

Dear Mike/Todd:

I am extremely sorry that I am unable to attend the MEF Meeting in Washington on November 17th and 18th since our Parliament is in session.

In the Mexico pre-COP held on November 4th and 5th, I had made a somewhat detailed intervention on the MRV/ICA issue. I am sending you a note based on this intervention as a contribution to the discussions at MEF. These are initial ideas meant to provoke a debate. But I do want to repeat something that is not in the note that I had said in Mexico—that we are making too much of a heavy weather of the MRV/ICA issue. To my mind, it is not as contentious or complicated as it is being made out to be once we are agreed that it will not be intrusive, that it will respect national sovereignty and that it will not undermine the UNFCCC and the Bali Action Plan.

I am of the opinion that a Cancun we should get more than a statement of general principles on MRV/ICA as part of a balanced package which could include agreements on REDD/REDD+, finance, technology and mitigation commitments of developed countries. I am of the view that some detailing along the lines indicated in the note is not only possible but also essential.

The question is, of course, what the quid pro quo from the USA will be in return for some sort of agreement on the MRV/ICA framework. There has to be at the very minimum a firm and tangible commitment to (i) fast start finance with focus on actual disbursement of new and additional resources; and (ii) the establishment of a technology mechanism with a network of climate innovation centres perhaps along the lines of the CGIAR/IAVI model;

Let me also say that without a firm commitment to have a second commitment period for the Kyoto Protocol and improved mitigation pledges from the USA, the MRV/ICA framework I am suggesting will simply not fly.

With warm regards,

Jairam Ramesh
November 15th, 2010

[I] ICA PROCESS – A 10 POINT PROPOSAL

1. ICA will proceed on the strict understanding that it is a facilitative process for transparency and accountability and that it will not have any punitive implications of any sort.
2. ICA will have a multilateral anchor. This anchor will be the Subsidiary Body for Implementation (SBI) that exists in the UNFCCC.
3. ICA will take place once every two/three years for countries with share of world GHG emissions in excess of 1%. All other countries will have the ICA process once every four/five years.
4. Each country will submit a “ICA Report” to the SBI once every two/three years where its share of GHG emissions is more than 1% once every two/three/four/five years and every four/five years otherwise.
5. The **ICA Report for developed countries** will have (i) emissions inventory; (ii) description of emission reduction commitments; (iii) progress on achieving emission reduction commitments; (iv) progress on achieving the pledges made in the Copenhagen Accord; (v) further mitigation actions under consideration, wherever appropriate; (vi) updated financial pledges in agreed format; (vii) progress made on disbursement of the financial pledges. The **ICA Report for developing countries** (non Annex I) will have (i) emissions inventory; (ii) mitigation actions; (iii) analysis of impact of the mitigation actions; (iv) progress on achieving the pledges made in the Copenhagen Accord; and (v) further mitigation actions under consideration, wherever appropriate.
6. The ICA report of each country will be submitted to the SBI. It will be circulated by the SBI to all members. Each member will have 30/45/60 days to send written comments to the SBI on the ICA Report(s) circulated.
7. SBI will have a panel of experts drawn from all over the world who will provide their own assessment of the country’s ICA Report.
8. SBI will send the written comments on the ICA Report received to the country concerned. 30/45/60 days after receipt of these comments, the country concerned will send its written response to the SBI.
9. A 2/3-day ICA meeting will be convened by the SBI to discuss the ICA Report of the country concerned, the written comments received and the written responses sent.
10. At the end of this meeting, the ICA Report, the written comments, the written responses and an agreed summary of the ICA discussions will be made public.

[II] FAQs ON ICA

Q1. *Will the ICA proposal mean that developing countries are subject to stricter transparency requirements than developed countries?*

A. No. The proposed system will be applicable to all countries whose emissions cross 2% of world GHG emissions.

Q2. *Will the proposal remove the distinction between developed and developing countries?*

A. No. While the reporting requirements will be uniform for all countries whose emissions cross 2% of world GHG emissions, **the content of the ICA Report will differ for developed and developing countries.** The ICA Report of developed countries (Non Annex I + USA) will consist of the progress achieved on their emission reduction commitments, while those of the developing countries will consist of their mitigation actions.

Q3. *Will the ICA process erode the authority of the UNFCCC system and dilute the Bali Action Plan?*

A. No. The overall guidance to the ICA process will be provided by the COP, and the process will be clearly undertaken under the UNFCCC. The Subsidiary Body for Implementation (SBI), a body under the UNFCCC, will be the sole multilateral anchor for the process. SBI has balanced representation of developed and developing countries.

Q4. *Will the ICA process affect the current negotiations under the two-track process?*

A. No. The ICA process will be undertaken without prejudice to the existing two-track negotiation process. In fact, as the ICA will address a key negotiation issue, it is expected to give an impetus the negotiations, with the aim of achieving a balanced outcome.

Q5. *Why cannot the consultations be web-based with developing countries simply reporting to UNFCCC and questions being asked on that reporting and responses being provided in writing?*

A. Consultations mean face-to-face contact. ICA will be reduced to a travesty if there is no opportunity for an across-the-table discussion. Enhanced shared understanding of the mitigation actions of all Parties, which is the primary objective of the ICA process, requires that face to face discussion takes place. The discussion can, of course, proceed on the basis of clear guidelines, in a prescribed format structure, and will be preceded by detailed written submissions. Written submissions will form the primary basis for the ICA process.

Q6. *What is the guarantee that the proposed ICA mechanism does not become intrusive and infringe upon national sovereignty?*

A. The document that will form the basis of the ICA will be **prepared internally by the country concerned** and not by any international team or organisation. It will be looked at by experts from a roster maintained by the UNFCCC drawn up by consensus. If there are questions asked on an issue which a country deems “intrusive” or infringing upon national sovereignty, the country concerned will have the freedom to refuse to engage in discussions on those questions.
