to be held on Tuesday, 16 May 2017.

13. Some Parties were of the view the COP could mandate the APA or the SBI to undertake work on this possible additional matter. Other Parties, however, considered no additional work was necessary given the work being undertaken by the COP. Parties also expressed divergent views about whether the work of the COP also addressed this possible additional matter.

14. The Co-Chairs invited Parties to share their views on a proposed way forward on this possible additional matter.

d. Initial guidance by the CMA to the operating entities of the Financial Mechanism (the Green Climate Fund (GCF) and the Global Environment Fund (GEF)) under Article 9, paragraph 8, and decision 1/CP.21, paragraphs 58 and 61, and initial guidance to the Least Developed Countries

Fund (LDCF) and the Special Climate Change Fund (SCCF) in accordance with decision 1/CP.21, paragraph 58

15. During the consideration of these two possible additional matters, Parties proposed they should be merged as they are very similar. Parties recalled that the COP had mandated the Standing Committee on Finance (SCF) to prepare draft guidance on the operating entities of the Financial Mechanism. Parties shared the view that this possible additional matter could be addressed at a future session of the CMA, given the existing guidance from the COP to the operating entities (which applies mutatis mutandis to the CMA), and in view of the guidance provided by the COP to the operating entities and the funds with respect to the Paris Agreement. Some Parties were therefore of the view that the term “initial” should be deleted, although others considered that the term should be retained.

16. **Possible way forward:** On the matter of when and how these two possible additional matters would be addressed by the CMA, Parties had a shared understanding that the mandate to the SCF to prepare draft guidance could be triggered at CMA 1.3, with a view to the SCF forwarding the draft guidance to the next session of the CMA (CMA 2) and the items included on the agenda of the CMA at that time. With this understanding, these two possible additional matters may be removed from the list.

e. Guidance by the CMA on adjustment of existing Nationally Determined Contributions (NDCs) under Article 4, paragraph 11

17. Parties noted that work on NDCs was currently undertaken by the APA and the SBI. Some Parties were therefore of the view that initiating discussion now would be premature, and that this issue could be considered by the CMA at a later session after the completion of work on NDC-related matters by the subsidiary bodies. For some Parties this raised the question of when such consideration should occur. Some Parties noted that space should be created to discuss this matter given the critical linkages with other work by the APA and the SBI.

18. The view was also expressed that it is not within the mandate of the CMA to give guidance on NDCs, as these are nationally determined, and any CMA guidance on adjustment of NDCs should be limited to only operational or procedural aspects.

19. The Co-Chairs invited Parties to share their views on a proposed way forward on this possible additional matter.

f. Setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53

20. Parties agreed that setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53, is mandated and important matter, which should be addressed by the CMA. A proposal was made that the SBI may be mandated to undertake the technical work. There was also a shared understanding among Parties that consideration of this matter would benefit from discussion of work on related issues being addressed in the climate change regime, as well as on past experiences.

21. There were, however, divergent views on the timing and sequencing of work by the CMA on this matter. Some Parties were of the view that work should begin at CMA 1.3 given the complexities and timeframe for consideration. Other Parties considered that, to benefit from the outcome of key matters being addressed in the climate change process, as well as the changing climate finance landscape, the CMA’s consideration of this matter should be undertaken at a later stage (e.g., either after 2020, or beginning in 2023/2024).

22. The Co-Chairs invited Parties to share their views on a proposed way forward on this matter.

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