

DRAFT TEXT

on

COP 26 agenda item 5: Reporting from Parties not included in Annex I to the Convention

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Proposal by the President

Revised Terms of Reference of the Consultative Group of Experts

The Conference of the Parties,

Recalling Article 4, paragraphs 1, 3 and 7, and Article 12, paragraphs 1, 4, 5 and 7, of the Convention,

Also recalling Article 13, paragraphs 1, 14 and 15, of the Paris Agreement,

Further recalling decisions 8/CP.5, 3/CP.8, 17/CP.8, 5/CP.15, 1/CP.16, 2/CP.17, 14/CP.17, 17/CP.18, 18/CP.18, 19/CP.19, 20/CP.19, 1/CP.21, 20/CP.22 and 11/CP.24,

Recalling decision 18/CMA.1, paragraphs 12(c) and 15,

Recognizing that the Consultative Group of Experts plays an important role in facilitating the provision of technical advice and support to developing country Parties and in facilitating improved reporting over time, as applicable, in relation to the preparation and submission of national communications, biennial update reports and biennial transparency reports, as relevant,

Noting the 2020 and 2021 progress reports¹ of the Consultative Group of Experts, which identified facilitating the submission of biennial update reports as a priority in its workplans for 2020 and 2021,

1. *Adopts*, pursuant to decision 11/CP.24, paragraph 5, the revised terms of reference of the Consultative Group of Experts contained in the annex;
2. *Decides* that the representative of Parties referred to in decision 11/CP.24, paragraph 3, shall participate in the work of the Consultative Group of Experts in the same capacity as the other members of the Consultative Group of Experts, noting that this does not set a precedent for the consideration of the composition of other bodies under the UNFCCC;
3. *Also decides* to include in the composition of the Consultative Group of Experts, in addition to current members from Parties not included in Annex I to the Convention, one additional member from the least developed countries and one additional member from small island developing States, noting that this does not set a precedent for the consideration of the composition of other bodies under the UNFCCC;
4. *Requests* the Subsidiary Body for Implementation, at its sixty-second session (2025), to initiate consideration of the extension of the term of the Consultative Group of Experts after 2026, the composition of the Consultative Group of Experts and its terms of reference, taking into account the needs of developing countries for capacity-building in relation to reporting under the UNFCCC and the Paris Agreement, with a view to recommending a draft decision on these matters for consideration and adoption by the Conference of the Parties at its thirtieth session (2025);
5. *Also requests* the secretariat to facilitate the work of the Consultative Group of Experts pursuant to decision 11/CP.24 and this decision;

¹ FCCC/SBI/2020/15, FCCC/SBI/2020/16, FCCC/TP/2020/1, FCCC/SBI/2021/12, FCCC/SBI/2021/14 and FCCC/TP/2021/2.

6. *Takes note* of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in paragraph 5 above;
7. *Requests* that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources.

Annex

Revised terms of reference of the Consultative Group of Experts

1. The objective of the Consultative Group of Experts shall be to provide technical advice and support to developing country Parties for enhancing their institutional and technical capacity to prepare and submit national communications, biennial update reports, national greenhouse gas inventories and biennial transparency reports, as applicable, with a view to facilitating improvements in their reporting over time. Taking into account decisions 1/CP.21, paragraph 98, 1/CP.24, paragraphs 38 and 43(a–b), and 18/CMA.1, paragraphs 3–4, the Consultative Group of Experts shall ensure that it prioritizes its work in a manner that addresses the challenges, constraints and needs of developing country Parties.

2. In fulfilling its mandate¹ to support implementation of the existing measurement, reporting and verification arrangements under the Convention by Parties not included in Annex I to the Convention (non-Annex I Parties), the Consultative Group of Experts shall:

(a) Provide, taking into account decision 1/CP.24, paragraphs 38 and 43(a–b), technical assistance and support to non-Annex I Parties to facilitate the process of and the preparation of their national communications² and biennial update reports in accordance with the “Guidelines for the preparation of national communications from Parties not included in Annex I to the Convention”, contained in the annex to decision 17/CP.8, and 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;

(b) Provide recommendations, as appropriate, on elements to be considered in a future revision of the “Guidelines for the preparation of national communications from Parties not included in Annex I to the Convention”, taking into account the experience of non-Annex I Parties in preparing their national communications;

(c) Provide technical advice and support to Parties, upon request, on the provision of the information to be reported on steps taken to integrate climate change considerations into relevant social, economic and environmental policies and actions in accordance with Article 4, paragraph 1(f), of the Convention;

(d) Provide guidance and periodic advice to the secretariat to assist it in fulfilling the selection criteria for the composition of teams of technical experts, in accordance with decision 20/CP.19, annex, paragraphs 3–5, taking into account the reports provided by the secretariat in this regard on a semi-annual basis;

(e) Continue updating and organizing, as needed, with the assistance of the secretariat, the training programmes for nominated technical experts for the technical analysis of biennial update reports, on the basis of the most up-to-date training materials of the Consultative Group of Experts, with a view to improving the technical analysis, taking into account the experience of non-Annex I Parties, in particular the least developed countries and small island developing States, in preparing their biennial update reports, and increasing the representation of the least developed countries and small island developing States in teams of technical experts.

3. In fulfilling its mandate to support implementation of the enhanced transparency framework under Article 13 of the Paris Agreement, the Consultative Group of Experts shall:

(a) Facilitate the provision of technical advice and support to developing country Parties, as applicable, including for the preparation and submission of their biennial

¹ Decision 11/CP.24.

² In accordance with decision 1/CP.24, para. 43(a), Parties may submit their national communication and biennial transparency report as a single report in accordance with the modalities, procedures and guidelines contained in the annex to decision 18/CMA.1 for information also covered by the national communication reporting guidelines contained in, as applicable, decisions 4/CP.5 and 17/CP.8.

transparency reports, and facilitate improved reporting over time in accordance with the modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement;³

(b) Provide technical advice to the secretariat on the implementation of the training for technical expert review teams referred to in decision 18/CMA.1, paragraph 12(c).

4. The Consultative Group of Experts, in providing technical advice and support, should, to the extent possible:

(a) Give special consideration to the least developed countries and small island developing States, including in the context of the need to improve the ability of experts to participate in technical expert reviews;

(b) Identify and take into account, as appropriate, lessons learned and best practices, and the challenges, constraints and needs of developing country Parties in preparing, as appropriate, the reports referred to in paragraph 1 above, including in relation to financial and other support available, as well as the areas for improvement and capacity-building needs identified in the technical analyses of biennial update reports and the technical expert review of biennial transparency reports;

(c) Seek to promote sectoral, gender and geographical balance among experts from developing countries eligible to participate in technical expert reviews;

(d) Facilitate the development and long-term sustainability of the processes for preparing, as appropriate and relevant, the reports referred to in paragraph 1 above, including by providing technical advice and support on elaborating appropriate institutional arrangements and establishing and maintaining national technical teams;

(e) Provide, upon request, information on existing activities and programmes, including bilateral, regional and multilateral sources of financial and technical assistance, to facilitate and support the preparation, as appropriate, of the reports referred to in paragraph 1 above.

5. The Consultative Group of Experts should collaborate, to the extent possible, with other expert groups and constituted bodies under the Convention and the Paris Agreement as well as with other relevant multilateral programmes and organizations, while avoiding duplication of work.

6. The Consultative Group of Experts shall develop, at its first meeting in 2022, a work programme for 2022–2026.

7. The Consultative Group of Experts shall forward recommendations on the matters referred to in paragraphs 2–3 above for consideration by the Subsidiary Body for Implementation, as appropriate.

³ Decision 18/CMA.1, annex.