

REPUBLIC OF KENYA



MINISTRY OF ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT AUTHORITIES

Kenya Country Position

for the

Twenty-first Session of the Conference of the Parties to the UN Framework
Convention on Climate Change (COP 21) and the Eleventh Session of the
Conference of the Parties Serving as the Meeting of the Parties to the Kyoto
Protocol (CMP 11)

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1. INTRODUCTION

The 21st Session of the Conference of the Parties (COP 21) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 11th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 11) will be held in Paris, France from 30th November to 11th December 2015.

A Heads of State and Government inaugural day will be held on 30th November 2015, its objective is to give a strong political momentum to the climate change negotiations. The high-level segment for Ministers and other Senior Officials will also take place from 7th to 8th December 2015.

Relevant preparatory meetings for Kenya are the African Group on 25th -26th November 2015, and the G77 & China on 27th – 28th November 2014.

The following subsidiary bodies under the Convention will take place during the COP 21 / CMP 1:

- 43rd session of Subsidiary Body on Scientific and Technological Advice (SBSTA 43);
- 43rd session of Subsidiary Body for Implementation (SBI 43);
- Twelve part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP 2.12).

The goal of the Paris Conference is to conclude a universally, ambitious and sustainable Climate Change Agreement that will ensure the average global temperature rise remains below 2°C.

The Ministry of Environment, Natural Resources and Regional Development Authorities, through the National Climate Change Secretariat, coordinated the preparation of Kenya's position to COP 21/ CMP 11. The process involved inter-ministerial technical consultations from the Government ministries, departments and agencies; and Civil Society Organizations and the Private Sector, among other national stakeholders. This position paper takes into account the African Group position, while reflecting the Kenya's unique national circumstances. Additional information considered was from the statements of the African Ministerial Conference on the Environment (AMCEN), Committee of African Heads of State and Government on Climate Change (CAHOSCC) and the Group of 77 and China.

1.1 Kenya's Expectations for Paris

Kenya believes in the multilateral process under the UNFCCC to address the global climate change challenge and any outcomes of COP 21, Paris must fully respect all principles and provisions of the Convention. These include: environmental integrity, common but differentiated responsibility and respective capabilities (CBDR&RC), historical responsibility, equity and honouring international commitments. Kenya will therefore continue to be guided by the UNFCCC as the primary forum for intergovernmental negotiations on climate change.

Kenya looks forward to a strong and ambitious Climate Agreement in Paris COP 21; in accordance with the objective, principles and provisions of the Convention. In addition, the new Agreement should reaffirm the provision of financial, technology and capacity building support to developing countries.

2. AD-HOC WORKING GROUP ON DURBAN PLATFORM FOR ENHANCED ACTION (ADP)

2.1 Background

COP 17 held in Durban in 2011, by decision 1/CP.17, launched a process to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties through the ADP established by the same decision.

The COP also decided to launch a work plan on enhancing mitigation ambition to identify and explore options for a range of actions that can close the ambition gap, with a view to ensuring the highest possible mitigation efforts by all Parties.

The ADP thus has two distinct work streams:

- Work stream 1: Post 2020 legally binding agreement
- Work stream 2: Raising the ambition pre-2020

COP 18 (Doha, Qatar 2012), COP 19 (Warsaw, Poland 2013), and COP 20 (Lima, Peru 2014) agreed on the plan of work for the ADP to deliver a new agreement during COP 21 in 2015. Further, reaffirmed that ADP should deliver the elements of the draft negotiating text and draft decision on the Pre-2020 ambition.

In addition, all countries are expected to initiate or intensify domestic preparations for their Intended Nationally Determined Contributions (INDCs) in the context of the 2015 Agreement.

- COP 20 adopted the LIMA call for climate action ...INDCs
- COP 21 is expected to adopt the Post 2020 legally binding agreement applicable to all countries.

2.2 ADP work-stream 1: Post 2020 legally binding agreement

The ADP Workstream 1 is focused on developing a new protocol, legal instrument or agreed outcome with legal force applicable to all parties, which comes into force by 2020. This has synergies with the Sustainable Development Goals (SDGs) adopted in September 2015 which aim to end extreme poverty; fight inequality and injustice; and address climate change by 2030; and hence the need to be taken into account in the implementation processes.

2.2.1 Country position

The 2015 climate Agreement needs to:

- Be within the framework of the convention, and be in line with the objective, principles and the provisions of the convention, including equity and common but differentiated responsibilities and respective capabilities (CBDR&RC).
- Draw on and enhance existing arrangements under the Convention and its Kyoto Protocol.

- Enhance the implementation of the Convention, and especially enhance the attainment of the long-term global goal of ensuring the global temperature increase remains below 1.5 °C above the pre industrial levels.
- Sufficiently enhance adaptation to avoid the worst impacts of climate change.
- Be scientifically-sound, applicable to all Parties, rules-based, predictable, durable, robust, clear, and enforceable.
- Cover all elements in decision 1/CP.17 including mitigation, adaptation, means of implementation (finance, technology transfer and capacity building), as well as transparency of actions and support, loss and damage and compliance.
- Reaffirm developed country support (finance, technology, and capacity building) to enhance mitigation and adaptation action in developing countries.
- Include a robust MRV system for mitigation, adaptation and means of implementation.

ADAPTATION

The agreement should:

- Define a global goal for adaptation, outlining the linkage between mitigation on one hand, and adaptation and resilience building on the other; and recognising the local, national and global dimensions of adaptation.
- Establish a dynamic multilateral process to operationalise the goal in respect of planning needs, costs, support and recognition of developing countries' efforts.
- Initiate and define a periodic assessment of the adequacy of support.
- Anchor the institutional arrangements and mechanisms under the Convention and COP decisions, including the Adaptation Committee (AC), the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE), least developed countries expert group (LEG), National Adaptation Plans (NAPs).
- Reaffirm the obligation of Developed Country Parties under the Convention to provide predictable and adequate support for adaptation actions in developing countries, particularly those vulnerable to the impacts of climate change, including Africa. The support should be primarily in grant form.

LOSS AND DAMAGE

Kenya welcomes the establishment of the Warsaw International Mechanism (WIM) for Loss and Damage; the Executive Committee and the initial two-year workplan for the implementation of WIM's functions, including the modalities and procedures of the mechanisms, operation and support.

Loss and Damage should also be incorporated into the post-2020 Agreement with full operationalisation of the Warsaw International Mechanism (WIM) for Loss and Damage.

MITIGATION

The New Agreement should:

- Define a long-term global mitigation goal consistent with the temperature goal of below 1.5 °C, taking into account the principles and provisions of the Convention including equity and CBDR&RC.
- Reflect differentiated mitigation commitments/contributions with developed countries taking the lead in accordance with the Convention.
- Build on existing commitments under the Kyoto Protocol and the Convention, with the 'no backsliding' principle applying in the type and ambition of the mitigation commitments.
- Reflect market and non-market mechanisms, implementation of REDD+, LULUCF rules and mechanisms for response measures in order to enhance environmental integrity and understanding of commitments and contributions.
- Ensure that developed country Parties, in accordance with Articles 3.1 and 4.2, and based on science, should undertake quantified, economy-wide, comparable absolute emission reduction targets with provisions for counting, accounting, and building on existing rules under the Convention and its Kyoto Protocol.
- Ensure developing country Parties contributions are in accordance with the Convention and build on counting and accounting rules, and are enabled with support (finance, technology and capacity building) from developed country Parties.

FINANCE

The 2015 Agreement should:

- Ensure predictable, adequate and sustainable financial support to enable developing country Parties to enhance mitigation and adaptation actions in the post-2020 period, in accordance with the principles and obligations contained in the Convention.
- Provide for the scaling up of financial resources from the current target of USD100billion per year by 2020, based on a % of GDP. This should include a burden sharing formula, based on the needs and priorities of developing countries.
- Ensure a 50-50 balance for mitigation and adaptation, in developing countries particularly vulnerable to climate change, including SIDS, LDCs and Africa.
- Anchor the financial mechanisms of the Convention and its Kyoto Protocol (GEF & GCF) and the related institutions and funds like the Adaptation Fund (AF), Least Developed Countries Fund (LDCF), and Special Climate Change Fund (SCCF), as well as the Standing Committee on Finance.
- Include a robust MRV system for support (means of implementation), based on the obligation of Annex II and other developed country Parties to communicate their financial contributions on a biennial basis, with a regular assessment and review of the adequacy and verification of support.

TECHNOLOGY

The post 2020 Agreement should:

- Reaffirm developed country Parties' obligation to support developing country Parties in the development, application, diffusion, and the transfer of technologies, including the specific obligations for transferring technologies in all relevant sectors for promoting, facilitating and financing the transfer of, and access to technologies. .
- Establish a framework for enhanced action on technology, focusing on technology needs assessments, barriers and increased access; whilst ensuring that technologies are safe and environmentally sound.
- Anchor the technology mechanism of the Convention including, the Technology Executive Committee (TEC), and the Climate Technology Centre and Networks (CTCN), including its Advisory Board.

CAPACITY BUILDING

The 2015 Agreement should:

- Define a mechanism for capacity building, including institutional arrangements, to provide normative guidance on capacity related issues, and a Capacity Building Facility to accelerate the provision of adequate support.
- Further incorporate measures to enhance climate change education, training, public awareness, public participation and public access to information so as to facilitate climate action.
- Include clear performance indicators for measuring, reporting and verification of capacity building support received against the needs identified by developing country Parties, and an assessment of the effectiveness of implementing capacity building activities.

TRANSPARENCY OF ACTION AND SUPPORT

The 2015 Agreement should:

- Establish a differentiated transparency system covering both action and support, with the objective of providing a clear understanding of mitigation and adaptation actions, as well as the means of implementation provided and received.
- Anchor the existing reporting arrangements, including National Communications, National Greenhouse Gas Inventories, Biennial Reports/Biennial Update Reports, the International Assessment and Review/ International Consultation and Analysis.
- Define accounting principles pertaining to rules on land use, land use change and forestry (LULUCF), REDD+ and markets; as well as measurement, reporting and verification of support.
- Reaffirm the obligations of developed country Parties to provide support for the implementation of the transparency system by developing country Parties, including the allocation of financial resources for building transparency related capacities on a continuous basis.

GLOBAL STOCKTAKE

The Agreement should establish a global stocktaking process to review progress on the implementation of commitments of Parties against the long-term temperature goal. This process should cover all the elements including mitigation, adaptation and means of implementation. The periodicity of the global stocktake should be similar across all the elements.

FACILITATING IMPLEMENTATION AND COMPLIANCE

The Agreement should establish a mechanism to promote and facilitate implementation and compliance of commitments. The mechanism should have a facilitative branch for developing country Parties and a compliance branch for developed country Parties.

2.3 ADP work-stream 2: Enhancing Pre-2020 Ambition

Decision 1/CP.17 noted with grave concern the significant gap between the aggregate effect of Parties' mitigation pledges against the global emissions of greenhouse gases by 2020 and aggregate emission pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C (1.5 °C) above the pre-industrial levels.

Recent authoritative scientific reports by the Intergovernmental Panel on Climate Change (IPCC), UNEP and the World Bank present worrisome future climate scenarios of an increasing trajectory of global greenhouse gas emissions, with indications of potential global temperature increases of 4 °C (translates to 6 °C for Africa). This will have devastating consequences for Kenya.

In addition, decision 1/CP.17 launched a workplan on enhancing the mitigation ambition to identify and explore options for a range of actions that can close the ambition gap and ensure the highest possible mitigation efforts by all Parties.

2.3.1 Country Position

Raising the mitigation ambition in the pre-2020 period is critical to ensure the global temperature increase is limited to below 1.5 °C. The workplan for raising the ambition should therefore:

- Continue in the pre-2020 period and ensure the ambition gap is closed.
- Cover mitigation, adaptation and means of implementation.

Accelerated implementation of the existing commitments under the Kyoto Protocol and the Convention is critical to raising the ambition. To achieve this:

- Developed countries should therefore take the lead in increasing the mitigation ambition, and provide enhanced support for developing countries to increase their ambition.
- Annex I parties should revisit their economy wide emissions reduction targets under the Kyoto Protocol and the Convention.

- All KP parties should urgently ratify the Doha Amendment to facilitate entry into force of the 2nd commitment period of the protocol. (Kenya ratified the Doha Amendment to the KP in June 2014).

4. PERMANENT SUBSIDIARY BODIES OF THE CONVENTION

The 43rd sessions of the Subsidiary Body for Scientific and Technological Advice (SBSTA 43) and Subsidiary Body for Implementation (SBI 43) are scheduled to take place from 1st to 4th December 2015. Table 1 and 2 summarise the country position for the two Subsidiary Bodies.

Table 1: COUNTRY POSITION FOR SBSTA 43

AGENDA ITEM	REMARKS
1. Opening of the session	SBSTA 43 will be opened by the Chair, Ms. Lidia Wojtal (Poland) ¹ Country Position: N/A
2. Organizational matters	
a) Adoption of the agenda	The provisional agenda will be presented for adoption Country Position: N/A
b) Organization of the work of the session	The SBSTA will be invited to agree on the organization of the work of the session . In particular, in view of the expected heavy workload at the Paris Conference, the SBI Chair may consult with Parties in a transparent manner in the period leading up to the Conference on options and opportunities for deferring to SBSTA 44 consideration of some of the agenda items that require substantive discussion and for which no decision is expected to be adopted at COP21. Country Position: N/A
c) Election of officers other than the Chair	The SBSTA will be invited to elect its officers (Vice-Chair and Rapporteur) at the earliest opportunity. Country Position: Kenya is not sponsoring any candidate.
3. Nairobi work programme on impacts, vulnerability and adaptation to climate change	The SBSTA will be invited to consider the documents prepared for the session and to consider the progress made prior to SBSTA 43 in implementing activities under the Nairobi work programme in view of documents FCCC/SBSTA/2015/4 and FCCC/SBSTA/2015/INF.8). Country Position: The NWP is important for Kenya in enhancing action on adaptation, which is a priority; Kenya. The country will benefit from the Good practices and lessons learned in adaptation planning processes addressing ecosystems, human settlements, water resources and health, and in processes and structures for linking national and local adaptation planning: a synthesis of case studies documented in the report.
4. Report of the Adaptation Committee	The SBSTA and the SBI will be invited to consider the report of the AC (FCCC/SB/2015/2) and recommend draft conclusions or a draft decision resulting from the implementation of its workplan for consideration and adoption at COP 21. Country Position: Kenya recognises the need to anchor the Adaptation Committee in the 2015 to continue providing technical support and guidance to developing country Parties on adaptation actions and on the means of implementation; and in the sharing of information.
5. Development and transfer of technologies and implementation of the Technology Mechanism: joint annual report of the TEC and the CTCN	The SBSTA and the SBI will be invited to consider the documents prepared for the session and recommend a draft decision for consideration and adoption at COP 21 in view of documents FCCC/SB/2015/1 and FCCC/SB/2015/INF.3. Country Position: The technology action plans arising from the technology needs assessments need to be developed into projects that can be ultimately implemented and benefit developing country Parties in addressing their adaptation and mitigation needs.

¹ Exact dates not yet confirmed

Table 1: COUNTRY POSITION FOR SBSTA 43

AGENDA ITEM	REMARKS
6. Issues relating to agriculture	<p>The SBSTA will be invited to consider the information contained in the documents prepared for the session [FCCC/SBSTA/2015/INF.6 and FCCC/SBSTA/2015/INF.7]; and to determine any further action it deems appropriate.</p> <p>Country Position: Kenya will not be supportive of any attempts to disadvantage developing countries – especially in Africa, – whose economies are largely agro-based – by approaching issues related to agriculture from a mitigation perspective. The priority should be to address the adaptation and resilience building needs in the sector as these impact on food (and by extension, national) security, job creation and poverty alleviation.</p>
7. Report of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts	<p>The SBI and the SBSTA will be invited to consider the report of the WIM Executive Committee (FCCC/SB/2015/3) and recommend draft conclusions or a draft decision for consideration and adoption at COP 21.</p> <p>Country Position: Kenya welcomes the establishment of the WIM on Loss and Damage; the interim Executive Committee and the initial two-year workplan for the implementation of the functions of the Warsaw International Mechanism. Loss and Damage should also be incorporated into the post-2020 Agreement with full operationalisation of the WIM on Loss and Damage.</p>
8. Matters relating to science and review	
a) Research and systematic observation	<p>The SBSTA will be invited to take note of the information received from the Global Climate Observing System (GCOS), the Committee on Earth Observation Satellites (CEOS), the World Meteorological Organization (WMO), to consider matters related to systematic observation and to determine further action with the aim of strengthening observations in order to better serve emerging needs under the Convention.</p> <p>Country Position: Kenya the importance of research and systematic observations in the climate change dialogue as the backbone of the science to provide evidence of climate change and science based intervention actions – including policy frameworks.</p>
b) The 2013–2015 review.	<p>The SBSTA and the SBI will be invited to consider this matter and to take further steps, including providing further guidance to the SED and concluding the review and final reporting to the COP.</p> <p>Country Position: All Parties should reaffirm their commitment to 2013-2015 review and propose a decision by the COP in support of the work of the SED. This will be a crucial contribution to ensure that the global long term goal of ensuring the global temperature rise remains within the 2°C target is on course.</p>
9. Impact of the implementation of response measures (Joint SBSTA/SBI Agenda item)	
a) Forum and work programme	<p>The SBI and the SBSTA will be invited to consider how to take this item forward with a view to providing recommendations for consideration and adoption at COP 21.</p> <p>Country Position: Kenya welcomes the technical paper and synthesis paper; and:</p> <ul style="list-style-type: none"> ▪ Supports the continuation of the work programme to “improve the understanding of the impact of the implementation of response measures”. ▪ Proposes the continuation of the Forum for response measures in the 2015 Agreement.
b) Matters relating to Article 2, paragraph 3, of the Kyoto Protocol	<p>The SBSTA will be invited to agree on how to take up this matter.</p> <p>Country Position: Developed country Parties should meet their obligations under the Convention and ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts.</p>

Table 1: COUNTRY POSITION FOR SBSTA 43

AGENDA ITEM	REMARKS
Methodological issues under the Convention	
a) Methodologies for the reporting of financial information by Parties included in Annex I to the Convention	<p>The SBSTA will be invited to consider this agenda sub-item, with a view to recommending a draft decision for consideration and adoption at COP 21.</p> <p>Country Position: The current UNFCCC reporting guidelines that are used in Annex I National communications should be revised and strengthened to include reporting of means of implementation provided to non-Annex I for compilation of National Communications and implementation of projects and programmes identified in NAI NCs in a transparent manner.</p>
b) Greenhouse gas data interface	<p>The SBSTA will be invited to defer consideration of this agenda sub-item to SBSTA 44.</p> <p>Country Position: Adequate financial resources should be availed to complete the necessary changes in the Annex I reporting guidelines.</p>
c) Emissions from fuel used for international aviation and maritime transport	<p>The SBSTA will be invited to take note of the information contained in the reports provided by the secretariats of ICAO and IMO (FCCC/SBSTA/2015/MISC.5).</p> <p>Country Position: The issue should not be used to disadvantage developing countries economically/commercially.</p>
10.Methodological issues under the Kyoto Protocol	
a) Implications of the implementation of decisions 2/CMP.7 to 4/CMP.7 and 1/CMP.8 on the previous decisions on methodological issues related to the Kyoto Protocol, including those relating to Articles 5, 7 and 8 of the Kyoto Protocol	<p>The SBSTA will be invited to continue its consideration of the matter on the basis of basis of the draft decision texts contained in annexes I and II to document FCCC/SBSTA/2015/L.13; with a view to recommending draft decisions for consideration and adoption at CMP 11.</p> <p>Country Position: The issue should not be used to disadvantage developing countries economically/ commercially.</p>
b) Accounting, reporting and review requirements for Parties included in Annex I without quantified emission limitation and reduction commitments for the second commitment period	<p>The SBSTA will be invited to continue its consideration of these matters, taking into account the texts contained in the annex to document FCCC/SBSTA/2015/L.10, with a view to recommending a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: All Annex 1 Parties should take quantified emission limitation and reduction commitments for the 2nd commitment period of KP.</p>
c) Clarification of the text in section G (Article 3, paragraph 7 ter) of the Doha Amendment to the Kyoto Protocol, in particular the information to be used to determine the “average annual emissions for the first three years of the preceding commitment period”	<p>The SBSTA will be invited to consider the text in FCCC/SBSTA/2015/L.11, with a view to recommending a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: Kenya looks forward to a draft decision on this matter at SBSTA 43/CMP 11, taking into account the need to clarify how the Doha amendment will apply to developed country Parties.</p>
d) Land use, land-use change and forestry under Article 3, paragraphs 3 and 4, of the Kyoto Protocol and under the clean development mechanism	<p>The SBSTA will be invited to consider the report of the CDM Executive Board with a view to recommending a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: Kenya is supportive of the recommendation on (i) the need for further guidance on ensuring transparency, consistency, comprehensiveness and effectiveness when informing on how all the safeguards are being addressed and respected; (ii) nonmarket based approaches like joint mitigation and adaptation (JMA) approaches for the integral and sustainable management of forests; and non-carbon benefits that</p>

Table 1: COUNTRY POSITION FOR SBSTA 43

AGENDA ITEM	REMARKS
	are included in the draft conclusion.
Market and non-market mechanisms under the Convention	
a) Framework for various approaches	The SBSTA will be invited to continue its work programme to elaborate a framework for various approaches. Country Position: Kenya looks forward to the elaboration of a framework for various approaches.
b) Non-market-based approaches	The SBSTA will be invited to continue its work programme to elaborate non-market-based approaches. Country Position: Kenya looks forward to the elaboration of non-market-based approaches.
c) New market-based mechanism	The SBSTA will be invited to continue its work programme to elaborate modalities and procedures for the mechanism defined in decision 2/CP.17, paragraph 83. Country Position: Kenya looks forward to the elaboration of the modalities and procedures for the mechanism defined in decision 2/CP.17, para 83.
11. Reports on other activities	
a) Report on the expert meeting on an information hub for information on the results of the activities referred to in decision 1/CP.16, paragraph 70, and results-based payments	The SBI will be invited to take note of the report on the expert meeting as prepared by the secretariat. Country Position: Kenya welcomes the report on the expert meeting and encourages the Secretariat to establish the information hub at the soonest possible time.
b) Annual report on the technical review of greenhouse gas inventories of Parties included in Annex I to the Convention	The SBSTA will be invited to consider the information contained in the report (on the latest information on the technical review of the GHG inventories submitted by Parties) and provide guidance to the secretariat on the review process, in particular on the organization of the review of the 2015 and 2016 GHG inventory submissions from Annex I Parties, including the selection of experts and the coordination of ERTs. Country Position i) The secretariat should ensure delivery of the upgraded common reporting format (CRF) Reporter software. ii) GHG inventories of Parties included in Annex I to the Convention should be submitted on time.
c) Annual report on the technical review of greenhouse gas inventories and other information reported by Parties included in Annex I, as defined in Article 1, paragraph 7, of the Kyoto Protocol	The SBSTA will be invited to consider the information contained in the report and provide guidance to the secretariat on the review process under Article 8 of the Kyoto Protocol, including on the organization of the review for the 2015 and 2016 GHG inventory submissions from Parties included in Annex I, and on the organization of the review for the initial reports for the second commitment period. Country Position: GHG inventories of Annex I Parties should be submitted on time.
12. Other matters	Any other matters referred to the SBSTA at COP 21 or CMP 11, as well as any other matters arising during the session, will be taken up under this agenda item. Country Position: N/A
13. Closure of and report on the session	A draft report on the work of the session will be prepared for adoption by the SBSTA at the end of the session, after which the Chair will declare the session closed. Country Position: N/A

Table 2: COUNTRY POSITION FOR SBI 43

SBI 43 AGENDA ITEM	REMARKS
1. Opening of the session	SBI 43 will be opened by the Chair, Amena Yauvoli (Fiji). Country Position: N/A
2. Organizational matters	
a) Adoption of the agenda	The provisional agenda will be presented for adoption. Country Position: N/A
b) Organization of the work of the session	SBI will agree on the organization of the work of the session due to expected heavy workload at the Paris Conference. SBI will consult on options and opportunities for deferring to SBI 44 consideration of some of the agenda items that require substantive discussion and for which no decision is expected to be adopted at COP 21 /CMP 11.
c) Multilateral Assessment (MA) working group session under the international assessment and review process	Decision 2/CP.17 adopted the modalities and procedures for MA process, where developed country Parties' progress towards the achievement of emission reductions and removals related to their quantified economy-wide emission reduction targets is multilaterally assessed. The third and final MA working group session of the first round of the IAR process, for two countries will be held during SBI 43 (see www.unfccc.int/8451). Country Position: Kenya is expected to participate in the MA.
d) Election of officers other than the Chair	Election of Vice-Chair and Rapporteur. Country Position: N/A
3. Reporting from and review of Parties included in Annex I to the Convention	
a) Status of submission and review of sixth national communications (NC6s) and first biennial reports (BR1s) from Parties included in Annex I to the Convention	SBI will take note of the status of submission and review of NC6s and BR1s. Country Position: N/A
b) Outcome of the first round of the international assessment and review (IAR) process (2014–2015)	SBI will continue its consideration of the outcome of the first round of IAR. Country Position: N/A
c) Revision of the “Guidelines for the preparation of national communications by Parties included in Annex I to the Convention, Part II: UNFCCC reporting guidelines on national communications”	SBI 42 agreed that work on this agenda item would continue at SBI 43. The secretariat will revise and update the technical paper on the revision of these guidelines (FCCC/TP/2015/3). SBI 43 will be invited to recommend revised guidelines for consideration and adoption at COP 21. Country Position: N/A
d) Report on national greenhouse gas inventory data from Annex I Parties for the period 1990–2013	The Secretariat prepares an annual report (FCCC/SBI/2015/21) of this item. The SBI will be invited to take note of the information contained in the report.
e) Annual compilation and accounting report for Annex B Parties under the Kyoto Protocol for 2015	The secretariat publishes annual compilation and accounting reports (FCCC/KP/CMP/2015/6). The SBI to consider the 2015 reports and to recommend that CMP 11 take note of the information contained in them. Country Position: N/A

4. Reporting from Parties not included in Annex I to the Convention	
a) Information contained in national communications (NCs) from Parties not included in Annex I to the Convention	<p>The SBI will provide guidance on how to further develop the process for considering the information contained in NCs from non-Annex I Parties, taking into consideration the parts of decision 2/CP.17 on biennial update reports (BURs) and international consultation and analysis (ICA).</p> <p>Country Position: Kenya's Second NC is almost being concluded.</p>
b) Work of the CGE on National Communications from Parties not included in Annex I to the Convention	<p>The SBI will consider the progress reports contained in the documents prepared for the session and provide guidance, as appropriate, to the CGE.</p> <p>Country Position: To take note.</p>
c) Provision of financial and technical support	<p>The Global Environment Facility (GEF) will provide information on its financial support to non-Annex I Parties in relation to the preparation of NCs and BURs. The SBI will consider the information contained in the documents prepared for the session and to make recommendations, as appropriate, to the GEF.</p> <p>Country Position: Kenya supports recommendation of SBI for GEF to make available support to non-Annex I Parties for preparing their BURs; and continue ensuring that sufficient financial resources are provided to meet the agreed full costs incurred by developing countries in complying with their reporting obligations.</p>
d) Summary reports on the technical analysis of BURs of Parties not included in Annex I to the Convention	<p>The SBI will take note of the summary of BURs (Decision 2/CP. 17).</p> <p>Country Position: Kenya sourcing for financial support to undertake first BUR process.</p>
5. Matters relating to the mechanisms under the Kyoto Protocol	
a) Review of the modalities and procedures of the clean development mechanism (CDM)	<p>SBI 42 didn't reached conclusions on this matter. SBI 43 will be invited to conclude its work and to prepare a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: To take note (NEMA).</p>
b) Review of the joint implementation (JI) guidelines	<p>The SBI will be invited to conclude its review of the JI guidelines and prepare a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: To take note (NEMA).</p>
c) Modalities for expediting the continued issuance, transfer and acquisition of joint implementation emission reduction units	<p>The SBI will be invited to conclude its consideration of this matter and prepare a draft decision for consideration and adoption at CMP 11.</p> <p>Country Position: To take note (NEMA).</p>
d) Report of the administrator of the international transaction log (ITL) under the Kyoto Protocol	<p>The SBI will be invited to take note of the 2015 report of the ITL administrator.</p> <p>Country Position: To take note (NEMA).</p>
6. Matters relating to the least developed countries	<p>The SBI will be invited to consider the documents prepared for this session and to provide further guidance to the Least Developed Countries Expert Group (LEG), as appropriate.</p>
7. National Adaptation Plans (NAPs)	<p>The SBI expected to conclude its consideration and to recommend a draft decision for consideration and adoption at COP 21.</p> <p>Country Position: The development and implementation of NAP should be supported with finance, technology, and capacity building from Annex I Parties.</p> <p>Adaptation to climate change is a priority to Kenya. Preparation of NAP is almost finalized.</p>

8. Report of the Adaptation Committee.	The SBI and SBSTA will consider the report of the AC (FCCC/SB/2015/2) and recommend draft conclusions or a draft decision resulting from the implementation of its workplan for consideration and adoption at COP 21. Country Position: See SBSTA Agenda 4.
9. Report of the Executive Committee of the Warsaw International Mechanism for Loss and Damage	The SBSTA and SBI will consider the documents FCCC/SB/2015/3 and recommend a draft decision for consideration and adoption at COP 21. Country Position: See SBSTA Agenda 7.
10. Development and transfer of technologies and implementation of the Technology Mechanism:	
a) Joint annual report of the Technology Executive Committee and the Climate Technology Centre and Network;	The SBSTA and SBI will consider the documents (FCCC/SB/2015/2 and FCCC/SB/2015/INF.3) and recommend a draft decision for consideration and adoption at COP 21. Country Position: See SBSTA Agenda 5.
b) Poznan strategic programme on technology transfer.	The SBI will consider the report of the GEF (FCCC/CP/2015/4) and the final report of the TEC on the evaluation of the Poznan strategic programme (FCCC/SBI/2015/16) with a view to determining further actions arising from the reports, as appropriate. Country Position: To take note.
11. Capacity-Building:	
a) Capacity-building under the Convention	SBI consideration on the basis of the text (FCCC/SBI/2015/L.15); and to recommend a draft decision for consideration and adoption at COP 21. Country Position: Developing countries' require capacity building, in particular human and institutional, to be addressed with support from Annex I country Parties. Capacity building should be treated as a crosscutting issue and be clearly reflected on other thematic areas (adaptation, mitigation, technology etc). The National Climate Change Action Plan highlights capacity building needs.
b) Capacity-building under the Kyoto Protocol.	The SBI will continue consideration of capacity-building for developing countries under the Kyoto Protocol and to recommend a draft decision for consideration and adoption at CMP 11. Country Position: Same as in 11 (a).
12. Impact of the implementation of response measures:	
a) Forum and work programme	The SBI and SBSTA will be invited to recommend a draft decision (FCCC/SB/2015/L.2) for consideration and adoption at COP 21. Country Position: See SBSTA Agenda 9 (a).
b) Matters relating to Article 3, para 14, of the Kyoto Protocol	The SBI will be invited to agree on how to take up this matter. Country Position: See SBSTA Agenda 9(b)
c) Progress on the implementation of decision 1/CP.10.	The SBI will be invited to agree on how to take up this matter. Country Position: To take note.
13. The 2013–2015 review.	The SBSTA and SBI will be invited to consider this matter with a view to concluding their considerations and reporting their findings to COP 21. Country Position: See SBSTA Agenda 8(b).
14. Gender and climate change	Following the Lima work programme on gender, SBI will consider the reports (FCCC/CP/2015/6&FCCC/SBI/2015/12) prepared for the session, and to provide further guidance, as appropriate. Country Position: Addressing of gender and climate change should not focus on gender on participation at climate change meetings only, but more on the way different genders are impacted by climate change. In this respect, climate change response measures and technologies should be designed to be responsive to the differentiated impacts and vulnerabilities across the different genders.

15. Administrative, financial and institutional matters	
a) Budget performance for the biennium 2014–2015	<p>The SBI will take note of the information presented in the documents (FCCC/SBI/2015/13& .../INF.17) and any additional relevant oral information provided by the Executive Secretary, and to decide on actions that may need to be included in draft decisions on administrative and financial matters to be recommended for consideration and adoption at COP 21 and CMP 11.</p> <p>Country Position: To take note.</p>
b) Audit report and financial statements for 2014	<p>The SBI will be invited to take note of the information presented in the document FCCC/SBI/2015/INF.10 prepared for the session.</p> <p>Country Position: To take note.</p>
16. Report on other activities: summary report on the 3rd Dialogue on Article 6 of the Convention	<p>COP 18 adopted the Doha work programme on Article 6 of the Convention and established an annual dialogue to enhance work in this area. The 3rd Dialogue on Article 6 of the Convention was held during SBI 42 with a focus on education and training, and international cooperation in these areas.</p> <p>The SBI will be invited to take note of the summary report FCCC/SBI/2015/15 on the 3rd Dialogue on Article 6 of the Convention, to be prepared by the secretariat.</p> <p>Country Position: To take note.</p>
17. Other matters	<p>Any other matters referred to the SBI at COP 21 or CMP 11, as well as any other matters arising during the session, will be taken up under this agenda item.</p> <p>Country Position: To take note.</p>
18. Closure of and report on the session	<p>A draft report on the work of the session will be prepared for adoption by the SBI at the end of the session, after which the Chair will declare the session closed.</p> <p>Country Position: To take note.</p>