

# Climate MRV for Africa – Phase 2 Development of National MRV System Presentation on MRV Official Set-Up



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## Project of the European Commission DG Climate Action

EuropeAid/136245/DH/SER/MULTI

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October 2017

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- Types of Official Set-up
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- Facilitated Discussion





# Official/Legal Set-Up

# UNFCCC Guidance on Official Setup

“It is strongly recommended that such linkages, roles and responsibilities, including the procedures for the flow of information and data collection and provision, **be formalized through, preferably, a memorandum of understanding, or any other formal agreement or a legal instrument,** between the coordinating body and other relevant stakeholders involved in the process of and the preparation of the national communication and the BUR.”

Source: Toolkit for non-Annex I Parties on establishing and maintaining institutional arrangements for preparing NC and BUR

# UNFCCC Guidance on Official Setup

## Elements to define:

- Objectives of the agreement
- Stakeholders involved
- Detailed roles & responsibilities and accountabilities
- Contact details of key actors
- Duration of the agreement.



Source: Toolkit for non-Annex I Parties on establishing and maintaining institutional arrangements for preparing NC and BUR

# Official Setup : Legal Instrument

- Legal instrument, formal agreement or a memorandum of understanding
- Between coordinating Entity and the relevant governmental and non-governmental stakeholders
  - ❑ Main activities required and exact roles and responsibilities
  - ❑ Timelines and deliverables
- Imposes more reliability for the MRV system
- Allows for a clear definition of flow of information and data



# Types of Official Setup

What works in any country's situation:

- **National Legal Instrument – 3 Models**
  - Law or Act by Parliament (“Framework legislation”), including law, decree, act, etc. focusing on mitigation, adaptation or both;
  - Presidential, Cabinet Decree (“Framework Legislation”).
  - Memorandum of Understanding – Usually between paramount climate change MDA & other government & non-government institutions
- **Pros & Cons** – Every official setup has its strengths & weaknesses – important that it is right for you!



# Types of Official Setup - Parliament

## Law by Parliament

- Drafting
- Committee discussions
- Lower House vote
- Upper House vote
- **Time:** how long might it take to become law?
- Needs political consensus
- Durable and reliable?



# Types of Official Setup – Executive Decree

## Executive Decree

- Drafting
- Internal discussions
- Signing
- **Time:** how long do you think it will become active?
- Needs political will and determination
- Could be overturned



# Types of Official Setup - MOU

## Memorandum of Understanding (MOU)

- Drafting
- Consultations
- Agreement
- Signing
- **Time:** how long do you think it would take to sign?
- Needs co-operation and mutual benefit
- Could be expanded, but could also collapse



# Case Studies of Official/Legal Setup

# Case Study 1: Germany

- **National Official Setup Instrument - Inter-ministerial Agreement**
- Since 2007 - first **National Inventory Report (NIR)**: 2008.
- **National System of Emissions (NaSE)**
- **Inter-Ministerial Agreement**
- **Annual GHG inventory** required for Annex I countries (*Articles 5 (1) and 7 (1) of the Kyoto Protocol*)
- **All GHG sectors** covered



# National Official Setup – 3 Levels

## ➤ Ministerial level

- Led by BMUB (Federal Ministry of Environment)
- Inter-Ministerial MOU 05.06.2007, called "**National System for Emissions Reporting (NaCE)**"
- Ministries include Interior (BMI), Defence (BMVg), Finance (BMF), Economic Affairs and Energy (BMWV), Transport and Digital Infrastructure (BMVI) & Food and Agriculture (BMEL)

## ➤ Federal Environmental Agency (UBA)

- Single National Entity (National Co-ordinating Agency)

## ➤ Outside the federal government

- Primarily industrial associations

# Industry agreements (2009-2012)

- German Chemical Industry Association (VCI)
- German producers of adipic acid
- VDD industry association for bitumen
- Wirtschaftsvereinigung Stahl (German steel industry association)
- German Electrical and Electronic Manufacturers' Association (ZVEI)



# Legal Framework (1)

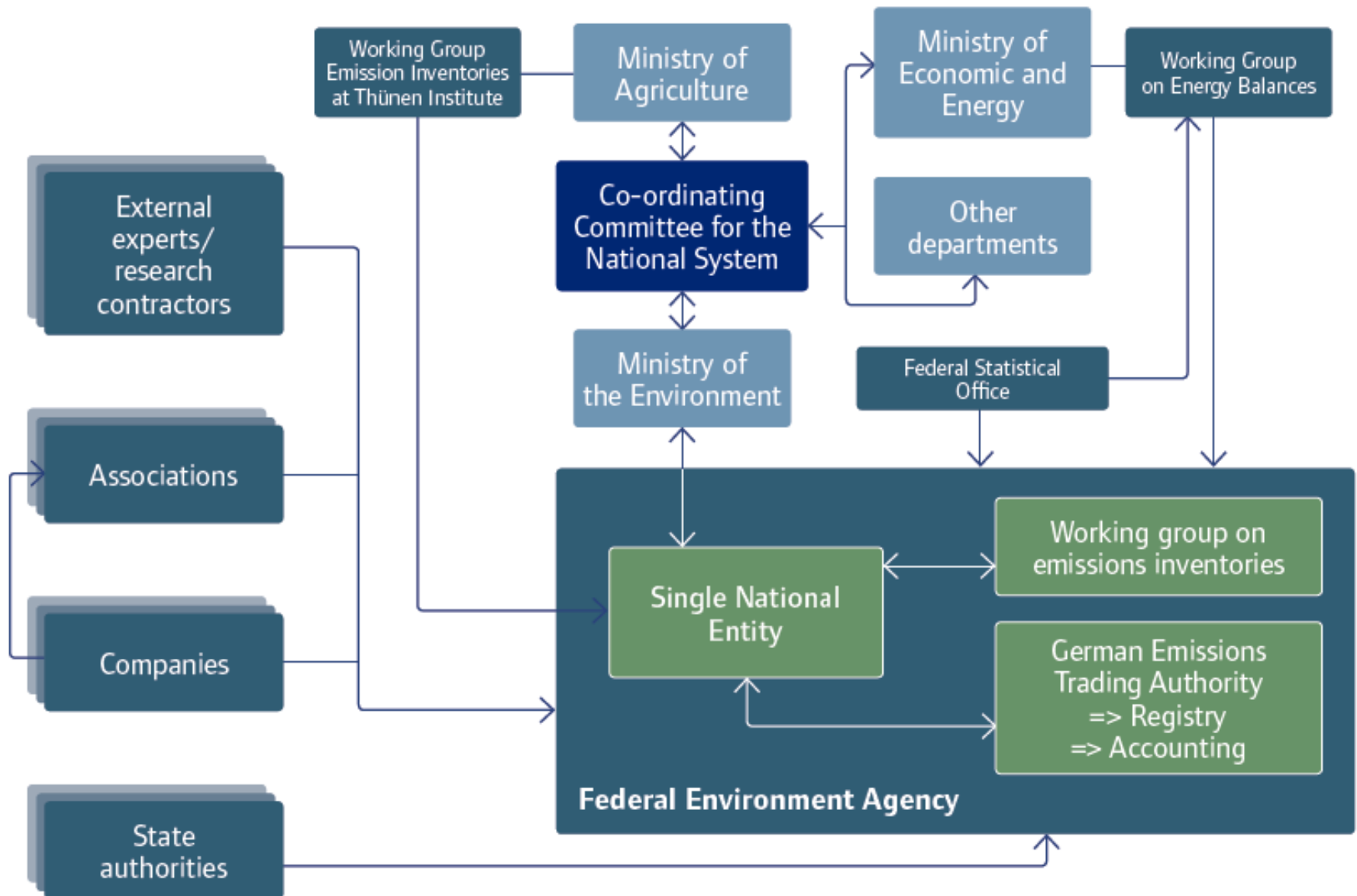
- **German climate change legislation is governed by UNFCCC & EU**
- **Key UNFCCC Articles & Decisions automatically have become German law:**
  - ❑ Article 3 of the Kyoto Protocol, obliges Germany to prepare, report and review emissions inventories.
  - ❑ Decision 24/CP.5 (COP 5), Germany, as Annex I Party is must submit annual National Inventory Reports (NIRs).
  - ❑ Decision 15/CMP.1 (COP11 , Montreal, November-December 2005), by 2010, submit annual inventories to the UNFCCC Secretariat to use flexible mechanisms under Kyoto Protocol (Articles 6, 12, 17).
  - ❑ NIRs in Common Reporting Format (CRF) following UNFCCC & IPCC guidelines.



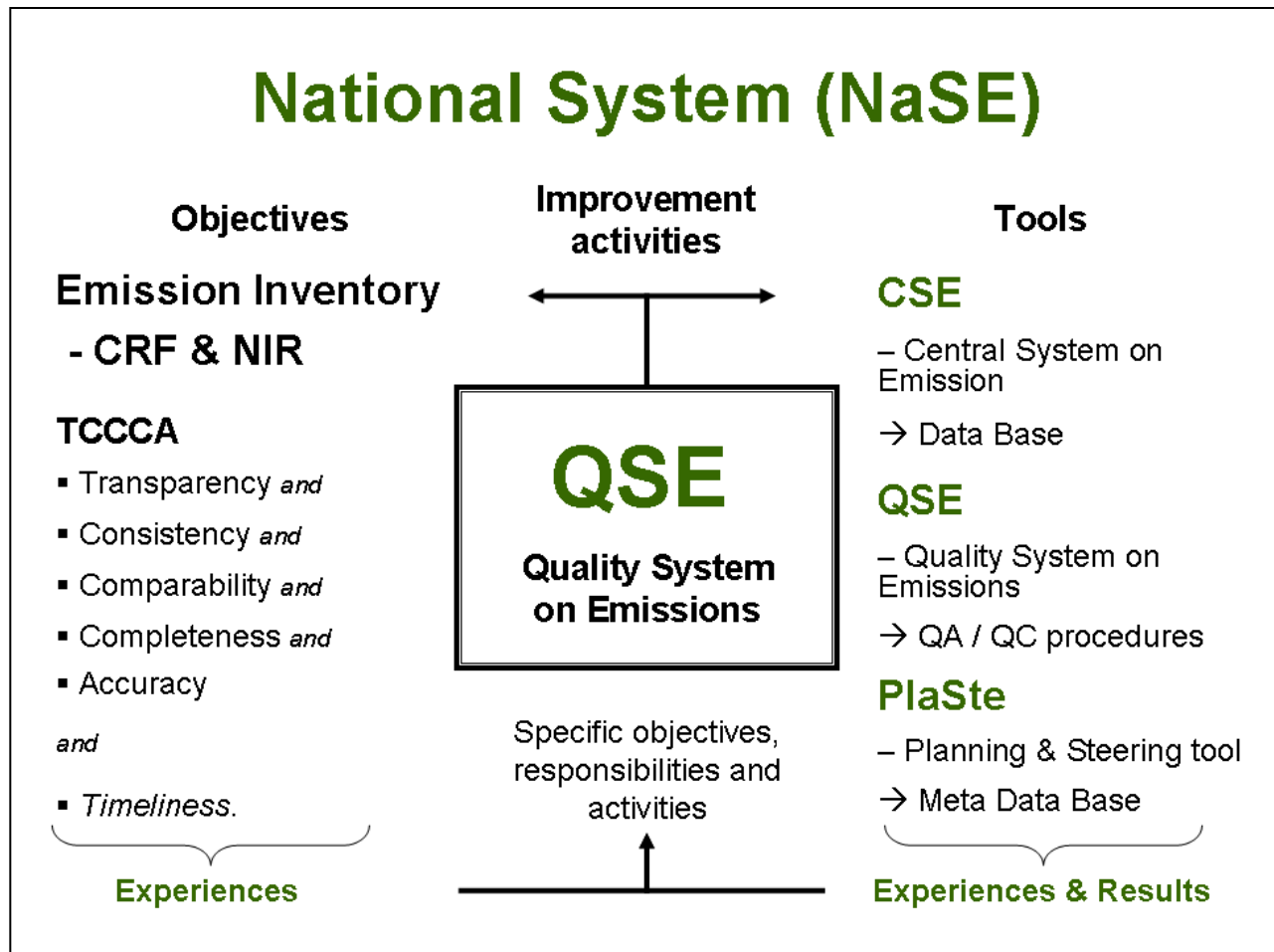
# Legal Framework (2)

- EU climate legislation automatically becomes Germany law, such as:
  - ❑ Regulation (EU) No 525/2013 of European Parliament & the Council (21/05/13) on GHG MRV to nation & EU
  - ❑ European Commission implementing Regulations EU 749/2014 (30/06/14) structure, format, submission processes & review of GHG information as part of Regulation (EU) No 525/2013 of the European Parliament and of the Council.
  - ❑ EU Emissions Trading System legislation (EU 2003/87/EC & all subsequent legislation) defines regulated (“capped”) entities, their requirements for reporting, & the “allowances” they are allowed to use & the system for using them, accounting for them, etc.

# Architecture of the NaSE



# Germany National System - NaSE



# German Official Setup – Strengths & Weaknesses

- Germany's national GHG inventory/ reporting/ MRV has strong legal basis founded upon:
  - the German Constitution,
  - UNFCCC Articles & Decisions
  - EU Directives & Guidelines strong legal basis.
- Germany's national GHG inventories & MRV are based upon MOUs:
  - Easy to draw up with a number of partners to achieve goals;
  - Can be weak for enforcing obligations, particularly with public bodies;
  - Require constant attention to institutional relationships;.

# Case Study 2: Ghana

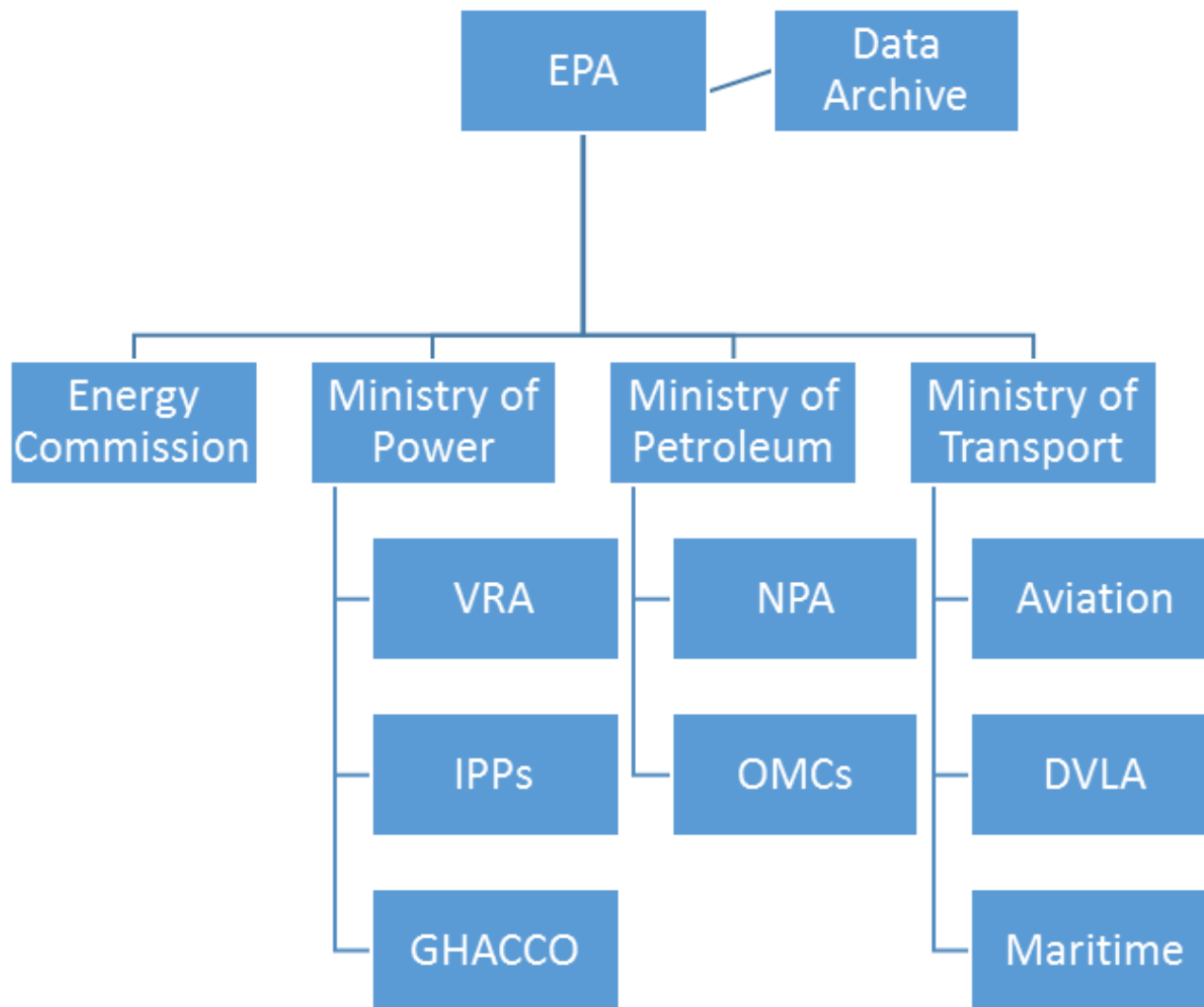
- **National Official Setup Instrument - Inter-ministerial Agreement: WP-MoU (“Working Package Memorandum of Understanding”) under the EPA Act 490**
- Ghana Environmental Protection Agency (EPA) national coordinating entity for climate change.
- Ghana Climate Ambitious Reporting Program (G-CARP),
  - Since 2013 (for TNC and 1<sup>st</sup> BUR)
  - All GHG sectors covered



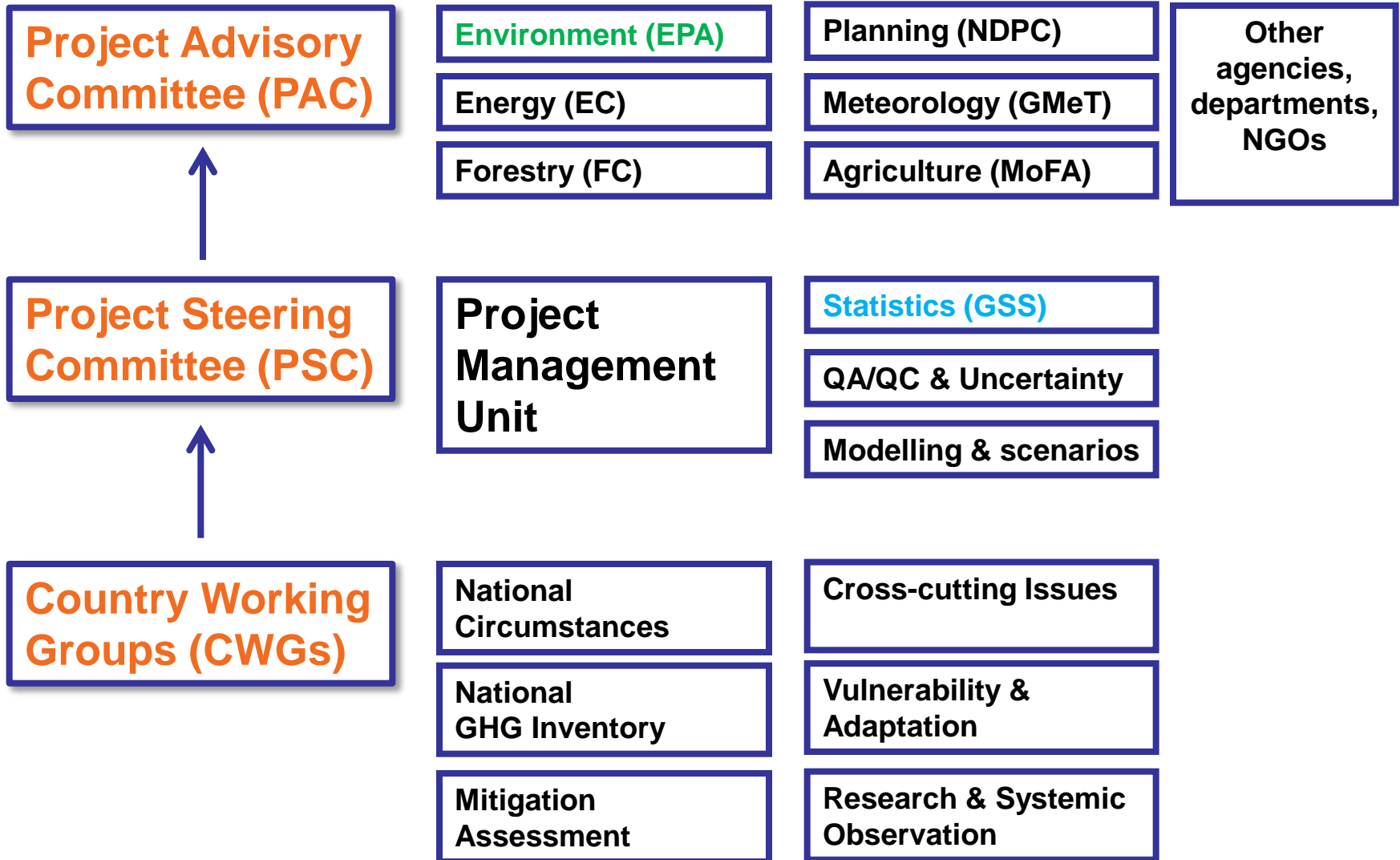
# EPA – Ghana's Official National Entity

- The EPA, through its Climate Change Unit, functions as the “single national entity” which:
  - Collaborates with the inventory stakeholders;
  - Manages the entire national GHG inventory process;
  - Compiles emission estimates from the sectors;
  - Carries out QC/QA;
  - Prepares reports (NCs, BURs, NIRs, mitigation reports, etc.)
- G-CARP is EPA's framework for national GHG MRV

# Ghana – Climate Data Flows under EPA Energy MOUs



# Architecture of G-CARP





# Ghana Climate Ambitious Reporting Program: G-CARP

- G-CARP set up in 2013 to:
  - Move away from ad hoc national GHG reporting & MRV;
  - facilitate the development of an integrated national reporting system that helps Ghana meet its international reporting obligations;
  - support the country's capability to generate, collate & publish GHG inventory estimates both at a national, sectoral and project level on a regular basis.
- G-CARP has 3 tiers:
  - Project Advisory Committee (PAC);
  - Project Steering Committee (PSC); and,
  - 6 Country Working Groups (CWG).

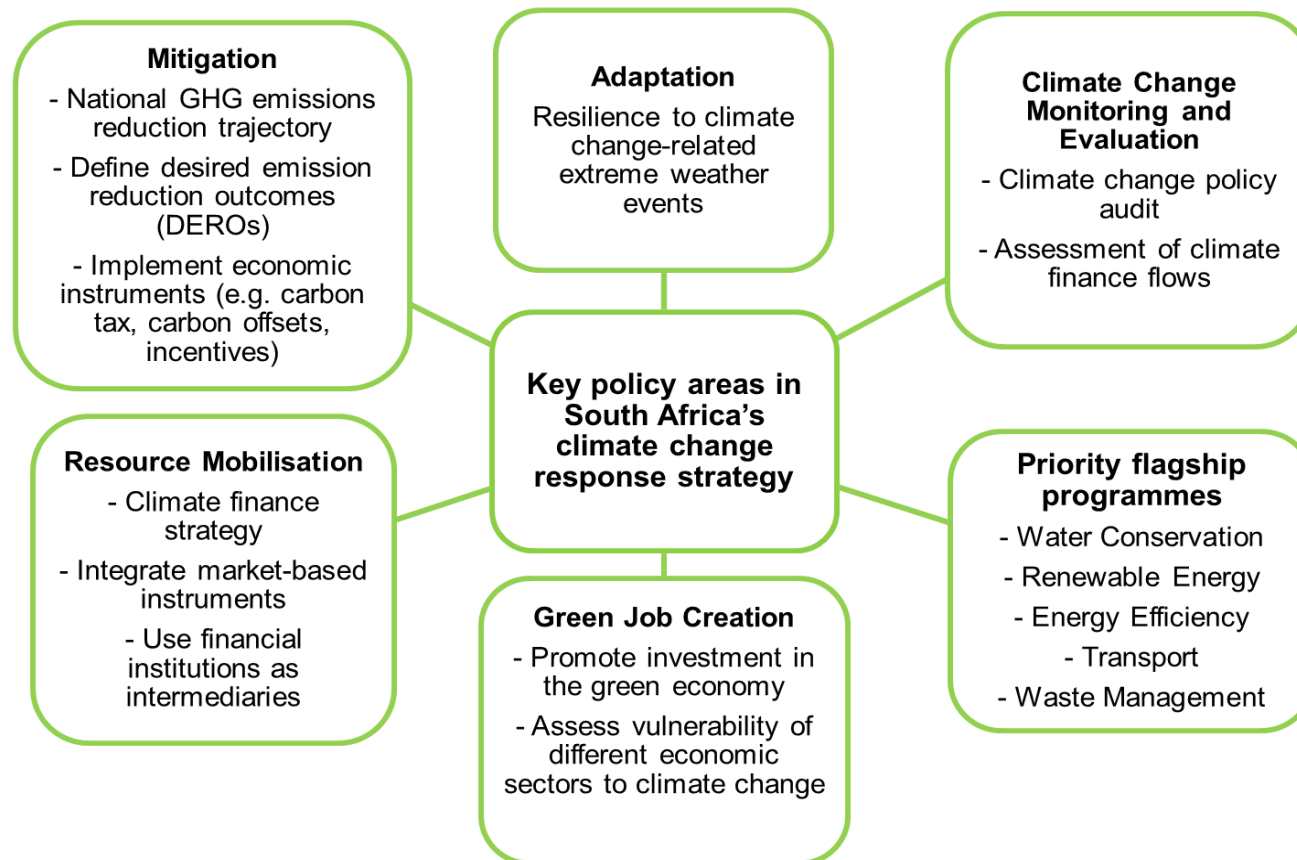


# Ghana Official Setup – Strengths & Weaknesses

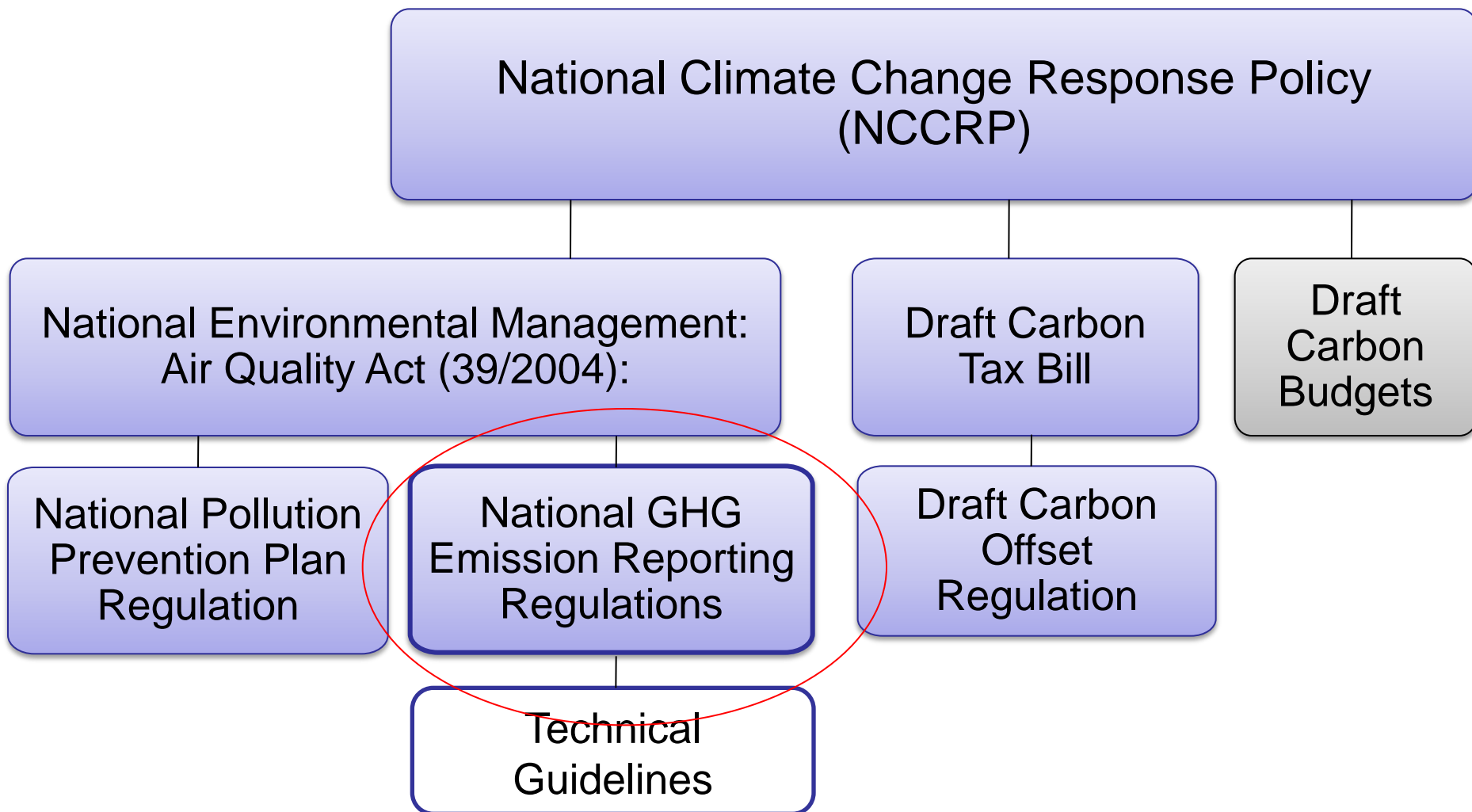
- The EPA Act 490 provides a legal framework using MOUs as collaborative mechanisms between EPA & relevant institutions for assessing climate data and climate change related activities.
  - MOUs are easy to draw up with a number of partners to achieve goals;
  - MOUs are weak for enforcing obligations, particularly with public bodies (MDAs);
  - Government is discussing putting in place a national regulation to enforce EPA Act 490.

# Case Study 3: South Africa

- As contained in the **National Climate Change Response (NCCRP) White Paper** - approved and adopted by the Cabinet in 2011
- Key policy areas in NCCRP are:



# South Africa Climate Change Legislation



# What the NCCRP says about the GHG Inventory & MRV?

- Establish a national system of data collection to provide detailed, complete, accurate and up-to-date emissions data in the form of a GHG Inventory and a MRV System;
- Monitor and report to the international community the country's GHG inventory, steps taken and envisaged to implement the UNFCCC; and any other information relevant to the achievement of the objective of the UNFCCC;
- The Department of Environmental Affairs (DEA) in partnership with the South African Weather Service, the host of the SAAQIS, will prepare a GHG inventory annually in conformity with the IPCC's 2006 or later guidelines, and will be periodically reviewed by an international team of experts;
- The emissions inventory will be a web-based GHG Emission Reporting System and will form part of the National Atmospheric Emission Inventory component of the SAAQIS.

# South Africa Official Setup – Strengths & Weaknesses

- The NCCRP White Paper provides a good national framework for GHG MRV, following on from the National Climate Change Response Database (NCCRD), 2009
- Excellent capacity for national, sectoral & entity-level MRV exists;
- However, many different institutions to coordinate, using many different data sets for MRV – requires constant attention by Data: South Africa to be nationally compatible & up-to-date.

# Thank you!

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