

Draft decision -/CMP.16

Matters relating to the forum on the impact of the implementation of response measures

The Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol,

Recalling decisions 7/CP.24, 4/CP.25, 3/CMP.14, 4/CMP.15 and 7/CMA.1,

1. *Welcome with appreciation* the annual report of the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures (hereinafter referred to as the Katowice Committee on Impacts) for 2020–2021¹ and the progress of the Katowice Committee on Impacts in supporting the work of the forum on the impact of the implementation of response measures (hereinafter referred to as the forum) noting that, on an exceptional basis, the 2020–2021 annual report was considered before consideration of the 2020 annual report and continuation of consideration of the 2019 annual report;
2. *Welcome* the informal event and technical expert meetings held virtually in 2020 and 2021² by the Chairs of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation, which served as input to the forum's work on implementing the relevant activities in the workplan of the forum and its Katowice Committee on Impacts³ and *underscore* the challenges experienced with participating in meetings in a virtual setting in 2020 and 2021;
3. *Note* the limitations to progress and limited progress in the implementation of the functions and modalities of the forum and of certain activities in the workplan by the forum, including due to the exceptional circumstances, and therefore *request* the secretariat to hold a two-day workshop in conjunction with the fifty-sixth sessions of the subsidiary bodies (June 2022) to further advance the implementation of workplan activities 3, 4 and 11;
4. *Welcome* the progress made by the Katowice Committee on Impacts in implementing the workplan and the inputs of experts, practitioners and relevant organizations to the work of the forum and its Katowice Committee on Impacts;
5. *Adopt* the recommendations pertaining to activity 1 of the workplan, contained in annex I, forwarded by the forum in the 2020–2021 annual report of the Katowice Committee on Impacts and *invite* Parties to implement them, as applicable;
6. *Adopt* the revised rules of procedure of the Katowice Committee on Impacts contained in annex II;
7. *Recall* decision 7/CMA.1 and the functions of the forum and *note* that the forum, when considering the annual reports of the Katowice Committee on Impacts and the recommendations contained therein, should consider ways to promote actions to minimize the adverse impacts and maximize the positive impacts of the implementation of response measures;
8. *Request* the forum, at the fifty-sixth sessions of the subsidiary bodies, to consider ways to promote actions to minimize the adverse impacts and maximize the positive impacts of the implementation of response measures on the recommendations contained in annex I;

¹ Katowice Committee on Impacts document KCI/2021/4/8. Available at <https://unfccc.int/process-and-meetings/bodies/constituted-bodies/KCI>.

² See <https://unfccc.int/topics/mitigation/workstreams/response-measures/workshops-and-events>.

³ Contained in annex II to decisions 4/CP.25, 4/CMP.15 and 4/CMA.2.

9. *Recall* the rules of procedure of the Katowice Committee on Impacts⁴ and *encourage* groups to nominate members to the Katowice Committee on Impacts taking into account the goal of achieving gender balance;
10. *Request* the secretariat to organize a regional workshop on activity 3 of the workplan before the fifty-sixth sessions of the subsidiary bodies in collaboration with relevant organizations and stakeholders, to address regional needs and acknowledge the work that is being carried out by the Katowice Committee on Impacts and *note* that further regional workshops on activity 3 could be decided by the forum;
11. *Invite* Parties and observers to submit via the submission portal⁵ by April 2022 their views on the elements of the midterm review of the workplan of the forum and its Katowice Committee on Impacts and *request* the secretariat to prepare a summary based on the submissions with a view to informing Parties' discussion on the midterm review starting at the fifty-sixth sessions of the subsidiary bodies;⁶
12. *Take note* of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in paragraphs 3 and 11 above;
13. *Request* that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources.

⁴ See decision 4/CMA.2, annex I.

⁵ <https://www4.unfccc.int/sites/submissionsstaging/Pages/Home.aspx>.

⁶ As per decision 19/CMA.1, para. 24.

Annex I

Recommendations forwarded by the forum pertaining to activity 1 of the workplan: exploring approaches to inform the development and implementation of climate change mitigation strategies, plans, policies and programmes that maximize the positive and minimize the negative impacts of response measures

1. Encourage Parties to engage relevant stakeholders at each step of the process of designing and implementing climate mitigation policies and policies to achieve sustainable development including through social dialogue, when possible and subject to national circumstances. The relevant stakeholders, among others, include workers, employers, organizations, academia, public and private sectors, women, and civil society.
2. Encourage Parties to explore complementary policies, such as economic policies, social protection, and labour policies, to help strengthen the outcomes of the implementation of mitigation strategies, plans, policies and programmes including nationally determined contributions and low-emission development strategies.
3. Encourage Parties to strengthen international and regional cooperation as it contributes towards planning and implementation of mitigation policies with environmental and socioeconomic benefits, for example to help facilitate technology development and transfer in accordance with Article 10 of the Paris Agreement, and strive towards harmonized regional approaches.
4. Encourage Parties to use existing qualitative and quantitative assessment methodologies and tools to understand social, economic and employment effects of proposed mitigation measures as a way to inform and guide climate policies and to maximize the positive and minimize the negative effects of the implementation of response measures. More analysis of impacts, including, inter alia, sectoral, national, subnational, domestic, and cross border, would be useful for informing climate policies and understanding how to maximize the positive and minimize the negative effects of the implementation of response measures.
5. Encourage the forum and its Katowice Committee on Impacts to enhance the capacity of Parties, particularly developing country Parties, through training and capacity-building efforts, including the existing initiatives. This will enable Parties to carry out their own assessments and analyses of the impacts of response measures.

Annex II

Revised rules of procedure of the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures

[English only]*

I. Scope

1. These rules of procedure shall apply to the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures (KCI) in accordance with decision 7/CMA.1 and its annex.

II. Mandate

2. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA), by decision 7/CMA.1, decided to establish the KCI to support the work of the forum on the impact of the implementation of response measures in implementing its work programme and operating in accordance with the terms of reference contained in the annex to that decision.

3. The forum and the KCI may use the following modalities, as appropriate and as decided on a case-by-case basis, to carry out the work programme of the forum:

- (a) Building awareness and enhancing information-sharing through the exchange and sharing of experience and best practices;
- (b) Preparing technical papers, case studies, specific examples and guidelines;
- (c) Receiving inputs from experts, practitioners and relevant organizations;
- (d) Organizing workshops.

III. Members

4. The CMA, by decision 7/CMA.1, decided that the KCI shall be composed of 14 members, of which:

- (a) Two members from each of the five United Nations regional groups;
- (b) One member from the least developed countries;
- (c) One member from the small island developing States;
- (d) Two members from relevant intergovernmental organizations.⁷

5. By the same decision, the CMA also decided that members shall be nominated by their respective groups. Groups are encouraged to nominate members taking into account the goal of achieving gender balance. The Chairs of the Subsidiary Body for Scientific and

* This annex will be made available in all six official languages in the report on the session.

⁷ Decision 7/CMA.1, annex, para. 4(b).

Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI) shall be notified of these appointments.⁸

6. The CMA also decided that members shall serve in their expert capacity and should have relevant qualifications and expertise in the technical and socioeconomic fields related to the areas of the work programme of the forum.⁹

7. Further, the CMA decided that members shall serve a term of two years and be eligible to serve a maximum of two consecutive terms in office.¹⁰ The following rules shall apply:

(a) Half of the members shall be nominated initially for a term of three years and half of the members shall be elected for a term of two years;

(b) Thereafter, members are nominated for a term of two years;

(c) The members shall remain in office until their successors are nominated. In such a case, the KCI shall notify the Chairs of the SBSTA and the SBI;

8. The term of office of a member shall commence at the first meeting of the KCI in the calendar year of their appointment and end immediately before the first meeting of the KCI in the calendar year after their second calendar year in office.

9. If a member of the KCI resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the KCI shall request the group that nominated the member to nominate another member for the remainder of the unexpired term, in which case the appointment shall count as one term. In such a case, the KCI shall notify the Chairs of the SBSTA and the SBI.

10. If a member is unable to participate in two consecutive meetings of the KCI or unable to perform the functions and tasks set by the KCI, the Co-Chairs of the KCI will bring this matter to the attention of the KCI and seek clarification from the group that nominated that member on the status of their membership.

IV. Conflict of interest

11. The KCI members must promptly disclose, and recuse themselves from, any deliberations or decision-making which could have a bearing on their personal or financial interests, in order to avoid a conflict of interest or the appearance of one. Further, KCI members shall not disclose any information deemed by the Committee as confidential which they receive in the course of their duties, even after leaving the Committee.

V. Co-Chairs

12. The CMA decided that the KCI shall elect, on a consensus basis, two members from among its members to serve as Co-Chairs for a term of two years each, taking into account the need to ensure equitable geographical representation.¹¹

13. The CMA also decided that if one of the Co-Chairs is temporarily unable to fulfil the obligations of the office, another member designated by the KCI shall serve as Co-Chair.¹²

⁸ Decision 7/CMA.1, annex, para. 4(d).

⁹ Decision 7/CMA.1, annex, para. 4(c).

¹⁰ Decision 7/CMA.1, annex, para. 4(e).

¹¹ Decision 7/CMA.1, annex, para. 4(f).

¹² Decision 7/CMA.1, annex, para. 4(g).

14. If one of the Co-Chairs is unable to complete the term of office, the KCI shall elect a replacement from among its members of the relevant group of the incumbent Co-Chair, if available, to complete that term of office.
15. The Co-Chairs shall collaborate in chairing meetings of the KCI and in facilitating the work of the KCI throughout the year, in accordance with the workplan of the forum and its KCI, to ensure coherence between meetings.
16. Following the completion of the Co-Chairs' two-year term of office, the KCI shall nominate two members as Co-Chairs to serve the next two-year term of office.
17. The Co-Chairs shall declare the opening and closing of meetings of the KCI, ensure the observance of these rules of procedure and rule on points of order.
18. The Co-Chairs shall call upon speakers at meetings of the KCI in the order in which they signify their desire to speak. The secretariat shall maintain a list of speakers. The Co-Chairs may call a speaker to order if their remarks are not relevant to the subject under discussion.
19. The KCI may further define additional roles and responsibilities for the Co-Chairs.
20. In exercising their functions, the Co-Chairs shall remain under the authority of the KCI.

VI. Secretariat

21. The secretariat shall support and facilitate the work of the KCI, by:
 - (a) Making the necessary arrangements for the meetings of the KCI, including announcing meetings, issuing invitations, making the necessary travel arrangements for members eligible for funding for their participation in meetings and making available relevant documents for meetings;
 - (b) Maintaining meeting records and arranging for the storage and preservation of documents of meetings of the KCI;
 - (c) Making documents of meetings of the KCI available to the public, unless otherwise decided by the KCI.
22. The secretariat shall assist the KCI in tracking its actions, in accordance with the workplan of the forum and its KCI, in its annual report.
23. In addition, the secretariat shall perform any other functions assigned by the KCI, in accordance with the workplan of the forum and its KCI.

VII. Meetings

24. The KCI shall meet twice per year, for two days per meeting, in conjunction with the sessions of the subsidiary bodies.
25. At least nine members of the KCI must be present to constitute a quorum.
26. Members are requested to confirm their attendance at meetings of the KCI as early as possible, and at least four weeks prior to a meeting for members eligible for funding for their participation, to enable sufficient time for the secretariat to make the necessary travel arrangements.
27. Should technical and financial resources permit, open meetings of the KCI shall be webcast through the UNFCCC website.

28. At each of its meetings, the KCI shall propose the dates of its next meeting. The Co-Chairs will agree the dates of the next meeting in consultation with the secretariat.

VIII. Agenda and documentation for meetings

29. The Co-Chairs, assisted by the secretariat, shall prepare the provisional agenda and provisional annotated agenda for each meeting of the KCI in accordance with the workplan of the forum and its KCI. The Co-Chairs will prepare a report on the meeting, to be agreed by members, and this will be made available on the UNFCCC website. The Co-Chairs will report back to the forum on the meeting of the KCI.

30. The provisional agenda and provisional annotated agenda for each meeting shall be transmitted to the members of the KCI at least four weeks in advance of the meeting.

31. Members may propose additions or changes to the provisional agenda and provisional annotated agenda, in writing, to the secretariat within one week of receiving the documents, and these additions or changes shall be considered for a revised provisional agenda and provisional annotated agenda by the secretariat in agreement with the Co-Chairs.

32. The secretariat shall transmit the provisional agenda and provisional annotated agenda and any supporting documentation to the members at least two weeks prior to a meeting. Documents may be transmitted after that date with the approval of the Co-Chairs.

33. Documents for a meeting shall be published on the UNFCCC website at least two weeks prior to that meeting, to the extent possible.

34. The KCI shall, at the beginning of each meeting, adopt the agenda for that meeting.

35. The CMA decided that members of the KCI shall prepare an annual report for consideration by the forum with a view to making recommendations for consideration by the SBSTA and the SBI, which, in turn, are to recommend actions to the Conference of the Parties (COP), the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) and the CMA for their consideration and adoption.¹³

36. This annual report shall be made available on the UNFCCC website before the relevant sessions of the COP, the CMP and the CMA.

IX. Decision-making

37. The CMA decided that the KCI shall operate on the basis of consensus of its members.¹⁴

38. The KCI may use electronic means to facilitate its work, as appropriate and in accordance with the workplan of the forum and its KCI.

X. Working language

39. The working language of the KCI shall be English.

¹³ Decision 7/CMA.1, para. 12, and annex, para. 4(j).

¹⁴ Decision 7/CMA.1, annex, para. 4(i).

XI. Participation of expert advisers in meetings

40. The KCI, in performing its mandate, should draw upon outside expertise at its meetings.

41. The Co-Chairs may, in consultation with the KCI, invite representatives of international organizations, the private sector, academia and/or civil society to participate in a meeting of the KCI as expert advisers on specific issues under consideration at the meeting.

XII. Participation of observers

42. The CMA decided that meetings of the KCI shall be open to attendance as observers by all Parties and accredited observer organizations, unless otherwise decided by the KCI.¹⁵

43. The KCI may decide to close a meeting or part thereof to observers at any time.

44. The secretariat shall make the dates and venues of the meetings available to the public to enable participation by observers.

45. Observers may, with the agreement of the KCI, be invited to address the KCI on matters under consideration by the KCI. The Co-Chairs shall notify the KCI one week in advance of the meeting of any proposed interventions by observers.

46. The KCI may request interventions from observers throughout the meeting, as appropriate.

XIII. Use of electronic means of communication

47. The KCI shall use electronic means of communication to facilitate intersessional work, as appropriate and in accordance with the workplan of the forum and its KCI. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the KCI.

XIV. Working groups

48. The KCI may establish working groups among its members to support the forum in performing its functions. The working groups may receive inputs from experts, practitioners and relevant organizations in accordance with the workplan of the forum and its KCI and in line with paragraphs 39–40 above.

XV. Workplan

49. The KCI will support the work of the forum in line with the workplan of the forum and its KCI.

XVI. Amendments to the rules of procedure

50. The KCI may recommend amendments to these rules of procedure for consideration by the forum and approval by the subsidiary bodies.

¹⁵ Decision 7/CMA.1, annex, para. 4(h).

51. Proposals and amendments to proposals for the rules of procedure may be introduced and submitted to the secretariat in writing by KCI members; such proposals and amendments shall be circulated for consideration by all members of the KCI.

52. No proposal for the rules of procedure shall be discussed or put forward for a decision at any meeting unless copies have been circulated to the KCI members no later than two weeks before the meeting.

XVII. Overriding authority of the Convention, the Kyoto Protocol and the Paris Agreement

53. In the event of a conflict between any provision of these rules and any provision of the Convention, the Kyoto Protocol or the Paris Agreement, the provision of the Convention, the Kyoto Protocol or the Paris Agreement shall take precedence.

Document information

<i>Version</i>	<i>Description</i>
Version 2	Revision of paragraph 7 and addition of paragraph 11
Version 1	Adopted by decisions 4/CP.25, 4/CMA.15 and 4/CMA.2