

Memorandum

How non-party actors can strengthen the technical examination process in 2018 and beyond

October 2017

Summary: *The technical examination meetings have not lived up to their potential, but including non-party stakeholders more fully can reinvigorate them. Earlier planning, consultation with non-party stakeholders, and better linkages with the Marrakech Partnership for Global Climate Action can improve the technical examination process in 2018 and beyond.*

Key points

1. The Technical Expert Process and Technical Expert Meetings (TEMs) can become more effective by leveraging the expertise and experience of cities and other sub-national jurisdictions, businesses, and other actors in climate action.
2. Because many non-party actors in developed and developing countries have taken ambitious climate actions, their experience can provide critical lessons for countries seeking to implement current NDCs and develop future NDCs
3. Consulting with non-party actors in the planning of the TEMs can allow their expertise to be captured more effectively. Better coordination of the TEMs with the Marrakech Partnership is needed to deliver this opportunity.
4. The 2018 Facilitative Dialogue creates additional urgency for a robust technical examination process, to which non-party actors can make a valuable contribution.

Non-party experience has been underutilized in the technical examination process

The review of the Technical Expert Process and Technical Expert Meetings (TEMs) at COP23 creates an opportunity to increase the effectiveness of the TEMs. In the past, cities, states/regions, businesses, investors, civil society groups, and other sub- and non-state actors have been mostly disengaged from the TEMs process. Their participation has been largely limited to making declarative statements in plenary sessions, generating the perception that the TEMs differ little from an ordinary side event in which a variety of speakers comment on a subject. Looking forward to the Facilitative Dialogue 2018, it will be critical for the technical examination process to deliver concrete and actionable policy options to national governments. Robust non-party actor engagement can support this outcome.

Non-party climate action offers national governments critical technical experience

Non-party actors in both developing and developed countries are taking ambitious climate actions. They are at the frontier of the transition to a low carbon future, while also taking some of the most consequential actions to adapt to current climate impacts while building future resilience.

These experiences possess critical information for national governments considering technical options. Cities, sub-national governments, businesses, and others are confronting on the ground many of the regulatory, financial, and policy-design questions that national governments grapple with. Because their actions are so diverse and occur in a wide range of contexts, non-party actors have experimented with many different policies and measures. This experimentation has helped build our collective knowledge of what works, how it works, and the conditions under which it

works. Their successes and difficulties are thus of critical importance to national policymakers implementing NDCs and considering how to design future NDCs.

To illustrate the point, consider the example of carbon pricing. Many experts identify carbon pricing as an important regulatory tool, but tax regimes, trading systems, subsidy reforms, and other means of implementation are often difficult to execute effectively. A wide number of sub-national jurisdictions and private businesses have experimented with various forms of carbon pricing, generating critical knowledge about the best way to implement the practice.

In other areas, the experience of non-party stakeholders can highlight opportunities for national governments to scale up the contribution non-party stakeholders can make to NDC implementation. For example, local governments having identified specific policy recommendation to national governments that would allow local governments to more effectively advance climate action. Including non-party stakeholders more fully into the TEMs can help identify further opportunities of this nature.

How to engage non-party actors in the TEMs

Building more effective engagement between non-party actors and the TEMs can make them more effective tools for generating policy options for governments. Key steps include:

1. *Involve non-party actors in planning the TEMs, and do so well in advance.* The Paris Decision Text calls for TEM planning “in cooperation with relevant non-Party stakeholders” (109a) and asks the Secretariat to organize meetings “in consultation with the TEC and relevant expert organizations” (111a). In practice, however, the TEMs have been organized with little advance planning, and with minimal input from non-party stakeholder groups. Planning could be extended so that the topics for one TEM could be set at the previous UNFCCC session (e.g. the TEMs for the May sessions could be set at the COP). The Secretariat could openly solicit input from non-party stakeholders on thematic topics.
2. *Create space in the TEMs for substantive dialogue between party and non-party actors on technical issues.* Previous TEMs have been limited by the formal, declarative nature of the statements made. This format does not allow governments to ask questions that can really help them address challenges they face. Creating less formal interaction between technical experts from both parties and non-parties would result in more relevant and helpful outputs, while also facilitating match-making and relationship-building. To achieve this, it is also critical that national governments bring technical and policy-implementation officials to the TEMs, not simply diplomats or officials focused narrowly on climate change per se.
3. *Link the TEMs more effectively to the Marrakech Partnership for Global Climate Action.* The Marrakech Partnership launched at COP22 called for greater connections between the technical examination process and the Partnership’s work to advance Global Climate Action. This ambition has not yet been realized. Going forward, it will be important to draw on the outcomes of the annual Yearbook of Climate Action and High-level Event at COPs to inform the design of the TEMs. Through these processes the Marrakech Partnership helps identify the highest impact opportunities for climate action, including areas where parties and non-party actors can cooperate to accelerate climate action. The High-level Champions can feed these opportunities into the planning of the TEMs, so that the technical options around which the TEMs are focused are responding to real world advances in climate action. For example, the 2017 Yearbook of Climate Action will highlight specific opportunities to advance climate actions. The TEMs in 2018 could adopt these themes. Going forward, it may be helpful to link the Summary for Policymakers and the Yearbook of Climate Action to streamline documentation and reporting.

Who we are: Galvanizing the Groundswell of Climate Actions

Galvanizing the Groundswell of Climate Actions is a series of dialogues that brings together organizations supporting climate action at all levels. Its objectives include:

1. Bringing the groundswell of climate actions from cities, regions, companies, and other groups to a higher level of scale and ambition;
2. Increasing efficient coordination among cooperative initiatives and sub- and non-state networks;
3. Improving analysis and understanding of “bottom up” climate actions;
4. Building a positive narrative of pragmatic, concrete action on climate change; and
5. Identifying opportunities for the groundswell of climate actions and the multilateral process to support and catalyze each other.

Galvanizing the Groundswell of Climate Actions brings together city and regional networks, company networks, cooperative initiatives, governments, international organizations, and researchers to discuss and advance these objectives. By convening the community of actors that make up and support the groundswell of climate actions, we seek to realize the full potential of this extraordinary innovation in global governance.

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