

**LMDC SUBMISSION ON
'MODALITIES, PROCEDURES AND GUIDELINES FOR THE TRANSPARENCY
FRAMEWORK FOR ACTION AND SUPPORT REFERRED TO IN ARTICLE 13 OF
THE PARIS AGREEMENT'**

The Bolivarian Republic of Venezuela, on behalf of the Like-Minded Developing Countries in Climate Change (LMDC), is pleased to provide the views of the Group on the questions contained in paragraph 15 of the Ad Hoc Working Group on the Paris Agreement conclusions for the second part of its first session (APA 1-2).

The LMDC Submission made by the Islamic Republic of Iran on September 2016 also contains information relevant to these questions.

This submission includes responses by the Like-Minded Developing Countries (LMDC) Group in the UNFCCC to the questions on transparency raised by the co-Chairs in their draft conclusions on Items 3 to 8 of the Agenda (document no. FCCC/APA/2016/L.4, paragraph 15, a to d).

General Comments

1. The main principles guiding the transparency framework are the following:
 - a) **Enhanced but differentiated:** The Paris Agreement establishes an “enhanced” transparency framework for the post-2020 period, rather than a “common” or “unified” framework. Hence, the transparency framework under the Paris Agreement shall be based on differentiated obligations and recognize the different capabilities and capacities of developed and developing country Parties. Such differentiation forms the foundation of the modalities, procedures and guidelines (MPGs) for the transparency framework of actions and support under the Paris Agreement, which is crucial to ensure developing country Parties to increase their acceptance of and willingness to be subject to such framework. Therefore, the transparency framework under the Paris Agreement should be built on and enhance the existing arrangements under the Convention and seek to operationalize differentiation in its MPGs.
 - b) **Matching actions with support:** Enhanced support is indispensable for enhanced action, and enhanced action requires enhanced support. Both must be measured, reported and verified with equal rigor in the transparency framework of the Paris Agreement, and must be directly proportional in progress until the purpose of the Paris Agreement is reached. Hence, the objective of the transparency framework of actions and support is to generate the information to: (1) show and provide the basis for evaluating how developed countries are implementing their NDCs on mitigation and support provided in response to the support needs that developing countries have communicated in this regard; and (2) show how this support is connected with, adequate for, and effective in supporting, the actions needed to achieve the purpose of the Agreement, the needs identified by developing countries and their potential for action. It should be also kept in mind that all reporting-related activities of developing country Parties are subject to agreed full cost financing, consistent with Article 4.3 of the Convention. This must be taken into account in the context of Article 13.14 and 13.15 of the Paris Agreement, which indicate that support shall be

provided to developing countries for the implementation of the Article on transparency and building of transparency-related capacities on a continuous basis.

- c) **Respecting the nationally determined nature of Parties' NDCs:** The transparency framework should recognize and reflect the nationally-determined nature and comprehensive scope of NDCs. The framework should not result in creating *de facto* limitations on the extent to which Parties, particularly developing countries, may exercise national determination in contributing to address climate change. In this regard, the transparency framework should be facilitative, non-punitive and non-intrusive, especially for developing country Parties that lack capacities.

On Question no. 1: "What should be the specific components of the modalities, procedures and guidelines (MPGs) for the transparency of action and support under Article 13, paragraphs 7, 8, 9, 10, 11, and 12." [Bullet (a), FCCC/APA/2016/L.4, para. 15]

A. On Transparency of Actions

1. In responding to this question on the aspect of transparency of actions, the following must be borne in mind:
 - a) Although Article 13.7 and 13.11 of the Paris Agreement indicate that providing relevant information on GHG inventories and NDCs and participating in the technical expert review and facilitative multilateral consideration are procedural obligations applicable for all Parties, the substantial components of the MPGs for reporting, review and consideration, including the scope, frequency and relevant methodologies of the reporting and the scope, frequency, organization and outcomes of the review and consideration is not "common" or "unified" for all Parties. Differentiation between developed and developing country Parties and flexibility for developing country Parties should be delicately reflected and systematically operationalized in the transparency of actions.
 - b) Since NDCs include mitigation, adaptation and means of implementation, the reporting of progress in implementing NDCs should cover all of these elements in an appropriate manner. On one hand, developed country Parties shall provide comparable information on implementing NDCs with the components of mitigation, adaptation and provision of support. On the other hand, the full scope of NDCs does not necessarily trigger any mandatory requirements for developing countries on reporting, review and consideration of their information on adaptation and support received.
2. Specific MPGs for transparency of actions should include the following:
 - a) On national inventory report:
 - (i) The existing arrangements under the Convention on inventories shall apply *mutatis mutandis* to the Paris Agreement to avoid any duplication of work and inconsistency between the Convention and its related legal instrument, while further adjustment, improvement and enhancement could be considered as appropriate in the future.

- (ii) For developed country Parties, their national GHG inventory reports shall be prepared and provided annually by strictly following the “Guidelines for the preparation of national communications by Parties included in Annex I to the Convention, Part I: UNFCCC reporting guidelines on annual greenhouse gas inventories” as revised by decision 24/CP.19 or further revisions adopted by the COP and/or the CMA. Especially, they shall apply the IPCC 2006 guidelines before any and continue taking the lead in applying any updated good practice methodologies accepted by the IPCC.
 - (iii) For developing country Parties, the scope of the updates on GHG inventories should be consistent with their capacities, time constraints, data availabilities and the level of support provided by developed countries Parties, recognizing that these updates will take time to be applied in the most cost effective manner. Developing country Parties shall also follow IPCC methodologies in choosing the most appropriate IPCC guidelines in light of their different capacities and circumstances.
- b) On NDCs implementation in the aspect of actions
- (i) The modalities of national communications and biennial reports for developed country Parties and biennial update reports for developing country Parties should be the basis for the specific designing of the reporting on NDCs implementation enhancements.
 - (ii) Developed country Parties shall report more specific and detailed information on their economy-wide emissions reduction targets and other relevant actions, including in particular a description of the targets consistent with the communications of NDCs, indicators and methodologies to track progress, progress made in each and every sector and greenhouse gas and existing and additional policies, measures and laws to support the implementation as well as their effects in terms of mitigation and other aspects. Developed country Parties shall also report information on the assessment of the economic and social consequences of their response measures on developing countries. The requirements in the BR guideline, including the common tabular format, could be a starting point in elaborating an enhanced guideline for developed country Parties, with improvements to be further elaborated. They shall ensure methodological consistency between the communication of NDCs and information on implementation. Furthermore, they should also report, in a detailed manner, progress on the adaptation component of their NDCs, which is crucial for developing country Parties to learn from as to their experience and best practices on increasing resilience and reducing vulnerability.
 - (iii) Developing country Parties shall, as appropriate and to the extent possible, provide information on the description of their actions in the NDCs, progress made in implementation, nationally-determined indicators and methodologies to track the progress and policies and measures undertaken and envisaged as well as their benefits. They are also encouraged to report on the costs and barriers of actions and needs as regards finance, technology and capacity building support. They are also encouraged to provide relevant

information on adaptation on a voluntary basis, without prejudging the specific channel of the adaptation communication that developing country Parties may choose. The BUR guideline should be the basis for developing country Parties to report the progress in implementing NDCs. Further adjustment could be considered if needed, in order to ensure the consistency between modalities for the national communications under the Convention and information under the Paris Agreement. However, any work to further enhance the BUR should take into account the capacities, time constraints and data availability of developing country Parties as well as the level of support provided by developed country Parties.

- (iv) Although the frequency of reporting is “no less than biennial”, the timeline of preparation and submission of reports by developing country Parties is closely related to the support received in accordance with Article 12.7 of the Convention and Article 13.14 and 13.15 of the Paris Agreement. Flexibilities should be provided to developing country Parties in this regard.

c) On technical review and multilateral consideration

- (i) The modalities of IAR for developed country Parties and ICA for developing country Parties should be basis for further elaborating the modalities of technical review and multilateral consideration.
- (ii) Article 13.11 and 13.12 indicate that the scope and functions of the review and consideration are different between developed and developing country Parties. For actions and support provided by developed country Parties, the focus should be on reviewing the consistency of the information with the MPGs of reporting, identifying areas of improvement and additionally, tracking the performance and progress made in implementation. In addition, to avoid backsliding, the in-country review shall apply to all developed country Parties. Any exceptions of developed country Parties from coverage of the in-country review requirement should be further discussed and be subject to a decision by the CMA.
- (iii) For actions by developing country Parties, the review and consideration shall pay particular attention to their respective national capabilities and circumstances and provide flexibilities when reviewing the information consistency and providing suggestions on improvement. Furthermore, there should be more focus on identifying capacity-building needs. The specific approach of review, whether in-country, desk or centralized review, is optional for developing country Parties to determine. Despite of deserving flexibilities and different treatments from developed country Parties in the process of review and consideration, developing country Parties should take their participation as an opportunity to demonstrate their willingness, actions and progress on climate change, so as to enhance the understanding of the international community on their barriers, costs and needs.

B. On Transparency of Support

3. In responding to this question on the aspect of transparency of support, the following must be borne in mind:

- a) Article 13 of the Paris Agreement on the transparency framework differentiates between the purpose of the framework for transparency of action (Article 13.5) and the purpose for the framework of transparency for support (Article 13.6). MPGs under the paragraphs of Article 13 should then strictly follow the differentiated purposes of transparency of action and transparency of support, in the provision of information in Article 13.7 and 13.12, in particular the technical expert review to be conducted under Article 13.11 and 13.12. In this context, it is important to under the provisions of the Paris Agreement in relation to transparency of support as follows:
- (i) Article 13.6 reads as follows: “The purpose of the framework for transparency of support is to provide clarity on support provided and received by relevant individual Parties in the context of climate change actions under Articles 4, 7, 9, 10, and 11, and to the extent possible, to provide a full overview of aggregate financial support provided, to inform the global stocktake under Article 14.” The reason for this is that while actions are to be undertaken by all Parties, support is provided by developed country Parties to developing country Parties as stated in Article 9.1: “Developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention.”
 - (ii) Article 4.5 also states: “Support shall be provided to developing country Parties for the implementation of this article, in accordance with Articles 9, 10, and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions.”
 - (iii) Article 7.13 states: “Continuous and enhanced international support shall be provided to developing country Parties for the implementation of paragraphs 7, 9, 10, and 11 of this Article, in accordance with the provisions of Articles 9, 10 and 11.
 - (iv) Article 10.6 states: “Support, including financial support, shall be provided to developing country Parties for the implementation of this Article, including for strengthening cooperative action on technology development and transfer at different stages of the technology cycle with a view to achieving a balance between support for mitigation and adaptation”. The global stocktake referred to in Article 14 shall take into account available information on efforts related to support on technology development and transfer for developing country Parties.
 - (v) Article 11.1 on capacity-building also states that “Capacity-building under this Agreement should enhance the capacity and ability of developing country Parties...to take effective climate change action, including, *inter alia*, to implement adaptation and mitigation actions, and should facilitate technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.”
 - (vi) Further, decision 1/CP.21, paragraph 52, states that “in the implementation of the Agreement, financial resources provided to developing countries should enhance the implementation of their policies, strategies, regulations, and actions plans and their climate change actions with respect to both mitigation and

adaptation, to contribute to the achievement of the purpose of the Agreement as defined in Article.

- b) Modalities and guidelines for the transparency of support from developed country Parties to developing country Parties (Article 9.1) must be as rigorous as those for transparency of actions in the transparency framework.

4. Specific MPGs for transparency of support should include the following:

- a) Revised guidelines for reporting, including through national communications, building upon previous decisions on guidelines by the Conference of Parties to the Convention, on support received for climate change actions, both mitigation and adaptation.
- b) Establishment of a process that would assist developing countries to translate their enhanced adaptation and mitigation actions into concrete financial, technological and capacity-building needs, in order to enable them to implement Article 13.10 of the Agreement, and allow tracking of the support needed for enhanced climate change actions that would allow them to contribute to the achievement of the purpose of the Agreement. This could be done through the long-term climate finance process under the Convention that could then be taken over by the CMA focusing on this enhanced ambition. The transparency MPGs shall take this into consideration and relevant information should be reported under Article 13.10 of the Paris Agreement.
- c) Establishment of programmes under the secretariat for the identification of financial needs of developing country Parties that would be the basis for developing country-driven strategies, and the priorities and needs of developing country Parties, as requirements for the mobilization and provision of resources to developing country Parties as laid out Article 9.3 and 9.4 of the Paris Agreement and as inputs for developing countries to translate these needs and priorities onto projects to be presented to the operating entities of the financial mechanism serving the Paris Agreement and the Adaptation Fund. The transparency MPGs shall take this into consideration and relevant information should be reported under Article 13.10 of the Paris Agreement.
- d) The development of guidelines for the biennial communication of “indicative quantitative and qualitative information related to Article 9.1 and 9.3, “including, as available, projected levels of public financial resources to be provided to developing country Parties,” from developed country Parties as required by Article 9.5 of the Paris Agreement so that this information can be compared side to side with the financial needs communicated by developing countries and allow for the identification of opportunities to enhance ambition looking forward and assess how these needs have been addressed looking backwards. The information requirement under Article 9.5 shall also be reported under Article 13.9 for developed country Parties.
- e) This would encompass the current work of the COP on “a process to identify the information to be provided by Parties, in accordance with Article 9, paragraph 5 of the Agreement” as provided for in paragraph 55 of Decision 1/CP.21. An in-session roundtable discussion will be held in May 2017. The results of the work of the COP and this process would provide indispensable information for the transparency

framework. The objective of this obligation to provide the necessary information from developed country Parties is to provide predictability of and clarity on climate finance flows, and to determine how these flows take into account country-driven strategies and priorities and the needs of developing country Parties.

- f) Consistency has to be upheld between this process under Article 9.5, and the modalities for the accounting of financial resources provided and mobilized through public interventions in accordance with Article 9 of the Paris Agreement to be developed by the SBSTA for the first CMA, as mandated by paragraph 57 of Decision 1/CP.21, given that these modalities set the ground for financial resources to be reported through the biennial communication referred to above and the communication itself is a key element of the framework. While no decision was taken at COP22 on this item, “the SBSTA, in its conclusions, recognized the need to ensure the development of these modalities in time for them to be integrated into the transparency framework referred to in Article 13 of the PA” (doc. No. FCCC/SBSTA/2016/L.27, paragraph 6).
- g) A strengthened mandate for the Standing Committee on Finance, serving the Paris Agreement, to conduct an assessment of climate finance flows to developing countries, accompanied by a determination in a predictable and identifiable manner of the amount of funding necessary and available for the implementation of developing country Parties’ NDCs, which would guide the replenishment processes of the operational entities of the financial mechanism, as well as the setting of a new collective quantified goal for mobilization of resources, from a floor of US\$100billion per year “taking into account the needs and priorities of developing country Parties”, to be undertaken by the CMA, prior to 2025. (paragraph 53 of decision 1/CP.21). The transparency MPGs shall also take this into consideration and relevant information should be reported under Article 13.9 by developed countries and Articles 13.7, 13.8 and 13.10 by developing countries to satisfy the information requirement of the Standing Committee on Finance.
- h) The establishment of mechanisms, through the SCF, for measurement and review of amounts effectively received by developing country Parties for purposes of implementation of their NDCs. If these amounts are provided through multilateral or regional financing institutions, these should be net amounts, and not include corporate fees, administrative charges, and other transaction costs imposed by these institutions.
- i) Any assessment of the effective implementation of enhanced action on climate change should take into account the effective amounts of financial resources received and the effective transfer of technology and know-how to developing countries. As a result, provision of support by developed country Parties should be a priority of the technical review and multilateral consideration. More intensive work is needed to design the MPG and organization of the technical review and multilateral consideration in this aspect, in order to demonstrate and facilitate any assessment of the implementation of the provision of support by developed country Parties to developing country Parties.

On Question no. 2: “How should the transparency framework build on and enhance the transparency arrangements under the Convention, recognizing that the transparency

arrangements under the Convention shall form part of the experience drawn upon for the development of the MPGs?” [Bullet (b), FCCC/APA/2016/L.4, para. 15]

1. The transparency framework under the Paris Agreement should be based on existing transparency arrangements under the Convention, which means that these existing modalities, procedures, guidelines and processes should continue to play a fundamental and significant role in the transparency framework for the Paris Agreement.
2. The existing transparency arrangements under the Convention have established a transparency framework for both action and support which reflects differentiation between developed and developing country Parties. This differentiated transparency arrangements under the Convention requires that developed country 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. This has also been our experience under the Convention, to formulate guidelines for developed and developing country Parties separately, in order to facilitate the implementation.
3. There is a significant amount of work on “arrangements related to transparency under the Convention”, including COP decisions related to national communications (NCs) for Annex I and for non-Annex I Parties, the GHG inventories and in-depth review process under the Convention, and the differentiated reporting procedures and the consequent differentiation between the processes of the consideration of this information from these Parties (BR and IAR for developed countries and BUR and ICA for developing country Parties). There are two clusters of these arrangements:
 - a) Arrangements and guidelines of NCs and GHG inventories under the Convention: these arrangements and guidelines shall apply *mutatis mutandis* in the transparency framework under the Paris Agreement, given that providing NCs and GHG inventories continue to be the obligations of relevant Parties under the Convention after the entry into force of the Paris Agreement and that, furthermore, Paris Agreement is a related legal instrument under the Convention. Further adjustment and improvement to such arrangements and guidelines could be considered if needed.
 - b) MRV system established by Decision 1/CP.16 and 2/CP.17 (BRs and IAR and BURs and ICA): these arrangements under the UNFCCC should be the basis and cornerstone of the MPGs under the Paris Agreement for reporting, technical review and multilateral consideration. The current experience shows Parties have implemented relatively well-developed MRV system for actions, but we fall much behind on the transparency of support. Necessary enhancement should be made by adjusting, revising and improving the current guidelines, which is a fundamental part of the work on elaborating the MPGs of the transparency framework under the Paris Agreement. Such improvement and enhancement should be based on a prior assessment of gaps and challenges that may have been identified.
 - c) The most important experience and considerations that would move from the Convention arrangements for transparency to the Paris Agreement are the following:

- (i) Under the Convention, the contents of national communications of Annex I and non-Annex I countries differ as laid out in Article 12.1 for all Parties, and Article 12.2 for each developed country Party and other Parties included in Annex I.
- (ii) For purposes of transparency of support, Article 12.3 of the Convention provided that “each developed country Party and each other developed Party included in annex II shall incorporate details of measures taken in accordance with Article 4, paragraph 3 (provision of financial resources); paragraph 4 (meeting costs of adaptation); and paragraph 5 (access and transfer of technology). These Parties then included this information in their national communications, in accordance with the decisions of the COP on their national communications.
- (iii) The reporting of financial information as required by Article 12.3 of the Convention was however inconsistent and not comparable. A revision of the methodologies for the reporting of financial information by developed country Parties included was undertaken, and adopted in Decision 9/CP.21 in Paris. This decision should be used as a starting point for the reporting of support by developed country Parties under Article 13.9 of the Paris Agreement. The information required by Article 13.9 and 13.10 is absolutely necessary for a clear picture on climate finance, and setting goals for scaled-up finance. There should be a further decision prepared by the APA for the CMA on a process to obtain and register this information. This could be done in conjunction with the SCF and its mandate for MRV of finance.
- (iv) Article 13.14 of the Paris Agreement is important as it reaffirms the obligation to provide support (“shall be provided to developing countries”) for the implementation of the whole Article. This support, in accordance with Article 4.3 of the Convention is provided on an “agreed full cost” basis for all reporting functions. This was also reflected in Decision 2/CP.17, paragraph 41 (e) which states that the support for BURs should be ensured on the basis of “agreed full cost funding.” Modalities for the provision of support for reporting obligations of developing country Parties of the Paris Agreement should continue to be provided on this basis, and on the need for a common understanding on what is “agreed full incremental cost” funding as this will determine the funding and technology requirements for raised ambitions of developing country Parties. Consequently, support should be provided for developing countries to enable them to fulfill article 13.10 of the Agreement. This will also form the basis for setting up “a collective quantified goal from a floor of US\$100Bn per year, “taking into account the needs and priorities of developing countries.” (para. 53 of Decision 1/CP.21, related to Article 9.3 of the Agreement).
- (v) Furthermore, the frequency of submissions of reports is differentiated in the Convention under its Article 12.5, and must be followed on support. It specifies that the submission of initial communications for non-Annex I Parties shall be made within three years of the entry into force of the Convention, “or the availability of financial resources”. This experience could be considered when designing the timeline of the reporting under the Paris Agreement, in order to secure the broad participation of developing country Parties in the transparency framework.

On Question no. 3: With respect to the MPGs, how should flexibility for those developing countries that need it in the light of their capacities be operationalized? [Bullet (c), FCCC/APA/2016/L.4, para. 15]

1. The very first consideration for the operationalization of flexibility is that the determination for the need for flexibility in the light of their capacities should be made by the developing countries themselves, in a country-driven manner and based on needs. Hence, the flexibilities available to developing countries can be waived by a developing country only if it clearly and explicitly states that it does not need such flexibilities because it no longer deems itself to be a developing country.
2. Flexibility should be exercised for developing country Parties, at all stages of the reporting, technical expert review and facilitative multilateral consideration of their actions, and in the development of their capacities for reporting, in particular, because of the wide diversity of capacities and circumstances in developing country Parties.
3. Article 13.9 and 13.10 of the Paris Agreement together create a differentiated arrangement 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 in particular is a direct reflection of developed country Parties' obligation under Article 4.3 of the Convention to provide financial support to developing country Parties on an "agreed full cost" basis for all reporting functions under the Convention. This is why Article 13.9 mandatorily requires (by the use of the word "shall") developed country Parties to provide information on the financial, technology development and transfer and capacity-building support that they have provided to developing country Parties, while Article 13.10 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.
4. Article 13.1 and 13.2 of the Paris Agreement clearly indicate that flexibility shall be provided to developing countries in the implementation of the transparency framework under the Paris Agreement. All developing country Parties need such flexibility due to their insufficient capacities in areas of statistics, institutional arrangements, necessary resources and etc.
5. As stated in paragraph 89 of Decision 1/CP.21, the flexibility to be provided to developing country Parties shall include, but is not limited to, the scope, frequency and level of detail of reporting, and in the scope and approach of review (optional for in-country review). In this regard, flexibilities should also be reflected and operationalized in other aspects such as the channels and methodologies of reporting, the frequency and outcomes of review and the frequency, channels and outcomes of consideration.
6. Flexible arrangements for the timing of the delivery of reports should be established, ensuring that it would not add an unnecessary additional burden to developing country Parties, (Paragraph 92, sub-paragraph d, of Decision 1/CP.21) and taking into account the flexibility under the Article 12.5 of the Convention, in particular as concerns the availability of financial resources for reporting and the operationalization of Article 13.14 and 13.15 of the Paris Agreement.

7. Several instruments or approaches could be applied in the transparency framework to reflect flexibility to developing country Parties, including, inter alia, as appropriate:
 - (i) A transition period for developing country Parties to shift from the applicable MRV system under the Cancun Agreements to the implementation of the enhanced transparency framework under the Paris Agreement; or
 - (ii) A “layer approach” or a menu of options on frequency, methodologies, detailed reporting items (or levels of detail) and review approaches for developing country Parties to choose (opt-in or opt-out) in a nationally determined manner, taking into account their different capabilities and circumstances and support received; or
 - (iii) A series of qualifiers or modulators to illustrate different natures of some specific requirements or arrangements in different stages of reporting, review and consideration, such as mandatory, voluntary, encouragement, “to the extent of possibilities”

On Question no. 4: What other elements should be considered in the development of MPGs, including, inter alia, those identified in paragraph 92 of decision 1/CP.21? [Bullet (d), FCCC/APA/2016/L.4, para. 15]

1. The modalities, principles and guidelines covering transparency of support shall be treated separately from those of transparency of action. While transparency of action covers actions of all Parties, transparency of support will cover the provision of financial resources, technology development and transfer and capacity-building from developed country Parties to developing country Parties. Voluntary provision of support among developing country Parties, in particular through South-South cooperation, is not to be subject to this transparency framework under the Paris Agreement.
2. The transparency framework should recognize and reflect the nationally-determined nature and comprehensive scope of NDCs. The framework should not result in establishing a top-down regime for the subsequent NDCs or creating *de facto* limitations on the extent to which Parties, particularly developing countries, may exercise national determination in contributing to address climate change.
3. Furthermore, the transparency framework should be facilitative, non-punitive and non-intrusive, especially for developing country Parties that lack relevant capacities to fully implement the transparency provisions of the Paris Agreement.
4. Paragraphs 92 and 94 of Decision 1/CP.21 should be closely followed, in particular as concerns adaptation action and planning as part of individual Parties’ respective NDC. (Paragraph 94, sub-paragraph b).
5. Any work to be done for support under Article 13 would have to take into account the necessary work under Article 9 of the Agreement, and the related paragraphs in the decisions to give effect to the agreement (Decision 1/CP.21, in particular paragraph. 55, and paragraph 56, which refer to MPG in Article 13.13, covered in paragraph 91 of the decision on the work of the APA).

6. The same coherence should be pursued in the work of the APA on transparency of technology and capacity-building support. The work of the TEC of the TEM would be particularly relevant, as well as how to operationalize the periodic assessment of the effectiveness and adequacy of the support provided to the TEM in supporting the implementation of the Agreement on matters relating to technology development and transfer. (Paragraph 69 of Decision 1/CP. 21 and the work started by the SBI, in accordance with paragraph 70).
7. It must be also kept in mind that for the accounting of NDCs, as referred to Article 4, paragraph 13 of the Agreement (paragraph 31 of decision 1/CP.21), the guidance contained therein, shall apply only to the second and subsequent NDCs, although Parties “may elect to apply such guidance to their first NDCs”. It may be noted that adaptation is a priority in many developing country Parties’ NDCs, and not mitigation, in terms of limitation of emissions, alone.
8. This should also be reflected in the modalities for the reporting of NDCs and support received under the Paris Agreement, given that for many developing country Parties, the implementation of their NDCs are conditioned upon the provision of financial support and facilitated access and transfer of technology. Therefore, MPGs for the transparency framework should seek to facilitate the assessment of the alignment of financial support to the implementation of developing country Parties’ NDCs and the commensurability of these financial flows to the needs identified by developing country Parties through their NDCs.
9. Financing for capacity-building should primarily go through the GEF’s Capacity-building Initiative for Transparency (CBIT) established under the COP, “as a priority reporting related need” (paragraph 86 of decision 1/CP.21). At COP22, Parties were assured that the CBIT will be included in the seventh replenishment of the GEF. It should be ensured that the resources to be provided to developing country Parties under the CBIT should come from additional voluntary contributions by developed countries to complement existing support and benefit the recipient countries, with a minimum to be expended through the use of foreign consultants and their travels, so as to get the maximum benefit for the CBIT, building upon the long experience of the GEF, since the inception of the Convention on the financing of the national communications of non-Annex I Parties. The work of the Consultative Group of Experts (CGE) should also be extended to cover the reporting of developing country Parties under the Paris Agreement. Finally, further guidance to the CBIT and CGE should be developed under the APA Item 5 as an integral part of the MPGs for the transparency framework under the Paris Agreement.

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