Submission by the Arab Republic of Egypt on behalf of the African Group of Negotiators on Africa’s views on the review of the work of the improved forum on response measures

The scope of the review of the work of the improved forum that will take place at the sessions of the SBI and the SBSTA taking place in December 2018, in line with the work programme, with a view to informing the in-forum discussion at their forty-eighth sessions.

1 May 2018

ROLE & SCOPE OF THE REVIEW OF THE WORK OF THE IMPROVED FORUM

The Convention has noted that, in the implementation of their commitments, Parties shall give full consideration to what actions are necessary under the Convention, including actions related to funding, insurance and the transfer of technology, to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures (Article 4.8)

The Parties should cooperate to promote a supportive and open international economic system that would lead to sustainable economic growth and development in all Parties, particularly developing country Parties, thus enabling them better to address the problems of climate change. Measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade (Article 3.5)

The Parties included in Annex I shall strive to implement policies and measures in such a way as to minimize adverse effects, including the adverse effects of climate change, effects on international trade, and social, environmental and economic impacts on other Parties, especially developing country Parties and in particular those identified in Article 4, paragraphs 8 and 9, of the Convention, taking into account Article 3 of the Convention. The Conference of the Parties serving as the meeting of the Parties to this Protocol may take further action, as appropriate, to promote the implementation of the provisions of this paragraph. (Article 2.3)

Each Party included in Annex I shall strive to implement the commitments in such a way as to minimize adverse social, environmental and economic impacts on developing country Parties, particularly those identified in Article 4, paragraphs 8 and 9, of the Convention (Article 3.14)

Further, the Paris agreement states that Parties shall take into consideration in the implementation of this Agreement the concerns of Parties with economies most affected by the impacts of response measures, particularly developing country Parties (Article 4.15 of the PA);

The decisions of the Paris agreement also acknowledge the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures and, in this regard, decisions 5/CP.7, 1/CP.10, 1/CP.16 and 8/CP.17 (1/CP.21)

The forum established under the Convention shall continue and shall serve the Paris Agreement (paragraph 33, decision 1/CP.21).

The African Group notes that the implementation of work under the forum has to continue before 2020 and after in line with the Paris Agreement, the Convention and other decisions taken. Implementation should recognize the mandates from the Convention and Kyoto Protocol in addition to the Paris Agreement. This review seeks to do a detailed evaluation of the work of the forum pre-2020 and make...
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recommendations for improvement of work pre-2020 whilst taking cognisance of its linkage to the Forum post 2020. We recall that the last activity on the work plan of Improved forum and work programme of Impact of the implementation of response measures is to review the work of the improved forum before/during SBI 49 and SBSTA 49 (November 2018). Based on this the African group is of the opinion that the elements or Term of reference for the review should be finalized during SB48 in order for the review to be completed at SB 49.

There is no mandate for the review to cover provisions of the Convention and Kyoto Protocol pertaining to response measures. The mandate is to review how the forum and work plan have served parties to address issues raised in the Articles and repeatedly by the Parties mostly affected. The appropriate benchmarks for the review are explicitly contained in Decision 11/CP.21

Recognising the call for Parties to take into consideration in the implementation of Response Measures the concerns of Parties with economies most affected by the impacts of response measures, particularly developing country Parties (Article 4.15 of the PA) we emphasize the need for the review to consider the following.

1. MODALITIES TO BE USED FOR THE REVIEW

   1. A set of guiding questions to be finalised at SB 48
   2. Party submissions /presentations on a set of guiding questions
   3. Synthesis and summary of issues raised from activities above used as a basis for recommendations for the review to be completed in SB 49

2. AREAS OF FOCUS/GUIDING QUESTIONS AS GUIDED BY DECISION 11/CP.21

   1. Effectiveness of the forum and work plan to meet the needs of the developing country Parties including Africa; what has worked and what has not worked?
   2. To what extent have all proposed modalities been effectively used? Are current modalities improving knowledge and providing case studies from Africa and other developing countries?
   3. Were the modalities and work program effective in operationalising the functions of the forum?
   4. Effectiveness in addressing past decisions. To what extent have provisions on Response Measures as contained in the Convention and Kyoto Protocol been implemented?
   5. Functionality of the forum; have the actions of the forum safeguarded developing countries vulnerable to negative impacts of response measures?
   6. How does the current arrangement effectively respond to issues on cross border impacts and address the concerns of developing countries?
   7. Has there been adequate mobilisation and utilisation of financing, capacity building and technology support to address the impacts of response measures?
   8. How can identified gaps be addressed?
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3. KEY INPUTS FOR STRUCTURING AND CONDUCTING THE REVIEW

1. All articles and decisions on response measures pertaining to pre-2020 action.

2. Submissions by parties and observer organizations

3. Technical reports and synthesis reports from the secretariat and other mandated reports or documents

4. Regional/group statements and country statements on response measures

Africa is of the view that a detailed and deserving review should be done and that parties should cooperate and address all identified gaps for a successful pre-2020 implementation