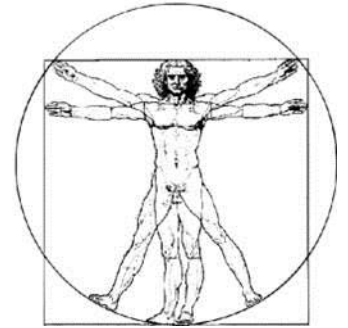


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## Transparency

Issues in current Negotiating Text

Raj Bavishi

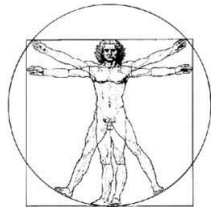
Legal Response Initiative

28 November 2015

for sustained capacity building in support of international climate change negotiations  
pour un renforcement durable des capacités en appui aux négociations internationales  
sur les changements climatiques

# Transparency – Article 9

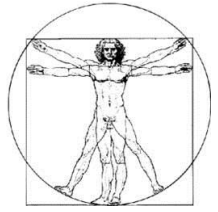
- Establishment of transparency system
- Purpose
- Reporting
- Review
- Development of modalities by the CMA
- Nature of the transparency system
- Support for developing countries
- Linkages



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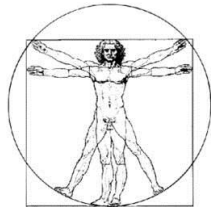
# General comments

- Issue of differentiation runs through all aspects of the transparency system
- Scope of transparency system depends on the substantive provisions under the Agreement



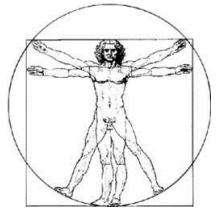
# Establishment of transparency system

- Parties agree that a transparency system is required
- Disagreements over the extent of differentiation
  - Tiered system
  - Developed v developing
  - Common system with in-built flexibility



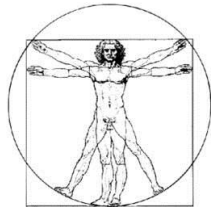
# Purpose – Action

- Clear understanding of emissions and removals
- Facilitate understanding of global aggregate net emissions
- Clarity and tracking of progress made in implementing mitigation actions
- Share knowledge and track progress made in implementing adaptation actions
- Promote comparability between developed countries
- Should differentiation be relevant?



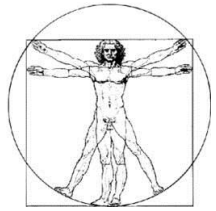
# Purpose – Support

- Clear understanding of
  - Support provided and received
  - Needs of developing countries
  - Gaps in support
  - No undue burden on LDCs and SIDS
- Overview of aggregate support provided
- Clarity and tracking of support provided
- Ensure no double-counting



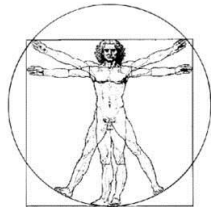
# Reporting

- Generally accepted that reporting requirements will build on arrangements already established under the Convention
- Key issue is whether there should be:
  - Common reporting requirements
  - Differentiated reporting requirements
- Is this a substantive issue?
- What information needs to be reported?



# Review

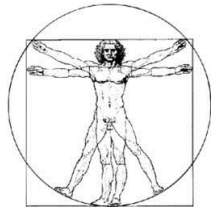
- Provisions for review of information reported
- International review or national self-review
- Developed and developing countries?
- Structure of review – consultation with relevant Party
- Outcome of review
- Consequences?





# Development of modalities

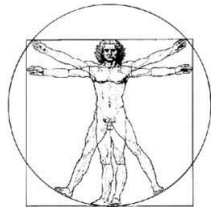
- CMA to develop modalities for reporting and review
- CMA to take into account
  - Flexibility in light of capability
  - Facilitating improved reporting and transparency over time
  - Need to avoid undue burden and duplication
  - Facilitative and non-intrusive nature of the review
  - Ensure no backsliding
  - Ensure environmental integrity / no double-counting
- Currently no express reference to LDCs or SIDs



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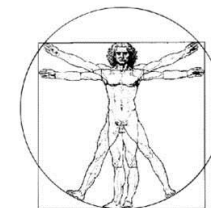
# Nature of transparency system

- To be guided by principles and provisions of the Convention
- System to be facilitative, non-intrusive and non-punitive
- Respectful of national sovereignty
- Provide flexibility
- Avoid undue burden on developing countries



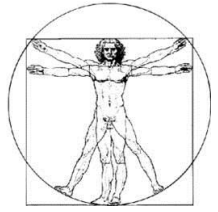
# Support for developing countries

- Developing countries to receive support to implement Article 9
- Who should provide support?
  - Art 4(7) of the Convention
  - Developed countries
  - Operating entities of the financial mechanism
  - Organisations in a position to do so?



# Linkages

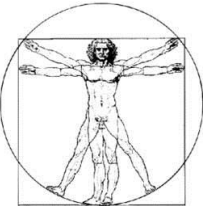
- Article 3 – Mitigation
- Article 4 – Adaptation
- Article 6 – Finance
- Article 7 – Technology Development and Transfer
- Article 8 – Capacity-Building
- Article 10 – Global Stocktake
- Article 11 - Compliance



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Thank you

- Any Questions?



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