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## **Subsidiary Body for Implementation**

**Thirty-seventh session**

**Doha, 26 November to 1 December 2012**

Agenda item 5(b)

**Nationally appropriate mitigation actions by developing country Parties**

**Composition, modalities and procedures of the team of technical experts**

**under international consultations and analysis**

## **Composition, modalities and procedures of the team of technical experts under international consultations and analysis**

### **Draft conclusions proposed by the Chair**

1. The Subsidiary Body for Implementation (SBI) continued, but did not conclude, its consideration on the composition, modalities and procedures of the team of technical experts under international consultations and analysis. The SBI agreed to invite the Conference of the Parties at its eighteenth session to provide further guidance in order to conclude this matter.
2. The SBI recommended the draft decision text contained in the annex to these conclusions for consideration and finalization by the Conference of the Parties at its eighteenth session.

## Annex

[English only]

### **Composition, modalities and procedures of the team of technical experts under international consultations and analysis**

*[The Conference of the Parties,*

*Recalling* decisions 1/CP.16 and 2/CP.17, which established a process for international consultation and analysis of biennial update reports under the Subsidiary Body for Implementation that aims to increase the transparency of mitigation actions and their effects, and adopted the modalities and guidelines for the international consultation and analysis,

*Noting* that international consultation and analysis of biennial update reports will be conducted in a manner that is non-intrusive, non-punitive and respectful of national sovereignty,

*Recognizing* the need to have an efficient, cost-effective and practical international consultation and analysis process which does not impose an excessive burden on Parties and the secretariat,

*Having taken note* of the estimated budgetary implications, as provided by the secretariat, of the actions requested of the secretariat in paragraph 3 below and other actions contained in the annex to this decision,

*Also recognizing* the difficulties faced by Parties not included in Annex I to the Convention (non-Annex I Parties) in reporting under the Convention, as well as the need to take into account national capabilities and circumstances, the need to build capacity and the need for the provision of financial support in a timely manner to non-Annex I Parties to facilitate the timely preparation of their biennial update reports,

*Further recognizing* that the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention could play an important role in facilitating technical advice and support for the preparation and submission of Parties' first biennial update reports,

*Having taken note* that the requirements for additional resources for the implementation of the actions referred to in paragraph 3 below cannot be met by the approved UNFCCC core budget for the biennium 2012–2013,

*Having taken note* that the UNFCCC core budget for the biennium 2014–2015 will need to address the resources necessary for the implementation of the actions contained in the annex to this decision,

1. *Adopts* the composition, modalities and procedures of the team of technical experts referred to decision 2/CP.17, annex IV, paragraph 1, as contained in the annex to this decision;
2. *Invites* Parties and, as appropriate, intergovernmental organizations to nominate technical experts with the relevant qualifications to the UNFCCC roster of experts;
3. *Requests* the secretariat:

- (a) To maintain and update the roster of technical experts;
  - (b) To develop and conduct appropriate training programmes for nominated technical experts;
  - (c) To develop the technical tools necessary to conduct the technical analysis of the biennial update reports efficiently;
4. *Encourages* Parties included in Annex II to the Convention to provide the financial resources necessary for the actions of the secretariat called for in paragraph 3 above and the actions required within the provisions contained in the annex to this decision;
5. [*Also encourages* developed country Parties and other developed country Parties included in Annex II to the Convention to provide new and additional financial resources at the agreed full cost in accordance with Article 4, paragraph 3, of the Convention and relevant decisions of the Conference of the Parties, with a view to supporting any reporting needed for international consultations and analysis;]
6. *Requests* that the actions of the secretariat called for in this decision, and the actions required within the provisions contained in the annex to this decision, be undertaken subject to the availability of financial resources.

## Appendix

### **[Composition, modalities and procedures of the team of technical experts for undertaking the technical analysis of biennial update reports from Parties not included in Annex I to the Convention**

The objective of this document is to provide details of the composition, modalities and procedures of the team of technical experts (TTE) referred to in decision 2/CP.17, annex IV, paragraph 3, for undertaking technical analysis of biennial update reports (BURs) from Parties not included in Annex I to the Convention (non-Annex I Parties), in a manner that is non-intrusive, non-punitive and respectful of national sovereignty.

#### **A. Composition of the team of technical experts**

##### **[Option 1]**

1. A team of technical experts shall be composed of experts nominated to the UNFCCC roster of experts by Parties to the Convention and, as appropriate, by intergovernmental organizations.
2. The secretariat shall compose the members of a TTE from the UNFCCC roster of experts maintained by the secretariat to conduct technical analysis of biennial update reports in such a way that:
  - (a) Allows the collective skills of each team to address the areas of information defined in decision 2/CP.17, annex IV, paragraph 3(a);
  - (b) Achieves a balance between experts from Parties included in Annex I to the Convention (Annex I Parties) and non-Annex I Parties in the overall composition of the team, without compromising the selection criteria referred to in paragraph 1 above;
  - (c) Ensures geographical balance among the experts selected from non-Annex I Parties and Annex I Parties;
  - (d) Ensures that each TTE is co-led by two experts: one from an Annex I Party and another from a non-Annex I Party. The co-lead experts should ensure that the technical analyses in which they participate are performed in accordance with the relevant guidelines contained in relevant decisions of the Conference of the Parties.
3. A TTE may vary in size and composition, taking into account the national circumstances of the Party whose BUR is under technical analysis and the particular needs for expertise of each technical analysis activity. At least one member of the TTE shall be an expert in greenhouse gas inventories. The need for experts in the associated methodologies and assumptions behind mitigation actions should be determined based on the national circumstances of the Party whose BUR is under technical analysis.

##### **[Option 2]**

1. The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) shall serve as the TTE for international consultation and analysis and undertake the technical analysis of biennial update reports in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in

accordance with decision 2/CP.17, paragraphs 56–62 and annex IV. The membership of the CGE shall be as set out in decision 3/CP.8, annex, paragraphs 3–8.

2. The CGE may establish committees, panels or working groups to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take regional balance fully into consideration, in line with the composition of the CGE.

3. The CGE may decide on the organization of committees, panels or working groups for conducting the technical analysis of individual or groups of up to four BURs from Parties not included in Annex I to the Convention within six months of its submission.

**[Option 3]**

1. A TTE will be coordinated by the secretariat under the guidance of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) and shall be composed of at least three experts selected from the CGE.

2. Other additional experts, drawn from the UNFCCC roster of experts by the secretariat under the guidance of CGE, may be included in the TTE, taking into account the national circumstance of the Party concerned and the different expertise needs of each technical analysis.

3. The composition of experts should ensure the geographical balance, maximize the participation of experts from non-Annex I Parties (no less than 70% of experts should be from non-Annex I Parties) and take into consideration of expertise needed.

4. Experts selected from the UNFCCC roster of experts should have recognized competence in understanding the difficulties encountered by non-Annex I Parties in preparation of their BURs. Participating experts shall be trained on ad hoc basis by the CGE to ensure the necessary competence of experts.

**[Option 4]**

1. The TTE shall be housed within the secretariat on a permanent basis.

**B. Modalities and procedures of the team of technical experts**

8. The participating experts shall serve in their personal capacity. They shall neither be a national of the Party whose BUR is under analysis nor be nominated by that Party.

9. The technical analysis of successive BURs from the same Party should not be undertaken by the same TTE.

10. [A single TTE shall be responsible for conducting the technical analysis of [one to four][each][six to eight] submitted BURs by a non-Annex I Party or group of Parties, within six months of its submission. In accordance with decision 2/CP.17, paragraph 58(d), small island developing States and the least developed country Parties may undergo international consultation and analysis as a group of Parties at their discretion.]

11. [The TTE shall meet in a single location to conduct the technical analysis of the BURs assigned to it. On a voluntary basis, and at the request of the Party concerned, the TTE may be constituted to undertake the technical analysis of the BUR in the country of the requesting Party.]

12. [The technical analysis of BURs shall result in an individual summary report for each BUR submitted and analysed.]

13. The TTE shall complete a draft summary report no later than three months after the start of the technical analysis. The draft summary report should be shared with the

respective non-Annex I Party or Parties for comment, to be provided within three months of its receipt.

14. The TTE shall incorporate or otherwise respond to the comments referred to in paragraph 22(c) below received from the Party concerned and finalize, in consultation with the Party concerned, the final summary report within three months of the receipt of the comments.

15. The final summary report shall be published on the UNFCCC website and presented to the Subsidiary Body for Implementation (SBI).

16. In the course of a technical analysis as set out in decision 2/CP.17, annex IV, paragraphs 3 and 4, the TTE, upon request, shall be provided by the non-Annex I Party concerned with information and data sufficient to assess the conformity of the BUR with the “UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention” and other relevant guidelines adopted by the Conference of the Parties.

17. Where some of the additional information or data, including the data used by the Party concerned to prepare its BUR, requested by the team of experts in accordance with decision 2/CP.17, annex IV, paragraph 4, falls under confidentiality protection in accordance with the national legislation of the Party concerned, the Party shall inform the TTE thereof, indicating the reasons for classifying the information. Any confidential information and data provided by a Party to the TTE shall be maintained as confidential by the TTE.

18. The obligation of a member of a TTE not to disclose confidential information shall continue after termination of his or her service on the TTE.

19. [Participating experts from non-Annex I Parties and Parties included in Annex I to the Convention (Annex I Parties) with economies in transition shall be funded in accordance with the existing procedures<sup>1</sup> for participation in UNFCCC activities. Experts from other Parties included in Annex I to the Convention shall be funded by their governments and those representing intergovernmental organizations shall be funded by their respective organizations.][*This paragraph is relevant to options 1, 2 and 3 under section A*].

**C. Tasks of the team of technical experts**

20. The technical analysis shall include the following:

(a) [Checking the completeness of submitted BURs;]

(b) [Examining the consistency, [transparency and comparability<sup>2</sup>] of the BUR with 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;]

(c) [Analysing the information listed in paragraph 3(a) of the guidelines contained in decision 2/CP.17, annex IV, including: national greenhouse gas inventory reports; information on mitigation actions, including a description of such actions, an analysis of their impacts and associated methodologies and assumptions, and the progress made in their implementation; information on domestic measurement, reporting and verification, and support received; and any additional information provided by the Party or Parties;]

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<sup>1</sup> Under this procedure, funding is limited to an air ticket for the most direct route and at the least costly fare, plus a daily subsistence allowance at the established United Nations rate.

<sup>2</sup> [Comparability means that estimates of emissions and removals reported by non-Annex I Parties in their inventories should be comparable among non-Annex I Parties. For this purpose, non-Annex I Parties should use the methodologies and formats agreed by the COP for estimating and reporting inventories.]

(d) [Identifying areas for further capacity-building and noting possible ways of improving the estimation and reporting of the information contained in the BUR. Such recommendations should not contain any political judgement, ensuring that assessing the appropriateness of domestic policies and measures is not part of the process.]

(e) [Preparing a draft summary report containing the outcomes of the analysis of each BUR under its collective responsibility and in consultation with the Party concerned. The summary report may also include the recommendations referred to in paragraph 20(d) above.]

21. With a view to continuously improving the international consultation and analysis (ICA) process, [the [co-lead experts (*applicable to option 1*)][CGE (*applicable to option 2 and 3*)] shall meet periodically:

(a) To prepare a report for the SBI biennially, containing suggestions on how to improve the technical analysis and the ICA process;

(b) To advise on technical support tools to facilitate the technical analysis;

(c) To provide recommendations on how the technical assistance and support for improving the quality of BURs and the ICA process could be further improved.]

22. [For each technical analysis activity, the TTE shall, with the support of the secretariat:

(a) Prepare a brief workplan for the technical analysis activity;

(b) Prepare the draft summary report on the technical analysis, taking into consideration the information referred to in decision 2/CP.17, paragraphs 56–62 and annex IV, and share it with the Party concerned for review and comment over the following three months;

(c) Respond to and incorporate the comments referred to in paragraph 23(b) above from the Party concerned and finalize, in consultation with the Party concerned, the summary report, which shall be presented to the SBI. Should the Party and the TTE be unable to agree on the treatment of a comment, the TTE shall ensure that the comments of the Party are incorporated within a separate section of the report.]

23. [*Place holder for capacity building elements*]]

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