

Submission by Switzerland, 21 October 2011

3.2.2. Draft Modalities and Procedures for International Consultation and Analysis

Non-paper by the facilitators dated 14.10.2011 @ 4:30 PM

Draft decision to adopt the modalities and procedures:

Recalling, in particular, Article 4, paragraphs 1, 3, and 7, Article 10, paragraph 2 (a), and Article 12, paragraphs 1, 5 and 7, of the Convention,

Recalling also its decisions on communications from Parties not included in Annex I to the Convention (non-Annex I Parties) and, in particular, its decision 10/CP.2, 2/CP.4, 12/CP.4, 8/CP.5, 31/CP.7, 32/CP.7 and 17/CP.8,

Recalling further that, by its decision 1/CP.16 (part III.B), it had initiated a process of enhancing the reporting in national communications from non-Annex I Parties, on mitigation actions and their effects, and support received, with additional flexibility to be given to the least developed country Parties and small island developing States,

Noting its decision 1/CP.16 (paragraph 63 and 64) by which a process of international consultation and analysis (ICA) of biennial reports will be conducted under the Subsidiary Body for Implementation, aiming to increase transparency of mitigation actions and their effects,

Noting further that the biennial update reports by non-Annex I Parties and the summary reports resulting from the ICA process will be an important part of the first review of the adequacy of the long-term global goal (decision 1/CP.16, part V), starting in 2013 and to be concluded by 2015,

Recognizing the need to have an efficient, cost-effective and practical ICA process which does not impose an excessive burden on Parties and on the UNFCCC Secretariat,

1. *Adopts* the modalities and procedures for international consultation and analysis, annexed to this decision;
2. *Decides* that Parties not included in Annex I to the Convention (non-Annex I Parties) that have submitted their first biennial report will undergo the ICA process according to the modalities and procedures referred to in paragraph 1 above;
3. *Decides* that the modalities and procedures referred to in paragraph 1 above will be enhanced further into guidelines, once the first round of the ICA process has been performed and on the basis of the experience gained from it.
4. *Decides* that the frequency of the subsequent rounds of the ICA process will be included in the guidelines referred to in paragraph 3 above.

Draft Modalities and Procedures for the International Consultation and Analysis Process:

Reference	Submission by Switzerland	Rationale
I. Para 1(a)	To facilitate [enhance] the capacity-building efforts in developing country Parties	<ul style="list-style-type: none"> To be second in the list of overall objectives To be merged with I. Para 1(d), 1(e) and 1(g): one objective to convey the idea of capacity-building and learning-by-doing
I. Para 1(b)	To increase the transparency of (domestically funded) nationally appropriate mitigation actions of developing country Parties [supported by developed countries] [and their effects];	<ul style="list-style-type: none"> This paragraph should be the first one in the list Wording of decision 1/CP.16, paragraph 63 All new mitigation actions completed, implemented of planned since last NC (domestically supported and internationally supported) should be reported in the BUR and then undergo ICA
I. Para 1(c)	Delete	<ul style="list-style-type: none"> Information on emissions available already in BUR and NC (public documents)
I. Para 3	Delete	<ul style="list-style-type: none"> Repetition of previous overall objectives
II. Para 4(c)	[Be voluntary] and fully involve the Party concerned	<ul style="list-style-type: none"> ICA is not voluntary
II. Para 4(j)	Delete	<ul style="list-style-type: none"> The preparation of the BUR is consistent with the level of support but not ICA as such
II. Para 4(k)	Delete	<ul style="list-style-type: none"> The main focus of the ICA process is the mitigation action (its aim is to increase transparency of mitigation actions and their effects)
III. Option 1	Keep basically Option 1, taking into account comments hereunder on specific paragraphs	<ul style="list-style-type: none"> Option 1 corresponds to the reading we have of decision 1/CP.16, paragraphs 63 and 64.
III. Option 2	Not sufficient	<ul style="list-style-type: none"> Do not follow decision 1/CP.16, paragraphs 63 and 64. The international dimension of ICA is missing. No role for the SBI.
III. Option 2alt	Not sufficient	<ul style="list-style-type: none"> Do not follow decision 1/CP.16, paragraphs 63 and 64. The international dimension of ICA is missing. The summary report is the result of the ICA process as a whole, not only of the consultations between the team of experts and the Party concerned.
III. Para 5(a) alt	Not adequate	<ul style="list-style-type: none"> Confusing. What is described here as a technical analysis process is the International Consultation process described in III. paragraph 5(b) and III. B. paragraph 17
III. Para 6	Keep	<ul style="list-style-type: none"> ICA as frequently as possible to gain experience Flexibility for LCS and SIDS included in the guidelines for BUR
III. Para 6bis	Too theoretical	<ul style="list-style-type: none"> The rhythm of a NC every 4 years with BUR in the middle is theoretical Biennial = one report every 2 years, independently

Reference	Submission by Switzerland	Rationale
		of the frequency of NC
III. A. Para 7(b)	Information on un supported mitigation actions, their effects and associated methodologies and assumptions;	<ul style="list-style-type: none"> All mitigation actions should be reported in the BUR and undergo the ICA process
III. A. Para 7(d)	Delete	<ul style="list-style-type: none"> The BUR, as the guidelines indicate it presently, will not inform on the domestic MRV (it will follow general guidelines yet to be adopted by the COP)
III. Para 8	[At the commencement of an ICA cycle for each developing country Party, the secretariat will assemble a technical experts team of five to eight members, drawing from [a pool of 50] Party nominated experts [constituted for completing both the technical analysis part of the ICA process and the Review part of the IAR process and hosted by the UNFCCC secretariat], balanced as to expertise and developed/developing country Party participation. The members of the expert team would serve in their personal capacity.]	<ul style="list-style-type: none"> The expert teams will only serve for the A part of ICA and for the R part of IAR The IC part of ICA and the IA part of IAR will then be conducted under the SBI between the Party concerned and the rest of the Parties (not the experts in their personal capacity)
III. B. Title	[International consultations in synergy and collaboration with local teams	<ul style="list-style-type: none"> Keep the title close to the wording of decision 1/CP.16 (ICA)
III. B. Para 16	The inputs for the international consultations process are the following for each Party concerned : (a) its biennial [update] reports (b) The expert analysis reports referred to in paragraph 15 above [synthesis report];	<ul style="list-style-type: none"> Clearer if the modalities and procedures apply to each Party undergoing the IC process Decision 1/CP.16 call for an ICA process of biennial reports first
III. B. Para 17	Following completion of the expert analysis report, a working group established by the SBI, open to all Parties will be convened to conduct international consultations. Parties will be allowed to submit written questions in advance. The ICA process international consultations process will consist of the following:	<ul style="list-style-type: none"> It is not the whole ICA process here, only the IC
III. B. Para 17(a)	One to three hours session of consultations, which will consist of a brief presentation by the Party concerned, followed by an oral question and answer session between [regional group representatives][Parties] and the Party concerned. Other Parties could participate as observers ;	<ul style="list-style-type: none"> Only regional groups' participation in the IC process would demand too heavy a consultation among the groups' members beforehand
III. B. Para 18	For each Party concerned , a summary report, prepared by the secretariat, would be issued to include the following:	<ul style="list-style-type: none"> Clearer if the modalities and procedures apply to each Party undergoing the IC process
III. B. Para 18(a)	[A The technical expert analysis report referred to in paragraph 15 and 16 (a)];	<ul style="list-style-type: none"> For each Party undergoing the ICA process there will be one expert analysis report, based on the BUR
III. C. Para 19	Too heavy a procedure	<ul style="list-style-type: none"> Too many questions/advice/recommendations and

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		answers/reports
III. C Option to p.19	The summary reports of the ICA cycle will be noted by the SBI in its conclusions.	<ul style="list-style-type: none"> • The advice and recommendations will be included in the summary reports
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