

New Zealand submission to the Subsidiary Body for Scientific and Technological Advice

Additional views on the scope, structure, timing, outline and publication of review reports, and specific views on key elements and content and proposed texts, of the review guidelines for national communications and biennial reports, for developed country Parties.

July 2013

Introduction

1. New Zealand notes that SBSTA 37 continued its discussion on the revision of the guidelines for the review of biennial reports and national communications, including national inventory reviews, for developed country Parties.

2. This submission responds to the SBSTA 37 invitation to Parties to submit additional views on the scope, structure, timing, outline and publication of review reports, and specific views on key elements and content and proposed texts, of the review guidelines for national communications and biennial reports, for developed country Parties (FCCC/SBSTA/2013/L.10, paragraph 9 refers).

Context

3. We note that the SBSTA has agreed that in revising the review guidelines, Parties should take into account experience with the reporting and review of information under the Convention and the need to have a cost-effective, efficient and practical review process that does not impose an excessive burden on Parties or the secretariat (FCCC/SBSTA/2012/2, paragraph 71 refers). In New Zealand's view designing a cost-effective, practical review process that does not impose an excessive burden on Parties or the secretariat should be the "guiding principle" for the work programme.

Relevant issues

4. This submission addresses the key elements and proposed content for the review guidelines for biennial reports and national communications of developed country Parties. New Zealand has developed some draft text for these review guidelines and this is included in an annex to this submission.

Structure and key elements

5. New Zealand supports developing the Review Guidelines as a single document ("Draft Guidelines for review of information reported under Article 12 of the Convention by Annex I Parties"), comprised of the following four separate chapters:

- Part 1 – General Approach to Reviews
- Part 2 – Review of National Inventories (*placeholder*)
- Part 3 – Review of Biennial Reports
- Part 4 – Review of National Communications

Part 1 would address common elements that apply to all reviews including general approach, timing, expert review teams, and reporting and publication of findings. This would be followed by three separate chapters containing the unique review requirements for i) greenhouse gas inventory review, ii) biennial report review, and iii) national communication review. In our view this type of approach avoids unnecessary duplication in the guidelines.

6. We have presented the draft guidelines on the basis of this overall vision for the review guidelines with a general section that applies to all reviews and specific chapters that cover each type of review (inventory, biennial report, national communication), noting that at this point in time we have provided a placeholder for the guidelines for greenhouse gas

inventory review as the guidelines for greenhouse gas inventory review will not be covered by the SBSTA work programme until 2014. We do, however, include aspects of greenhouse gas inventory review in the general section of the draft guidelines annexed to this submission.

7. In developing these draft review guidelines New Zealand has drawn key structural elements from Part VII of the guidelines for review of national communications under Article 8 of the Kyoto Protocol (decision 22/CMP.1 refers) where applicable, together with the general procedures under the Convention for the review of national communications from Annex I Parties (decision 2/CP.1 refers). The key elements for the review guidelines for the biennial reports have been drawn from the modalities and procedures for international assessment and review (Annex II of decision 2/CP.17).

8. The draft guidelines presented in our submission ensure that elements that are common across all three reports (greenhouse gas inventory report, biennial report, national communication), or across two of the reports (biennial report, national communication) are only reviewed in-depth once (as illustrated in table 1). As presented in the annex, this means that the technical review of the biennial report only covers elements not already covered more frequently in the greenhouse gas inventory review, and that the national communication review only covers elements not already reviewed more frequently in the review of the annual greenhouse gas inventory submission or the review of the biennial report. In our view this will avoid duplication and improve the efficiency of the review process while maintaining the quality and integrity of the overall review process into the future.

Table 1: Elements of each report and what is reviewed when

Review of Inventory Report covers[#]	Review of Biennial Report covers[#]	Review of National Communication covers[#]
		NATIONAL CIRCUMSTANCES
GREENHOUSE GAS INVENTORY	(Greenhouse gas inventory)	(Greenhouse gas inventory)
	TARGET	(Policies and measures)
	MITIGATION ACTIONS AND THEIR EFFECTS	
	LULUCF	
	MARKETS	
	PROJECTIONS	(Projections and the total effects of policies and measures)
	FINANCIAL, TECHNOLOGICAL AND CAPACITY BUILDING SUPPORT	(Financial resources and transfer of technology)
		VULNERABILITY ASSESSMENT, CLIMATE CHANGE IMPACTS AND ADAPTATION MEASURES
		RESEARCH AND SYSTEMATIC OBSERVATION
		EDUCATION, TRAINING AND PUBLIC AWARENESS

[#] Each review will focus on the items that are in upper case font.

Timing of reviews

9. New Zealand does not believe reviewing biennial reports at the same time as national communications in the years they are submitted together will work effectively as the national communication review cycle can take up to two years. To allow Parties to respond to review recommendations and incorporate these into the next biennial report at least one year is needed between the end of the review cycle and the next submission of the biennial report.
10. In those years where a national communication is submitted at the same time as the biennial report, the individual review of the biennial report could serve as part of the review of the national communication where there is overlap between the content of the national communication and the biennial report. This would ensure that common elements of both reports are reviewed in-depth only once.
11. New Zealand suggests the review of biennial reports should be completed within six months of submission to allow time for the international assessment part of the process to be completed within a year of submission and to enable Annex I Parties to respond to recommendations before the next biennial report is compiled and submitted.
12. The two year timeframe for completing the review of national communications is reasonable provided the technical review of the biennial report and associated international assessment process is completed well ahead of the next biennial report being compiled and submitted.
13. The review process needs to be meaningful and helpful to all Parties therefore New Zealand strongly supports the process being as succinct as possible.

Conclusion

14. New Zealand acknowledges that the draft review guidelines we present here in the annex to this submission are not the "final word" on the review guidelines but trust that others will see this as a useful input into the process. New Zealand looks forward to engaging on these issues with other Parties at the technical workshop in October and at SBSTA 39 in Warsaw.

Annex

Draft Guidelines for review of information reported under Article 12 of the Convention by Annex I Parties.

PART I: GENERAL APPROACH TO REVIEW

A. Applicability

1. Each Party included in Annex I to the Convention will be subject to review of information submitted under Article 12 in accordance with the provisions of these guidelines.

B. Objectives

2. The objectives for review of information submitted under Article 12 of the Convention are:
 - (a) To provide in a facilitative, non-confrontational, open and transparent manner, a thorough, objective and comprehensive technical assessment of all aspects of the implementation of the Convention by individual Annex I Parties and Annex I Parties as a whole;
 - (b) To promote consistency and transparency in the review of information submitted by Parties included in Annex I under Article 12 of the Convention;
 - (c) To assist Parties included in Annex I in improving their reporting of information under Article 12 and the implementation of their commitments under the Convention;
 - (d) To provide the Conference of the Parties with a technical assessment of the implementation of the Convention by Parties included in Annex I.

C. General approach

3. The provisions of these guidelines shall apply to the review of information submitted by Parties included in Annex I under Article 12 of the Convention and relevant decisions of the Conference of the Parties (COP).
4. The expert review team shall provide a thorough and comprehensive technical assessment of all aspects of the implementation by a Party of the Convention and identify any potential issues, and factors influencing, the fulfilment of commitments and reporting requirements. The expert review team shall conduct technical reviews to provide information expeditiously to the COP in accordance with the procedures in these guidelines.
5. At any stage in the review process, expert review teams may request additional or clarifying information from the Parties included in Annex I regarding an issue identified by the team. The expert review team should offer suggestions and advice to Parties included in Annex I on how to resolve issues that they identify, taking into account the national circumstances of the Party. The expert review team shall also provide technical advice to the COP or the Subsidiary Body for Implementation (SBI), upon its request.
6. Parties included in Annex I should provide the expert review team with access to information necessary to substantiate and clarify the implementation of their

commitments under the Convention, in accordance with relevant guidelines adopted by the COP and, during in-country visits, should also provide appropriate working facilities. Parties included in Annex I should make every reasonable effort to respond to all questions and requests from the expert review team for additional clarifying information and resolve issues within the time limits set out in these guidelines.

1. Confidentiality

7. Pursuant to a request from the expert review team for additional data or information or access to data used in the preparation of the inventory, a Party included in Annex I may indicate whether such information and data are confidential. In such a case, the Party should provide the basis for protecting such information, including any domestic law, and upon receipt of assurance that the data will be maintained as confidential by the expert review team, shall submit the confidential data in accordance with domestic law and in a manner that allows the expert review team access to sufficient information and data for the assessment of conformity with the IPCC Guidelines as elaborated by the IPCC good practice guidance and any good practice guidance adopted by the COP. Any confidential information and data submitted by a Party in accordance with this paragraph shall be maintained as confidential by the expert review team, in accordance with any decisions on this matter adopted by the COP.
8. An expert review team member's obligation not to disclose confidential information shall continue after termination of his or her service on the expert review team.

D. Timing and procedures

1. [Place holder for annual review (greenhouse gas inventory)]

9. Each greenhouse gas inventory report submitted under the Convention by a Party included in Annex I to the Convention shall be subject to a review in accordance with part II of these guidelines.

2. Biennial review

10. Each biennial report submitted under the Convention by a Party included in Annex I to the Convention shall be subject to a review in accordance with part III of these guidelines.

3. Quadrennial review

11. Each national communication submitted under the Convention by a Party included in Annex I to the Convention shall be subject to a review in accordance with part IV of these guidelines.

E. Expert review teams and institutional arrangements

1. Expert review teams

12. Each submission under Article 12 of the Convention shall be assigned to a single expert review team that shall be responsible for performing the review in accordance with the procedures and time frames established in these guidelines. A submission by a Party included in Annex I shall not be reviewed in two successive review years by expert review teams with identical composition.

13. Each expert review team shall provide a thorough and comprehensive technical assessment of information submitted under Article 12 of the Convention and shall, under its collective responsibility, prepare a review report, assessing the implementation of the commitments of the Party included in Annex I and identifying any potential issues, and factors influencing, the fulfilment of commitments and reporting requirements. The expert review teams shall refrain from making any political judgement.
14. Expert review teams shall be coordinated by the secretariat and shall be composed of experts selected on an ad hoc basis from the UNFCCC roster of experts and will include lead reviewers. Expert review teams formed for the tasks carried out under the provisions of these guidelines may vary in size and composition, taking into account the national circumstances of the Party under review and the different expertise needs of each review task.
15. Participating experts shall serve in their personal capacity.
16. Participating experts shall have recognized competence in the areas to be reviewed according to these guidelines. The training to be provided to experts, and the subsequent assessment after the completion of the training¹ and/or any other means needed to ensure the necessary competence of experts for participation in expert review teams shall be designed and operationalized in accordance with relevant decisions of the COP.
17. Experts selected for a specific review activity shall neither be nationals of the Party under review, nor be nominated or funded by that Party.
18. Experts shall be nominated by Parties to the Convention to the roster of experts and, as appropriate, by intergovernmental organizations, in accordance with guidance provided for this purpose by the COP.
19. Participating experts from Parties not included in Annex I and Parties included in Annex I with economies in transition shall be funded according to the existing procedures for participation in UNFCCC activities. Experts from other Parties included in Annex I shall be funded by their governments.
20. In the conduct of the review, expert review teams shall adhere to these guidelines and work on the basis of established and published procedures agreed upon by the SBSTA, including quality assurance and control and confidentiality provisions.

2. Competences

21. Competences required to be members of the expert review teams for the review of annual information submitted under Article 12 of the Convention are:
 - (a) Greenhouse gas inventories in general and/or specific sectors (energy, industrial processes and product use, agriculture, land use, land-use change and forestry, and waste);
 - (b) National inventory arrangements, and information relating to emissions trading.

¹ Those experts that opt not to participate in the training have to undergo a similar assessment successfully in order to enable them to qualify for participation in expert review teams.

22. Competences required to be members of the expert review teams for the review of biennial information submitted under Article 12 of the Convention are on those areas referred to in paragraph 45 of these guidelines.
23. Competences required to be members of the expert review teams for the review of national communications, submitted under Article 12 of the Convention are on those areas referred to in paragraph 57(b) of these guidelines.

3. Composition of the expert review teams

24. The secretariat shall select the members of the review teams to review the annual and biennial information and national communications submitted under Article 12 of the Convention, in a way that the collective skills of the team address the areas mentioned in paragraphs 21, 22 and 23 above, respectively.
25. The secretariat shall select the members of the expert review teams with a view to achieving a balance between experts from Annex I and non-Annex I Parties in the overall composition of the expert review teams, without compromising the selection criteria referred to in paragraph 24 above. The secretariat shall make every effort to ensure geographical balance among those experts selected from non-Annex I Parties and among those experts selected from Annex I Parties.
26. The secretariat shall ensure that in any expert review team one co-lead reviewer shall be from a Party included in Annex I and one from a Party not included in Annex I.
27. The secretariat shall prepare an annual report to the SBSTA on the composition, including the selection of experts for the review teams and the lead reviewers, and the actions taken to ensure the application of the selection criteria stated in paragraphs 24 and 25 above.

4. Lead reviewers

28. Lead reviewers shall act as co-lead reviewers for the expert review teams under these guidelines.
29. Lead reviewers should ensure that the reviews in which they participate are performed according to the review guidelines and are performed consistently across Parties by each expert review team. They also should ensure the quality and the objectivity of the thorough and comprehensive technical assessments in the reviews and to provide for continuity, comparability and timeliness of the review.
30. Lead reviewers may be offered additional training to that referred to in paragraph 16 above to enhance their skills.
31. With the administrative support of the secretariat, lead reviewers shall, for each review activity:
 - (a) Prepare a brief work plan for the review activity;
 - (b) Verify that the reviewers have all the necessary information provided by the secretariat prior to the review activity;
 - (c) Monitor the progress of the review activity;

- (d) Coordinate queries of the expert review team to the Party and coordinate the inclusion of the answers in the review reports;
- (e) Provide technical advice to the members of the expert review teams, if needed;
- (f) Ensure that the review is performed and the review report is prepared in accordance with the relevant guidelines; and
- (g) For inventory reviews, verify that the review team gives priority to individual source categories for review in accordance with the guidelines.

[comment: To increase the efficiency of the review process, some or all of the tasks in the above list could be carried out by the secretariat rather than the lead reviewers]

- 32. Lead reviewers collectively shall also prepare an annual report to the SBSTA with suggestions on how to improve the review process in the light of paragraph 2 of the present guidelines.
- 33. Lead reviewers shall comprise experts from Parties to the Convention nominated to the UNFCCC roster by Parties, and their collective skills shall address the areas mentioned in paragraphs 21, 22 and 23 above for greenhouse gas inventories, biennial reports and national communications respectively.
- 34. The pool of lead reviewers shall be used on a rotational basis to ensure continuity and consistency of the review process. The terms of service of lead reviewers for a given period of service shall be designed and operationalized in accordance with relevant decisions of the COP.

5. Review experts

- 35. Review experts shall be selected by the secretariat from those nominated by Parties or, exceptionally and only when the required expertise for the task is not available among them, from the relevant intergovernmental organizations belonging to the UNFCCC roster of experts for specific annual, biennial or quadrennial reviews. They shall perform individual review tasks in accordance with the duties set out in their nomination.
- 36. Review experts shall, as necessary, perform desk review tasks in their home countries and participate in in-country visits, centralized reviews and in review meetings.

6. Guidance by the SBSTA

- 37. The SBSTA shall provide general guidance to the secretariat on the selection of experts and coordination of the expert review teams and to the expert review teams on the expert review process. The reports mentioned in paragraphs 27 and 32 above are intended to provide the SBSTA with inputs for elaborating such guidance.

F. Reporting and publication

- 38. The expert review team shall, under its collective responsibility, produce the following review reports for each Party included in Annex I:
 - (a) For the annual review, a final report on *[placeholder for inventory review]*;
 - (b) For the biennial review, a technical report on the review of the biennial report in accordance with part III of these guidelines.

- (c) For the quadrennial review, a report on the review of the national communication in accordance with part IV of these guidelines.
39. Review reports for each Party included in Annex I shall follow a format and outline comparable to that set out in paragraph 40 below and shall include the specific elements described in parts II to IV of these guidelines.
40. All final review reports prepared by the expert review team shall use non-confrontational language and include the following elements:
- (a) An introduction and summary;
 - (b) A description of the technical assessment of each of the elements reviewed according to the relevant sections on the scope of the review in parts II to IV of these guidelines, including:
 - (i) A description of any potential issues identified in accordance with paragraphs 46 and 58 below, and factors influencing the fulfilment of, commitments and reporting requirements identified during the review;
 - (ii) Any suggestions provided by the expert review team to solve the potential issues;
 - (iii) An assessment of any efforts by the Party included in Annex I to address any potential issues identified by the expert review team during the current review or during previous reviews that have not been addressed;
 - (c) Possible suggestions by the expert review team on the conduct of the review in subsequent years, including which parts may need to be considered in more depth;
 - (d) Information on any other issue of concern deemed relevant by the expert review team;
 - (e) The sources of information used in the formulation of the final report.
41. Following their completion, all final review reports, including status reports on initial checks on annual inventories, shall be published and forwarded by the secretariat, together with any written comments on the final review report by the Party which is subject of the report, to the COP, the SBI (only for the biennial report) and the Party concerned.

PART II: REVIEW OF ANNUAL INVENTORIES

[Place holder for guidelines for greenhouse gas inventory review]

PART III: REVIEW OF BIENNIAL REPORTS

A. Purpose

42. The purpose of the guidelines on the technical review of biennial reports from Parties included in Annex I is, for each Annex I Party:
- (a) To provide a thorough and comprehensive technical assessment of those parts of the biennial reports that are not otherwise covered in the annual reviews;
 - (b) Taking into account paragraph 42(a) above, to examine in an objective and transparent manner whether quantitative and qualitative information was submitted by Parties included in Annex I in accordance with the UNFCCC biennial reporting guidelines for developed country Parties adopted by the COP;

- (c) To promote consistency in the review of the information contained in the biennial reports of Parties included in Annex I;
- (d) To assist Parties included in Annex I to improve reporting of information under Article 12 of the Convention, and the implementation of their commitments under the Convention;
- (e) To ensure that the COP has reliable information on the implementation of commitments under the Convention by each Party included in Annex I.

B. General procedures

- 43. Each biennial report submitted under the Convention by a Party included in Annex I shall be subject to a centralised review.
- 44. Prior to the review, the expert review team shall conduct a desk review of the biennial report of the Party included in Annex I. The review team shall notify the Party concerned of any questions the team has regarding the biennial report and of any focal areas for the centralised review.

C. Scope of the review

- 45. The individual review shall:
 - (a) Provide an assessment of the completeness of the biennial report in accordance with the UNFCCC biennial reporting guidelines for developed country Parties adopted by the COP and an indication of whether it was submitted on time;
 - (b) Check the consistency of the annual greenhouse gas inventory with the biennial report and national communication;
 - (c) Provide a detailed technical review of only those parts of the biennial report that are not included in the annual review, as well as procedures and methodologies used in the preparation of the information, such as:
 - (i) Assumptions, conditions and methodologies related to the attainment of its quantified economy-wide emission reduction target;
 - (ii) Progress towards achievement of its quantified economy-wide emission reduction target;
 - (iii) Its provision of financial, technological and capacity building support to developing country Parties
 - (d) In those years where a national communication is submitted at the same time as the biennial report, serve as part of the review of the national communication where there is overlap between the content of the national communication and the biennial report.

Identification of issues

- 46. The issues identified during the assessment related to individual sections of the national communication, shall be identified as relating to:
 - (a) Transparency;
 - (b) Completeness;
 - (c) Timeliness.

D. Timing

47. If a Party included in Annex I expects difficulties with the timeliness of its biennial report submission, it should inform the secretariat before the due date of the submission.
48. The expert review teams shall make every effort to complete the individual review of the biennial reports within [six] months of the biennial report submission for each Party included in Annex I.
49. If additional information is requested during the review, it should be provided by the Party included in Annex I within [four] weeks of the request.
50. The expert review team for each Party included in Annex I shall, under its collective responsibility, produce a draft technical review report of the biennial report following the format in paragraph 53 below to be finalized within [eight] weeks after the review.
51. The draft of each biennial report technical review report will be sent to the Party included in Annex I subject to review for comment. The Party concerned shall be provided with [four] weeks² of receipt of the draft report to provide comments on it.
52. The expert review team shall produce the finalized biennial report technical review report taking into account the comments of the Party included in Annex I within four weeks of receipt of the comments. Should the Party and the review team be unable to agree on the treatment of a comment, the secretariat will ensure that the comments of the Party are incorporated within a separate section of the technical review report.

E. Reporting

53. The following specific elements shall be included in the technical review report referred to in paragraph 38(b) above:
 - (a) A technical assessment of the elements specified in paragraph 45 above;
 - (b) An examination of the Party's progress in achieving its economy-wide emission reduction target.

PART IV: REVIEW OF NATIONAL COMMUNICATIONS

A. Purpose

54. The purpose of the guidelines on the review of national communications of Parties included in Annex I is:
 - (a) To provide a thorough and comprehensive technical assessment of those parts of national communications that are not otherwise covered in the annual and biennial reviews;
 - (b) Taking into account paragraph 54(a) above, to examine in an objective and transparent manner whether quantitative and qualitative information was submitted by Parties included in Annex I in accordance with guidelines for the preparation of national communications adopted by the COP;

² Four weeks or twenty working days if the Party has a public holiday occurring within the four week time frame

- (c) To promote consistency in the review of the information contained in the national communications of Parties included in Annex I;
- (d) To assist Parties included in Annex I to improve reporting of information under Article 12 of the Convention, and the implementation of their commitments under the Convention;
- (e) To ensure that the COP has reliable information on the implementation of commitments under the Convention by each Party included in Annex I.

B. General procedures

55. Each national communication submitted under the Convention by a Party included in Annex I shall be subject to a centralised or in-country review.
56. Prior to the review, the expert review team shall conduct a desk review of the national communication of the Party included in Annex I. The review team shall notify the Party concerned of any questions the team has regarding the national communication and of any focal areas for the centralised review or in-country visit.

C. Scope of the review

57. The individual review shall:
- (a) Provide an assessment of the completeness of the national communication in accordance with guidelines for the preparation of national communications adopted by the COP and an indication of whether it was submitted on time;
 - (b) Provide a detailed examination of only those parts of the national communication that are not included in the annual or biennial review, as well as procedures and methodologies used in the preparation of the information, such as:
 - (i) National circumstances relevant to greenhouse gas emissions and removals;
 - (ii) Vulnerability assessment, climate change impacts and adaptation measures;
 - (iii) Research and systematic observation³;
 - (iv) Education, training and public awareness;
 - (c) Giving consideration to national circumstances, identify any potential issues and factors influencing, the fulfilment of commitments and reporting requirements related to these parts of the national communication.

Identification of issues

58. The issues identified during the assessment related to individual sections of the national communication, shall be identified as relating to:
- (d) Transparency;
 - (e) Completeness;
 - (f) Timeliness.

D. Timing

59. If a Party included in Annex I expects difficulties with the timeliness of its national communication submission, it should inform the secretariat before the due date of the submission.

³ Information provided under this heading includes a summary of the information provided on global climate observation systems

60. The expert review teams shall make every effort to complete the individual review of national communications within two years of the national communication submission for each Party included in Annex I.
61. If additional information is requested during the review, it should be provided by the Party included in Annex I within [six] weeks of the request.
62. The expert review team for each Party included in Annex I shall, under its collective responsibility, produce a draft of the national communication review report following the format in paragraph 65 below to be finalized within [eight] weeks after the review.
63. The draft of each national communication review report will be sent to the Party included in Annex I subject to review for comment. The Party concerned shall be provided with [four] weeks⁴ of receipt of the draft report to provide comments on it.
64. The expert review team shall produce the finalized national communication review report taking into account the comments of the Party included in Annex I within four weeks of receipt of the comments. Should the Party and the review team be unable to agree on the treatment of a comment, the secretariat will ensure that the comments of the Party are incorporated within a separate section of the review report.

E. Reporting

65. The following specific elements shall be included in the report referred to in paragraph 38(c) above:
 - (a) A technical assessment of the elements specified in paragraph 57(b) above;
 - (b) An identification of issues in accordance with paragraph 57(c) above.
66. The secretariat shall produce a report on the compilation and synthesis of national communications for all Parties included in Annex I in accordance with the decisions of the COP.

⁴ Four weeks or twenty working days if the Party has a public holiday occurring within the four week time frame