**India’s submission on APA agenda item 5 – Modalities, procedures and guidelines for the transparency framework for action and support referred to in article 13 of the Paris Agreement**

India welcomes the outcome of the Paris Agreement relating to the transaprency framework for action and support contained in Article 13 and believes that with a “bottom up” system in place for countries to nationally determine their contributions to the global response for climate change under the Paris Agreement and in the context of our efforts to achieve the purpose of the Agreement i.e. enhancing the implementation of the Convention to strengthen our global response to the threat of climate change in a manner that reflects equity and Common but differentiated responsibilities and respective capabilities, the transparency framework must be founded on the existing arrangements under the Convention and ensure differentiation.

Transparency is one of the main bulwarks of the Paris Agreement and an enhanced transparency framework will strengthen the implementation of the Paris Agreement.

The objectives of the transparency arrangement is to build mutual trust and promote effective implementation taking into account the flexibilities to be given to the developing countries based on common but differentiated responsibilities and respective capabilities.

Existing MRV arrangements under the Convention have shown that a common but differentiated transparency framework on action and support can be developed and implemented effectively. Doing so preserves and reflects equity and CBDR consistent with the Convention, which increases developing countries’ acceptance of and willingness to be part of such MRV regime.

The existing transparency arrangements under the Convention can be found in the transparency and reporting modalities and guidance contained in decisions 1/CP.16, 2/CP.17, and 1/CP.18, which created a transparency regime for both action and support differentiated between developed (Annex I for mitigation and Annex II for support) and developing (non-Annex I) country Parties. This differentiated transparency regime under the Convention requires that Annex I Parties’ implementation be made comparable with each other, with greater amounts and detail of information and more frequent periodicity, and more stringent verification processes; while developing countries would have greater flexibility and less stringency in terms of what to submit, when to submit, and how the information would be verified.

The Paris Agreement need not reinvent the wheel. It should work out additional modalities, procedures and guidelines for transparency of action and support only when there are identified loopholes. The scope of work lies in article 13 and relevant decisions but it has a close linkage with issues under Articles 3, 4, 5, 7, 9, 10 and 11 and some Agendas being discussed under SBI/SBSTA.

Transparency is a cross cutting issue covering action like reporting of national GHG inventories, progress of mitigation & adaptation actions contained in our NDCs, and support provided by developed countries to developing countries in terms of finance, technology transfer and capacity building. Therefore, India would emphasize that there should be a balance in the guidelines for both transparency of action as well as transparency of support. The progress on action should have clear correlation with the promised support. There must also be clear linkages with other relevant issues under the APA and SBs to have coherence and eliminate mismatch with other agendas.

It is important to realize that developing countries have huge variations in their capacities and they have differing capacity needs. The objective of transparency of support should be to ensure provision of necessary financial resources, technology needs and capacity building to developing countries so as to enable them to raise their ambitions on mitigation and adaptation in order to contribute to the achievement of the purpose of the Agreement as defined in its Article 2.

As per article 13.13, the Conference of the Parties serving as the meeting of the Parties to this Agreement (CMA), building on experience from the arrangements related to transparency under the convention, and elaborating on the provisions in this article, adopt common modalities, procedures and guidelines, as appropriate, for the transparency of action and support. The “as appropriate” clearly provides a basis for differentiation of MPG for action and support for developed and developing countries.

One of the most important issues is to ensure the continuance of the provision for ‘flexibility’ to developing countries. It is necessary that we build on the experiences drawn from the existing transparency arrangements under the Convention and ensure continuity of differentiation while developing modalities, procedures and guidelines for enhanced transparency framework under the Paris Agreement. Article 13.3, 13.4, and 13.13 of the Paris Agreement explicitly premise the Paris Agreement’s transparency framework for action and support on the existing transparency arrangements under the Convention. Article 13.1 and 13.2 clearly indicate that flexibility shall be provided to developing countries in the implementation of the transparency framework under the Paris Agreement. We would like to see that these flexibilities are reflected in terms of scope of reporting, frequency and level and detail of reporting. The flexibility to be provided to developing countries must be systemic in nature, meaning that it is systemically integrated into the entire transparency regime.

Additionally, Article 13.9 and 13.10 of the Paris Agreement together create a differentiated regime between developed and developing countries when it comes to providing information relating to the support provided to and received by developing countries. Article 13.9 reflects developed countries’ obligation under Article 4.3 of the Convention to provide financial support to developing countries with an “agreed full cost” basis for all reporting functions under the Convention, while Article 13.10 only creates an expectation but does not make it mandatory (by the use of the word “should”) for developing countries to provide information on the support that they received.

For developing countries in particular, the transparency framework must be facilitative, non-punitive, and non-intrusive. Reporting requirements under the enhanced transparency framework should not create additional undue burden on the developing countries. The transparency framework must recognize and reflect the nationally-determined nature of NDCs, such as the transparency framework should not result in the creation of a top-down regime for the establishment of subsequent NDCs or of creating de facto limitations on the extent to which Parties, particularly developing countries, may exercise national determination in shaping and communicating their NDCs.

Capacity Building for transparency related activities in developing countries is one of the crucial elements for compliance of the transparency arrangements. India welcomes the establishment of the Capacity Building Initiative on Transparency (CBIT) under the Paris Agreement. The Global Environment Facility (GEF) should work in consultation with the recipient countries and developing countries should be fully involved in decision making process for operationalisation of the CBIT. India is willing and looking forward to cooperate in this initiative.

**India reserves the right to make additional submissions and present further views on the relevant issues connected with Transparency of Action and Support in Paris Agreement.**