

Transparency International (TI) Submission to the Ad Hoc Working Group on the Paris Agreement (APA)

In response to the Ad Hoc Working Group's call for inputs by observer organisations to provide information, views and proposals on the work of the APA before each of its sessions in FCCC/APA/2016/L.3 of 26th May 2016, Transparency International submits for the consideration of the APA recommendations regarding Item 3 *"information to facilitate clarity, transparency and understanding of nationally determined contributions"*, and Item 5 *"Modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement"*.

Item 3: "information to facilitate clarity, transparency and understanding of nationally determined contributions"

Nationally Determined Contributions are the cornerstone of the Paris Agreement. Transparency in the appraisal and evaluation of NDCs is vital to the achievement of the global goal to keep warming below 1.5 degrees.

A review of currently submitted NDCs demonstrates valuable country information. However, the flexible approach adopted in the Paris Agreement limits consistency and comparability of the information provided. Article 4.8 lays out the basic information that Parties "may" include in NDCs. A more even-handed approach may be considered to ensure greater transparency and trust-building, nationally and globally.

TI's recommendation is that Nationally Determined Contribution submissions should at minimum address or explain the following issues:

- **The national level participatory or consultative process with governmental and civil society stakeholders by which the NDCs were derived and vetted.**
This should include information on how governments ensure the participation of all stakeholder groups (including indigenous peoples and marginalised groups), including details of consultations held and how input from civil society has been incorporated.
- **The national and local level accountability arrangement in place to monitor and evaluate the implementation and achievements of NDCs.**
Such arrangements should identify what government institutions or actors are designated with overall responsibility of ensuring that NDCs are implemented, achieved and communicated globally through the terms of the Paris Agreement and nationally to the public. This should also include a public accountability processes planned in connection with actions and achievements for mitigation targets. This should include:
 - A public registry or information open data base which tracks mitigation progress and financial information (sources and uses of international and domestic public and private finance) against mitigation goals on a periodic basis.
 - A public engagement plan which enables opportunities for stakeholders to provide feedback and information and/or request information. Such a plan should include governmental practices to take account of, address and document stakeholder inputs.
- **Legal or administrative policies and procedures in place or to be adopted which avoid double accounting of emissions reductions and financial resources executed.** This should include

accountability mechanisms or procedures to identify, address and correct double accounting when and if it occurs.

Item 5 “Modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement”.

TI welcomes article 13 of the Paris Agreement. In particular, the commitment to build capacities in developing countries to record and publicly share information on climate change actions and finance is a major breakthrough toward collective accountability for climate action. TI is supportive of global initiatives, such as those spearheaded by the Initiative for Climate Action Transparency and the Global Environment Facility, to respond to the capacity gap by capturing and sharing best practices, tools and lessons learned to drive increased transparency and accountability for climate action.

TI acknowledges the importance of the flexibility accorded to developing countries with restricted capacity to fully comply with the new transparency mechanism. However, the modalities, procedures and guidelines to effectuate this should not be used to undermine the scope, frequency and detail of reporting. This will be fundamental in ensuring a comprehensive and accurate global stocktake.

More broadly, TI also recognises the cross cutting nature of climate change and mitigation actions across numerous Sustainable Development Goals including poverty alleviation, access to food and health services, sustainable consumption and natural resource conservation. In the context of item 5, Goal 16 equally enlists as a parallel priority in terms of developing “effective, accountable and transparent institutions” and ensuring “responsive, inclusive, participatory and representative decision-making.”

It is in this vein that TI recommends:

- The technical review and analysis under Art. 13 para. 11 & 12 should provide a platform for the participation of civil society to input into the country submissions in trying to identify gaps and areas of improvement. This should not be only an inter-party affair.
- In developing reports on financial support provided and received, modalities and guidelines should encourage capturing as much as possible support from private sector investments and support to and from Civil Society Organisations.
- In particular, private sector investments and activities will be critical to capture. For companies, incentives and simplified financial and environmental impact reporting requirements should be considered as a part of national mitigation and adaptation efforts. A flexible approach which generates key information but protects commercial interests could be adopted and explained as a component of NDCs.
- Modalities and guidelines should prevent double counting of climate finance by providers and under reporting by recipients.
- Capacity building for transparency should include efforts to strengthen the transparency, accountability and integrity of institutions and combat corruption. Multilateral and other climate funds should be encouraged to provide resources for this purpose such as Green Climate Fund accreditation support. Such efforts should be reported through appropriate UN processes in the context of sustainable development and climate change.
- Overall, TI strongly recommends that national and global accounting of climate action and finance enables open public participation. Regarding the compliance review of NDCs and their progress updates, a process should be in place to receive also reports also from UNFCCC observer organisations. The feedback from non-governmental sources in relation to a government’s report will be

constructive in strengthening the transparency and accountability of climate actions and finance and hasten collective actions to avoid serious climate change.