

## DRAFT TEXT

on

### SBI agenda item 12 Matters relating to the least developed countries

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## COP decision on matters relating to the least developed countries

*The Conference of the Parties,*

*Recalling* decisions 5/CP.7, 29/CP.7, 7/CP.9, 4/CP.10, 4/CP.11, 8/CP.13, 6/CP.16, 5/CP.17, 12/CP.18, 3/CP.20, 1/CP.21, 19/CP.21, 16/CP.24, 7/CP.25, 15/CP.26, 11/CMA.1 and 19/CMA.1,

*Having considered* the report<sup>1</sup> on the 42<sup>nd</sup> meeting of the Least Developed Countries Expert Group,

*Expressing concern* at the lack or delay of implementation by the Green Climate Fund of the mandate given to it in decision 1/CP.21, paragraph 46,

1. *Welcomes* the progress made by the Least Developed Countries Expert Group in implementing its work programme for 2022–2023,<sup>2</sup> including its provision of support to the least developed countries for developing project concepts for implementing adaptation actions associated with the priorities in their national adaptation plans;<sup>3</sup>
2. *Also welcomes* the successful conduct by the Least Developed Countries Expert Group of the national adaptation plan writing workshop for Asia-Pacific least developed countries held in Siem Reap, Cambodia, from 12 to 15 July 2022 and the NAP Expo held in Gaborone, Botswana, from 22 to 26 August 2022;
3. *Expresses its appreciation* to the Government of Cambodia for hosting the workshop referred to in paragraph 2 above and the Government of Botswana for hosting the 42<sup>nd</sup> meeting of the Least Developed Countries Expert Group and NAP Expo 2022 and *expresses its gratitude* to the Government of Ireland for providing financial support for the work of the Least Developed Countries Expert Group;
4. *Expresses its appreciation* to the Least Developed Countries Expert Group and the secretariat for their valuable work in supporting adaptation in the least developed countries;
5. *Also expresses its appreciation* to the organizations that contributed to designing and conducting the workshop referred to in paragraph 2 above;
6. *Welcomes* the progress of the Least Developed Countries Expert Group in developing technical guidelines for the implementation of national adaptation plans<sup>4</sup> and *notes* that those guidelines may help to address gaps and needs<sup>5</sup> relating to the formulation and implementation of national adaptation plans and for informing the design and provision of support for the implementation of national adaptation plans;
7. *Notes* the limited progress of the least developed countries on the process to formulate and implement national adaptation plans and the need for enhanced support of the least developed countries to advance the process to formulate and implement national adaptation plans;
8. *Also notes* that, as at 31 October 2022, 16 of the 46 least developed countries had submitted a national adaptation plan since the process to formulate and implement national adaptation plans was established in 2010, and of those 16 least developed countries with a

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<sup>1</sup> FCCC/SBI/2022/18.

<sup>2</sup> FCCC/SBI/2022/6, annex III.

<sup>3</sup> FCCC/SBI/2022/18, paras. 21–23.

<sup>4</sup> FCCC/SBI/2022/18, paras. 32–35.

<sup>5</sup> <https://unfccc.int/node/210550>.

national adaptation plan, 14 had accessed funding for implementing adaptation actions associated with the priorities identified therein;

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*Option 1*

*Requests* the Green Climate Fund to create modalities for expediting the provision of funding to the least developed countries for implementing policies, projects and programmes identified in their national adaptation plans and to provide information on those arrangements in its report to the Conference of the Parties at its twenty-eighth session (November 2023);

*Invites* the Green Climate Fund, its accredited entities and other relevant organizations, within their respective areas of work, to support the least developed countries in developing investment pipelines and project proposals and implementing adaptation actions associated with the priorities in their national adaptation plans;

*Requests* the Green Climate Fund to implement the mandate in paragraph 46 in decision 1/CP.21;

*Option 2*

*Recognizes* that the least developed countries continue to require support for, inter alia, undertaking the process to formulate and implement national adaptation plans, applying regional approaches to adaptation, engaging with the Green Climate Fund and implementing the least developed countries work programme;

*Option 3*

*Notes* the challenges, complexities and delays experienced by the least developed countries in accessing funding from the Green Climate Fund for implementing policies, projects and programmes identified in their national adaptation plans;

*Underscores* the importance of the least developed countries developing investment pipelines and project proposals for implementing adaptation actions associated with the priorities in their national adaptation plans and *urges* relevant organizations to support the least developed countries in this regard;

*Invites* the least developed countries to continue to engage with the Green Climate Fund on finding ways to address challenges and issues related to access to funding in the context of paragraphs xx–xx above;

9. *Notes with appreciation* the financial pledges, totalling USD xx million, made by the Governments of xx to the Least Developed Countries Fund and *urges* additional contributions to the Fund;

10. *Requests* the Least Developed Countries Expert Group to enhance the support provided to the least developed countries for aligning national adaptation plans and nationally determined contributions;

11. *Also requests* the Least Developed Countries Expert Group to continue to support the least developed countries in integrating gender considerations into the formulation and implementation of national adaptation plans;

12. *Welcomes* the development by the Least Developed Countries Expert Group of its draft rules of procedure;

13. *Adopts* the rules of procedure of the Least Developed Countries Expert Group contained in the annex;

14. *Encourages* the Least Developed Countries Expert Group to prioritize the implementation of the elements of its mandate in accordance with the needs of the least developed countries and the availability of resources;

15. *Invites* Parties and relevant organizations to continue to provide resources to support implementation of the work programme of the Least Developed Countries Expert Group.

## **CMA decision on matters relating to the least developed countries**

*The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement,*

*Recalling* decision 15/CP.26,

1. *Welcomes* the development by the Least Developed Countries Expert Group of its draft rules of procedure;
2. *Adopts* the rules of procedure of the Least Developed Countries Expert Group contained in the annex.

## **Annex**

### **Rules of procedure of the Least Developed Countries Expert Group**

#### **I. Scope**

1. These rules of procedure shall apply to the LEG in conjunction with 5/CP.7, 29/CP.7, 7/CP.9, 4/CP.10, 4/CP.11, 8/CP.13, 6/CP.16, 5/CP.17, 12/CP.18, 3/CP.20, 1/CP.21, 19/CP.21, 16/CP.24, 7/CP.25, 11/CMA.1, 19/CMA.1 and 15/CP.26, as well as any other relevant decisions of the Conference of the Parties and the Conference of the Parties serving as the meeting of Parties to the Paris Agreement.

#### **II. Definition of terms**

2. For the purpose of these rules of procedure, the following terms and definitions shall be used:

- (a) “Convention” means the United Nations Framework Convention on Climate Change;
- (b) “Chair” means the member of the LEG elected as Chair of the LEG;
- (c) “Vice-Chair” means the member of the LEG elected as Vice-Chair of the LEG;
- (d) “Rapporteur” means the member of the LEG elected as Rapporteur of the LEG;
- (e) “Secretariat” means the secretariat referred to in Article 8 of the Convention;
- (f) “Meeting” means the meeting of the LEG;
- (g) “Observer” means any entity the LEG may invite to its meetings.

#### **III. Membership, term limits, nomination and rotation of members**

3. Pursuant to decision 29/CP.7 and as amended by decision 15/CP.26, paragraph 18, taking into account the goal of gender balance pursuant to decision 23/CP.18, the LEG shall comprise 17 experts, who shall serve in their individual expert capacity and shall be nominated by regional groups and constituencies. The composition of the LEG shall be as follows:<sup>1</sup>

- (a) Five members from African States that are LDCs;
- (b) Two members from Asia-Pacific States that are LDCs;
- (c) Two members from small island developing States that are LDCs;
- (d) Four members from the LDC Parties;
- (e) Four members from developed country Parties.

4. When nominating members to the LEG, regional groups and constituencies shall take into account, *inter alia*, expertise in climate change adaptation and support, engagement of youth; experience in climate finance; expertise in project design and implementation, indigenous and traditional knowledge, and education, as well as gender with a view to ensuring gender balance.

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<sup>1</sup> Decision 15/CP.26, para. 18.

5. Regional groups and constituencies represented on the LEG are encouraged to accommodate the needs of members that would need extended temporary absence from service due to sickness, parental leave, and commitments which cannot be avoided, by nominating temporary replacements to serve for a period of time of a members term of office, before the return of the member to full service.
6. The nominated temporary replacement referred to in paragraph 5 above shall serve within the bounds of the remaining term of the member for a period of no more than 12 months.
7. [Members shall serve for a term of [four][three] years and shall be eligible to serve a maximum of two consecutive terms of office.]
8. Members shall remain in office for the duration of their term, unless replaced by Parties in their respective groups or constituencies in accordance with paragraph 5 and 11.
9. The term of office of a member shall start on 1 January unless, in the cases where a member is replaced before the end of their term, the term shall start from the time of the replacement member's nomination by the nominating group or constituency.
10. In case of any vacancy in the LEG owing to the resignation of a member, or non-completion of the member's assigned term of office, including for the reasons indicated in paragraph 5 above, the LEG, through the secretariat, shall request the respective group or constituency to select another member from the same group or constituency for nomination.
11. If a member is unable to participate in two consecutive meetings of the LEG or is unable to undertake the functions and tasks set out by the Chair, for circumstances beyond those referred to in paragraph 5 above and that member has not communicated a reason for their absence to the Chair or the secretariat, the Chair shall bring the matter to the attention of the LEG and shall seek clarification from the group or constituency that nominated the member on the status of his or her membership.
12. Members shall serve in their individual expert capacity and shall have no pecuniary or financial interest in the issues under consideration by the LEG.

#### **IV. Election of officers and their functions**

13. The LEG shall elect annually the following officers from among its LDC members:<sup>2</sup>
  - (a) A Chair;
  - (b) A Vice-Chair;
  - (c) An anglophone Rapporteur;
  - (d) A francophone Rapporteur;
  - (e) A lusophone Rapporteur.
14. The officers shall be elected to serve for a term of two years.
15. To the extent possible, the Chair and the Vice-Chair should be from different UN regions. Gender balance should also be taken into account when nominating the Chair and the Vice-Chair.
16. The Chair and the Vice-Chair shall be elected by the majority of LDC members present and voting.
17. The Chair shall perform the following functions:
  - (a) Attending meetings of and reporting to the subsidiary bodies and to the Conference of the Parties and the Conference of the Parties serving as the meeting of Parties to the Paris Agreement, as appropriate;

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<sup>2</sup> Officers shall be elected in accordance with the terms of reference of the Least Developed Countries Expert Group contained in the annex to decision 29/CP.7, and as per the decision of the Least Developed Countries Expert Group to also appoint a lusophone Rapporteur.

- (b) Chairing and facilitating the meetings of the LEG;
  - (c) Delegating tasks to the LEG members and ensuring that members fulfil their commitments within specified time frames;
  - (d) Liaising with the Chair of the LDC Group under the UNFCCC and ensuring strategic engagement with the LDCs;
  - (e) Representing the LEG when conducting various outreach activities.
18. The Vice-Chair shall represent the Chair in his or her absence and shall perform the functions listed in paragraph 17 above, as appropriate.
19. The anglophone Rapporteur shall have the following functions:
- (a) Liaising with anglophone LDC Parties;
  - (b) Keeping records of meetings of the LEG in English.
20. The francophone Rapporteur shall have the following functions:
- (a) Liaising with francophone LDC Parties;
  - (b) Keeping records of meetings of the LEG in French.
21. The lusophone Rapporteur shall have the following functions:
- (a) Liaising with lusophone LDC Parties;
  - (b) Keeping records of meetings of the LEG in Portuguese.
22. If both the Chair and the Vice-Chair are absent from a particular meeting, any other LDC member designated by the LEG members present shall temporarily serve as chair of that meeting.
23. If the Chair or the Vice-Chair is unable to complete the assigned term of office, the LEG shall elect a replacement from among the LDC members to complete that term of office.
24. The Chair or any member designated by the LEG shall represent the LEG at external meetings and shall report back to the LEG on those meetings.
25. The LEG may further define additional roles and responsibilities for the Chair, the Vice-Chair and the Rapporteurs.
26. The Chair, the Vice-Chair and the Rapporteurs, in the exercise of their functions, shall remain under the authority of the LEG.

## **V. Conflict of interest and confidentiality**

27. Members shall promptly disclose and recuse themselves from any deliberations or decision-making where their personal or financial interests may be affected, in order to avoid a conflict of interest or the appearance of one.
28. Members shall not disclose any confidential information they receive in the course of their duties, even after their term of office as a member has expired.

## **VI. Establishment and oversight of thematic working groups**

29. Pursuant to decision 15/CP.26, paragraph 9, The LEG may decide to establish subcommittees, thematic working groups or task-focused ad hoc working groups to provide expert advice to assist the LEG in implementing its work programme, as appropriate, which shall report to the LEG on work undertaken.
30. In establishing any subcommittees, thematic working groups or task-focused ad hoc working groups, the LEG shall determine an appropriate number of members and ensure that members have relevant expertise in the respective field of work.

## **VII. Frequency, modalities and location of meetings**

31. The LEG shall meet at least twice a year, while retaining flexibility to adjust the number of meetings, as appropriate.
32. The first meeting of the LEG shall be held no later than in March and the second meeting shall be held no later than in September to allow sufficient time for the meeting reports to be submitted and translated into the official languages of the United Nations in time for the relevant sessions of the Subsidiary Body for Implementation.
33. A quorum of 50 per cent plus one member of the members of the LEG shall be obtained for any decisions to be made at a meeting.
34. Virtual participation shall be made possible for LEG members who are unable to join an in-person meeting.
35. Meetings of the LEG shall take place in an LDC, unless otherwise decided by the LEG and subject to the necessary arrangements being made by the secretariat in consultation with the Chair.
36. The Chair, in consultation with the members, shall guide the secretariat on the agenda items that shall be open for participation by resource persons and observers.
37. The Least Developed Countries Expert Group shall decide on whether to webcast its meetings or part of them through the UNFCCC website should technical and financial resources permit.

## **VIII. Development of and reporting on the two-year rolling work programme**

38. The LEG shall develop a two-year rolling work programme at its first meeting of each year for consideration by the Subsidiary Body for Implementation at its first session of each year.
39. The LEG shall report on its work to the Subsidiary Body for Implementation at each of its sessions.

## **IX. Agenda and documents for meetings**

40. The Chair, assisted by the secretariat, shall prepare the provisional agenda for each meeting of the LEG.
41. Members may propose additions or changes to the provisional agenda in writing to the secretariat within one week of receiving the provisional agenda. Any additions or changes shall be included in a revised provisional agenda prepared by the secretariat in consultation with the Chair.
42. The secretariat shall transmit the provisional annotated agenda for each meeting to members of the LEG at least four weeks prior to that meeting.
43. The LEG shall adopt the meeting agenda at the beginning of each meeting.
44. Documents for the meeting shall be decided by the Chair and the Vice-Chair with the assistance of the secretariat.
45. The documents referred to in paragraph 44 above shall be made available to LEG members at least two weeks before the meeting.
46. The Chair, in consultation with Least Developed Countries Expert Group the members, shall advise the secretariat on the documents that shall be made public, at least two weeks before the meeting.

47. The secretariat, in consultation with the Chair, shall prepare a draft report of the meeting to be made available, to the extent possible, to members for comment at least three days before it is submitted for publication.

48. The decisions and outputs of the LEG shall be made available on the UNFCCC website unless decided otherwise by the LEG.

## **X. Decision-making**

49. Decisions of the LEG shall be taken by consensus.

## **XI. Participation of observers and non-members in meetings**

50. The meetings of the LEG may be open to attendance by observers.

51. The LEG may invite experts, as resource persons, to contribute to specific technical work at its meetings.

52. The LEG may invite and fund, subject to the availability of resources, LDC Party representatives to take part in Least Developed Countries Expert Group meetings and contribute to the discussions.

53. The LEG shall invite interested organizations and individuals to actively participate in its work, including through any subcommittees, thematic working groups or task-focused ad hoc working groups the LEG may establish or in specific activities, such as designing and organizing events and producing technical materials.

## **XII. Means of communication**

54. English shall be the working language of the LEG.

55. The LEG, in conducting its activities, shall facilitate translation into other official languages of the United Nations relevant to the LDCs, to the extent possible.

56. The LEG may use electronic means of communication to facilitate its work and to take decisions in accordance with guidelines to be agreed by the LEG.

## **XIII. Collaboration with other constituted bodies and entities under the Convention and the Paris Agreement**

57. The LEG shall invite the secretariats of the Green Climate Fund, the Global Environment Facility and the Adaptation Fund to its meetings to discuss collaboration in supporting the LDCs.

58. The LEG shall collaborate with other constituted bodies and entities under the Convention and the Paris Agreement working on adaptation and means of implementation, as well as on work under the Nairobi work programme on impacts, vulnerability and adaptation to climate change, in providing support to the LDCs.

## **XIV. Engagement of other organizations and regional centres and networks**

59. The LEG may invite relevant regional centres to nominate one focal point each for the LEG with a view to enhancing collaboration with those centres.

60. The LEG may invite representatives of global programmes, projects and networks that support the process to formulate and implement national adaptation plans to its meetings, as appropriate, as a way of promoting the exchange of experience and lessons learned.

**XV. Authority of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement**

61. In the event of any conflict between any provisions of these rules of procedure and any provisions of the Convention and the Paris Agreement, the Convention and the Paris Agreement shall prevail.

**XVI. Amendments to the rules of procedure**

These rules of procedure may be amended as requested by the Conference of the Parties and Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.