



BONN HIGHLIGHTS:

WEDNESDAY, 25 MAY 2016

On Wednesday, the Bonn Climate Change Conference continued with the APA meeting in open-ended informal consultations in the morning. A TEM on effective policy frameworks and institutional arrangements for adaptation planning and implementation took place in the morning and early afternoon. In the afternoon, the SBI held the first part of its closing plenary and APA convened an informal consultation. SBI and SBSTA informal consultations convened throughout the day.

APA

MODALITIES AND PROCEDURES FOR THE EFFECTIVE OPERATION OF THE COMMITTEE TO FACILITATE IMPLEMENTATION AND PROMOTE COMPLIANCE REFERRED TO IN PARIS AGREEMENT

ARTICLE 15.2: Co-Chair Sarah Baashan invited parties to discuss: features of a mechanism to facilitate implementation and promote compliance; and triggers for the work of the compliance committee and actions it could take.

On *features*, many parties underlined that the mechanism should be facilitative, non-punitive and non-adversarial, with several others adding it should be universal while taking into account national circumstances and parties' capabilities.

India, for the LMDCs, stressed the dual role of the committee and urged operationalizing differentiation between developed and developing countries. JAPAN said consideration of national capabilities and circumstances was not "categorical" but depended on each country.

AUSTRALIA emphasized that compliance only applies to individual obligations and, with SWITZERLAND, pointed to communications as an example. NORWAY and MEXICO suggested promoting compliance for legally-binding obligations, and facilitating implementation of other provisions. The Democratic Republic of the Congo, for the LDCs, said the committee could facilitate implementation of both legally-binding and aspirational elements.

Costa Rica, for AILAC, stated that "all international obligations" must be within the scope of the committee. INDONESIA said the scope of the compliance committee should include mitigation, adaptation and MOI.

CANADA suggested that the mechanism develop as other aspects of the Agreement evolve, and, with the EU, called for examining how the compliance regime will relate to other mechanisms under the Agreement. NEW ZEALAND stressed the link between the transparency and compliance mechanisms.

On *triggers*, China, for the G-77/CHINA, Colombia, for AILAC, CANADA, SWITZERLAND, the LMDCs, Mali, for the AFRICAN GROUP and INDONESIA proposed self-referral triggers. The G-77/CHINA, CANADA and SWITZERLAND also supported party-to-party triggers.

The G-77/CHINA and AILAC suggested technical experts could serve as triggers, and SWITZERLAND added the Secretariat. IRAN stressed non-state parties and observers should not be triggers.

CHINA called for a clarification stage before and during the trigger process, and noted the need to consider different actors' roles at various stages, including the Secretariat, the CMA bureau and transparency experts.

AILAC stressed early warning for potential non-compliance. AOSIS underlined that the triggers should be sensitive to different contexts.

AUSTRALIA identified "active" triggers that would allow the committee to reach out to countries, and "passive" triggers where input would be necessary to initiate the committee's response.

The LDCs, NEW ZEALAND and the REPUBLIC OF KOREA said triggers could be linked to the transparency framework, with AILAC noting the transparency framework as only one input. Saudi Arabia, for the ARAB GROUP, cautioned against establishing linkages with other elements of the Paris Agreement prematurely.

AUSTRALIA and AOSIS, opposed by the LMDCs, supported a technical paper on triggers. VIET NAM and the US called for further discussion.

On *actions* of the committee, the LMDCs identified recommendations to the financial mechanism to support implementation. The AFRICAN GROUP suggested identifying causes of non-compliance and facilitating technical and capacity-building support.

SWITZERLAND suggested the committee could offer conclusions on how to improve compliance, along with a statement of concern if goals are far from being achieved.

The US stressed discussions on triggers and actions were "derivative" of the committee's scope.

INDONESIA said the committee should formulate recommendations to the CMA, in light of national circumstances. CHINA suggested the CMA then decide on measures to take based on the "facilitative measures" presented by the committee.

CANADA called for analysis to find the optimal solution, and with NORWAY, the LDCs and SWITZERLAND, suggested submissions from parties and/or a technical paper from the Secretariat. The EU called for deepening the discussion in Marrakech first. The US and the ARAB GROUP opposed inviting technical papers at this stage.

FURTHER MATTERS RELATED TO IMPLEMENTATION OF THE PARIS AGREEMENT:

Co-Chair Jo Tyndall invited parties to discuss: procedural and administrative arrangements CMA 1 could put in place in the event of early entry into force, and the timeline of such arrangements; procedural, institutional and administrative issues



requiring decisions at CMA 1; and modalities for the subsidiary and constituted bodies to report at COP 22 on progress made on their mandated work.

On *procedural and administrative arrangements in the event of early entry into force*, the Secretariat explained that the Paris Agreement's institutions become operational when the Agreement enters into force and that CMA 1 must convene at the first COP following entry into force. Noting that if enough ratifications are secured by 7 October 2016, CMA 1 would convene in Marrakech, the Secretariat presented two options. First, the CMA could carry the work programme forward with the assistance of the APA, SBs and constituted bodies, which would require a COP decision to extend the APA. Second, the CMA could suspend its first session, requesting the COP to continue the work programme, and resume at subsequent COPs to take stock and appropriate decisions.

SWITZERLAND, the EU, Peru, for AILAC, the US, NORWAY and JAPAN supported the suspension option with a specific deadline, with some suggesting 2018. Algeria, for the LMDCs, proposed extending the mandate of the APA until the work programme concludes. SOUTH AFRICA supported suspension, adding that COP 22 should adopt a decision that captures this understanding.

The LDCs underlined they would consider suspension of CMA 1 only after consideration of the provisional application of the Paris Agreement and prompt ratification of the Doha Amendment. BRAZIL worried that suspending CMA 1 would send the wrong political signal and delay consideration of issues.

AOSIS called for using the practice established for the Kyoto Protocol, whereby observer parties were able to participate fully in discussions, but not in decision-making. The US, INDONESIA and SOUTH AFRICA supported the principle of inclusiveness.

Mali, for the AFRICAN GROUP, called for "effective and fair" participation of all parties and supported creating a contact group on this item at COP 22.

On *reporting modalities at COP 22*, AILAC called for a session during COP 22 to take stock of progress. JAPAN suggested stocktaking sessions held by the COP 22 Presidency. The ARAB GROUP recommended a contact group to assist the Co-Chairs and Presidencies to ensure parallel progress among the bodies. The LMDCs, JAPAN and VIET NAM proposed inviting the Chairs of the subsidiary and constituted bodies to report to the APA.

The EU said Decision 1/CP.21 (Paris outcome) contains all the necessary modalities.

MEXICO called for workshops to ensure work is progressing in all bodies on aspects included in the Paris Agreement preambular paragraph on, *inter alia*, human rights, indigenous peoples, gender equality and intergenerational equity.

SBI

Chair Chruszczow opened the plenary to consider items for which draft conclusions were ready for adoption.

KYOTO PROTOCOL MECHANISMS: Appeals against CDM EB decisions: Chair Chruszczow reported that agreement was not reached and invited the SBI to continue consideration at its next session. Indicating that this procedural request should be presented in draft conclusions by the chair, the RUSSIAN FEDERATION requested time to verify the correct procedural steps. Chair Chruszczow indicated the SBI would discuss the item on 26 May.

MATTERS RELATED TO LDCS: Chair Chruszczow introduced the draft conclusions (FCCC/SBI/2016/L.6). The SBI adopted the conclusions with an oral amendment to a paragraph on urging parties and other to contribute to the LDCF that replaced a reference to "and/or the GCF" with "the operating entities of the Financial Mechanism."

TIMOR LESTE said the five-year rolling work plan of the LEG would help vulnerable countries implement their NAPs and NAPAs, noting the usefulness of further contributions to the LDCF.

The SBI adopted the following conclusions and recommended the draft decisions to the COP/CMP, as applicable:

- Annex I reporting: Compilation and synthesis of sixth NCs and first biennial reports (FCCC/SBI/2016/L.1);
- Outcome of IAR (2014-2015) (FCCC/SBI/2016/L.12 and Add.1);
- Review of CDM modalities and procedures (FCCC/SBI/2016/L.13);
- Review of JI guidelines and implementation of draft procedures (FCCC/SBI/2016/L.8 and Add.1);
- NAPs (FCCC/SBI/2016/L.9);
- Third review of the Adaptation Fund (FCCC/SBI/2016/L.10);
- Scope and modalities for the periodic assessment of the Technology Mechanism in relation to supporting the implementation of the Paris Agreement (FCCC/SBI/2016/L.5);
- Privileges and immunities for individuals on constituted bodies established under the Protocol (FCCC/SBI/2016/L.3); and
- Privileges and immunities for individuals on constituted bodies established under the Convention (FCCC/SBI/2016/L.4).

SBSTA/SBI

TEM ON ADAPTATION: Effective policy frameworks and institutional arrangements for adaptation planning and implementation:

On institutional arrangements, one panelist drew attention to a lack of investment in energy and irrigation projects in the Zambezi basin. Another challenge identified was coordination needs among different government agencies in the cases presented from Myanmar and Japan. Also panelists highlighted the useful experience with stocktaking analyses of NAP processes, mainstreaming adaptation approaches and providing clear timeframes. Speaking on Vanuatu's experience, a panelist highlighted opportunities for applying affirmative action to integrate women into the decision-making process.

Discussions shared experiences of replicable good practices, including with stakeholder engagement in identifying priorities and solving issues. One speaker suggested the UNFCCC develop guidelines on managing uncertainties to facilitate enhanced actions.

Breakout groups discussed: regional, national and sub-national perspectives regarding multi-level governance, including stakeholder engagement; and emerging practices in monitoring and evaluation at the national and local level, as well as emerging standards evolving from private sector monitoring and evaluation.

In the afternoon, participants discussed options for effective policy frameworks, including replicable good practices, support and partnerships.

IN THE CORRIDORS

On Wednesday, with the second week of SB 44 approaching its end, many at the Bonn Climate Change Conference started casting their gaze ahead to COP 22 in Marrakech.

Leaving the incoming Presidency's informal lunchtime consultations on expectations for priority areas, activities and actions for COP 22, some observed that, while the Moroccan Presidency is clearly in "listening mode," one delegate thought raising the level of their active engagement early in the process would increase the possibility of "delivering everything COP 22 has to, and beyond." Yet, some delegates felt there was still a lack of clarity on whether COP 22 would be an "action," "implementation," "MOI" or perhaps a "youth" COP.

As delegates gathered to coordinate on the draft conclusions circulated by the APA Co-Chairs that provide a roadmap for Marrakech, what was clear was that they would leave Bonn with what one delegate called a "laundry list" of submissions that would keep them busy over the summer.

ENB SUMMARY AND ANALYSIS: The Earth Negotiations Bulletin summary and analysis of the Bonn Climate Change Conference will be available online on Sunday, 29 May at: <http://www.iisd.ca/climate/sb44/>