

***Draft agreement and draft decision on workstreams 1 and 2 of the  
Ad Hoc Working Group on the Durban Platform for Enhanced Action***

**Work of the ADP contact group**

This document integrates views of Parties on the non-paper in ADP.2015.8.InformalNote expressed at the first meeting of the ADP contact group during ADP 2.11. At the request of Parties the secretariat undertook mechanical light touch editorial changes.

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**A. DRAFT AGREEMENT**

[The Parties to this Agreement,

- Pp1 *Being* Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Convention”,
- Pp2 *In [furtherance][pursuit]* of the objective of the Convention as set out in its Article 2 [and in accordance with the principles and provisions of the Convention],
- Pp2bis *In accordance with* the principles of the Convention as set out in its Article 3, including in particular the principles of equity and common but differentiated responsibilities,
- Pp2ter *Recalling* the provisions of the Convention, including in particular the commitments undertaken by Parties under the Convention in accordance with its Article 4,
- Pp3 *Recalling* decision 1/CP.17, whereby the Conference of the Parties to the Convention decided to adopt a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties at its twenty-first session,
- Pp3bis *Also recalling* decisions 2/CP.18, and 1/CP.19,
- Pp3ter *Also recalling* decision 1/CP 20, in particular, the decision that the protocol, another legal instrument or agreed outcome with legal force under the Convention applicable to all Parties shall address in a balanced manner, inter alia, mitigation, adaptation, finance, technology development and transfer, and capacity-building, and transparency of action and support,
- Pp4 *Recognizing* the intrinsic relationship between climate change, poverty eradication and sustainable development and taking into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties and the importance of the recognition of the rights of indigenous peoples, and the right to development of developing countries,
- Pp4bis *Recognizing* the important role that subnational and local authorities, as well as non-state actors, play in addressing climate change,

- Pp5 *Emphasizing* the need for universal and sustained action by all to respond to the urgent threat of climate change based on the best available scientific knowledge including, inter alia, the assessment reports of the Intergovernmental Panel on Climate Change, and inputs and resources from Parties,
- Pp5bis *Recognizing* the outcomes of the 2013–2015 Review, including the Report of the SED, which recognizes that “significant climate impacts are already occurring at the current level of global warming and additional magnitudes of warming will only increase the risk of severe, pervasive and irreversible impacts”,
- Pp6 *Taking account* of the [particular vulnerabilities and specific needs of][particularly vulnerable] developing country Parties, especially the least developed country (LDC) Parties, small island developing states (SIDS) and Africa,
- Pp7 *Recognizing* that deep cuts in global emissions will be required to achieve the ultimate objective of the Convention and emphasizing the need for urgency to address climate change,
- Pp8 *Recognizing* that climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires the widest possible cooperation by all countries and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions,
- Pp9 *Noting* that the largest share of historical global emissions of greenhouse gases has originated in developed countries, that per capita emissions in developing countries are still relatively low and that the share of global emissions originating in developing countries will grow to meet their social and development needs,
- Pp10 [*Emphasizing*][*Recalling*] that Parties [shall][should], in all climate change related actions, fully respect: human rights, including the rights of indigenous peoples; gender equality, ensuring the full and equal participation of women in all climate actions and decision making processes; and the needs of particularly vulnerable groups,
- Pp11 *Recognizing* that actions to address climate change bring co-benefits including the attainment of highest level of human health and ecosystem integrity,
- Pp12 *Recognizing* that Parties should take action to address climate change in accordance with evolving economic and emissions trends, which will continue to evolve post-2020,
- Pp13 *Recognizing* the importance of a just transition towards environmentally sustainable economies for all,
- Pp14 *Reaffirming* the critical role played by sinks and reservoirs of greenhouse gases through mitigation and adaptation actions, including REDD-plus, to achieve the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system,
- Pp15 *Recognizing* the importance and special characteristics of land use, including forests, in relation to, inter alia, food security, diverse land management systems, removals as well as emissions, multiple sustainability objectives, disturbance, permanence, legacy and non-anthropogenic effects,
- Pp16 *Recognizing* that all actions on climate change shall significantly contribute to the 2030 Agenda for Sustainable Development of the United Nations,
- Pp17 *Acknowledging* that putting a price on carbon is an important approach for cost-effectiveness of the cuts in global greenhouse gas emissions,
- Pp18 *Reaffirming* the crucial importance of education, training, public awareness, public participation, public access to information and international cooperation on these matters for promoting changes in lifestyles, attitudes and behavior needed to foster low-emission and climate-resilient development and to mobilize public support for climate policies and action,

*[Additional preambular paragraphs as may be decided during the course of the negotiations; e.g., Parties may consider elements of the sixth preambular paragraph of the draft Decision for inclusion in the Agreement.]*

Have agreed as follows:

## **Article 1** *(DEFINITIONS)*

For the purposes of this Agreement, all definitions contained in Article 1 of the Convention apply. In addition:

1. “Parties present and voting” means Parties present and casting an affirmative or negative vote;
2. “Party” means a Party to this Agreement;
3. “CMA” means the Conference of the Parties serving as the meeting of the Parties to this Agreement;

4. [Placeholder for “countries in need of support”];

[Further definitions may be required at a later stage in the negotiating process.]

## Article 2 (PURPOSE)

1. The purpose of this Agreement is to enhance the [full, effective and sustained] implementation [of the objective] [principles and provisions] of the Convention [and strengthen and support the global response to the urgent threat of climate change by further addressing its causes and [minimizing its adverse effects] [in accordance with the principles of equity and common but differentiated responsibilities and respective capabilities] by further increasing [resilience and] the ability to adapt to its adverse impacts, and effectively respond to loss and damage [with a view to promoting the global transformation to low-emission and climate-resilient and responsive societies and economies]] [in order to achieve the objective of the Convention as set out in its Article 2]. It [is in full accordance with the principles and provisions of the Convention, in particular the principles of equity and common but differentiated responsibilities and respective capabilities, reflecting the differentiation between developed and developing country Parties][reflects common but differentiated responsibilities and respective capabilities, in light of different national circumstances].
2. Parties recognize based on the latest scientific knowledge that [[deep cuts] in global greenhouse gas [[net] emissions] [anthropogenic climate forcers]] [enhanced actions to address climate change and its adverse effects] [are urgently required], [with a view to reducing such emissions so as to hold] [mindful of holding] the increase in the global average temperature [below 2 °C][below 2 or 1.5 °C] [below 1.5 °C] above pre-industrial levels, [to minimize the adverse impacts of climate change and the need to adapt to climate change ] [in the context of sustainable development, protecting the integrity of Mother Earth, and adaptation,] without prejudice to the CMA adjusting by decision the global long-term temperature goal [on the basis of the best available scientific knowledge and/or a greater urgency to act][according to scientific findings] [while ensuring equitable access to sustainable development]. [Proposal to replace this sub paragraph with a placeholder pending redrafting]
3. Nothing in this Agreement or its ensuing decisions shall threaten in any way food production and distribution.
4. **Option 1:** Parties shall be guided by gender sensitivity and equality, and respect the right of all humans to a safe and climate resilient environment, the right to development and the rights of indigenous peoples.  
**Option 2:** All Parties shall, in all climate change related actions, respect, protect, promote and fulfill human rights for all, including the rights of indigenous peoples; ensuring gender equality and the full and equal participation of women; ensuring intergenerational equity; ensuring a just transition of the workforce that creates decent work and quality jobs; ensuring food security; and ensuring the integrity and resilience of natural ecosystems.

## Article 2bis (GENERAL)

1. All Parties shall regularly prepare, communicate and implement their [intended] nationally determined contributions towards achieving the objective of the Convention as set out in its Article 2, in accordance with Article 4 of the Convention.
2. Each Party’s [intended] nationally determined contribution will represent a progression in light of Parties’ differentiated responsibilities and commitments under the Convention.
3. The extent to which developing country Parties will effectively implement this Agreement will depend on the effective implementation by developed country Parties of their commitments on provision of finance, technology development and transfer and capacity-building.
4. Successive [intended] nationally determined contribution will be communicated before the expiry of the previous [intended] nationally determined contribution by that Party.

## Article 3 (MITIGATION)

1. Parties aim to reach [decarbonisation of the global economy over the course of this century] by [[X date][2050][long-term]][as soon as possible] [[a peaking of global greenhouse gas emissions [as soon as possible] [while taking into account that time frame for peaking [may vary for different countries][will be longer in [developing

countries][Parties with least capabilities]]][zero net greenhouse gas emissions][a[n] X][40–70] per cent reduction in global greenhouse gas emissions][[ in accordance with best available science, equity, and common but differentiated responsibilities and respective capabilities][compared to 2010 levels and][[global low-carbon [transformation][development]][global low-emission transformation][carbon neutrality][climate neutrality]] [net zero greenhouse gas emissions by 2100 ][ distribution of a global carbon budget based on climate justice ][, bearing in mind that social and economic development and poverty eradication are the first and overriding priorities of developing country Parties [including those Parties whose special circumstances are recognized by the COP<sup>1</sup>]][and that a low-carbon development strategy is indispensable to sustainable development] [in the context of sustainable development and equitable access to atmospheric space]].

- 1bis. [To achieve this, policies and measures should be in accordance with the principles and provisions of the Convention as set out in its Article 3 and 4. They should also be nationally determined and comprehensive, covering relevant sources, sinks and reservoirs of GHGs and adaptation, as well as finance, technology development and transfer including of cost-effective technologies and capacity building, in accordance with historical responsibilities of developed countries and different socio-economic contexts and development stages of developed and developing country Parties.]
- 1ter. [Developed country Parties shall undertake nationally determined mitigation commitments while developing country Parties should undertake nationally determined mitigation contributions/actions].
2. **Option 1:** Each Party [recognizing the principle of common but differentiated responsibilities and respective capabilities and the need for finance, technology transfer and capacity-building, as appropriate, ][in accordance with the Principles of the Convention and enhanced implementation of Article 4 of the Convention, taking into account their specific national and development priorities ][shall][[should][other]] regularly [prepare ] communicate [, as appropriate, ][maintain ][and] [fulfil] [and implement successive] [a] [nationally determined mitigation [contribution][commitment[s]][other]][ nationally determined contribution with a mitigation component ] [upon ratification of this Agreement ][that it [shall][should][other] implement] [, which can be in the form of co-benefits resulting from [its] [the Party's] adaptation contributions and economic diversification plans ] [inscribed in Annex X][after the completion of its current implementation cycle ][ and regularly thereafter and shall implement policies in view of its [contribution][commitment][other]].
- Option 2:** [During the first period (2021–2030) of this agreement, developing country Parties [shall][should][may][other]communicate twice on the status of implementation of their nationally determined mitigation [contributions][actions]. Developed country Parties shall communicate each two years on the status of implementation of their nationally determined mitigation commitments during the same period.]
- Option 3:** [All Parties shall enhance the implementation of Article 4, paragraph 1 of the Convention, including through formulating, implementing, publishing and regularly updating programmes containing measures to mitigate climate change:
- 2.1. In accordance with Article 4, paragraph 2, of the Convention, developed country Parties and other Parties included in Annex I of the Convention shall undertake quantified economy-wide absolute emission reduction commitments/targets, which are comparable, measurable, reportable and verifiable, covering all GHGs and implemented domestically without any conditions;
- 2.2. In accordance with Article 4, paragraphs 1, 3, 4, 5 and 7, of the Convention, developing country Parties should undertake diversified enhanced mitigation actions/efforts in a measurable, reportable, and verifiable manner, in the context of sustainable development and supported and enabled by the provision of adequate finance, technology and capacity-building by developed country Parties.]
- 2bis. [All Parties shall submit proposed nationally determined commitments 12–18 months prior to communication, and shall participate in process to understand the aggregate effect of the proposed nationally determined contributions.]
3. **Option 1:** [Each [developed country] Party's [and of those Parties in a position to do so's successive] nationally determined [mitigation] [contribution][commitment][[other] [shall][should][other]] be inscribed in an Annex to the Agreement and ] reflect a progression beyond its [previous][most recent ] [efforts][legal commitment/contribution] [through a continuous increase in ambition, and ] noting that [those Parties that have previously communicated [quantified][absolute] economy-wide [[emission reductions] targets] [efforts][contributions] [should] [shall] continue to do so [in a manner that is progressively more ambitious] and that] all Parties should aim [[to take on][put in place] economy-wide [efforts][commitments][contributions]] [to do so] over time. [[Subject to support in accordance with the principles of equity and common but differentiated responsibilities and respective capabilities] and [in light of its

<sup>1</sup> In all cases where it says 'developing country Parties', read 'developing country Parties[, including those Parties whose special circumstances are recognized by the COP']'.

national circumstances, developing country Parties will strive to do their best mitigation efforts]]. [Each [Party should ensure that its ] mitigation [[contribution]][[commitment]][[other] [shall]][[should]][[other]] reflect the Party's highest possible ambition, [in light of its national circumstances][ and in light of recommendations by science ][in accordance with][taking into account] its common but differentiated responsibilities and respective capabilities][with developed country Parties shall take the lead; ], [and provision of support, where appropriate ]and [shall]:

- (a) [Be quantified or quantifiable;]
- (b) [Be unconditional, at least in part;]<sup>2</sup>[ with developing countries able to specify additional levels of mitigation to be implemented with support;]
- (c) [Maximize adaptation co-benefits;]
- (d) [Prioritize actions that are immediately implementable, scalable and results oriented, including REDD+;].
- (e) [[Strive to] include all key categories of emissions by sources and removals by sinks;]
- (f) [Include any source, sink or activity that has been previously included;]
- (g) [Continue to include any sources, sink or activity that has been previously included;]
- (h) [Be based on reference values that are defined transparently and are consistent with environmental integrity;]
- (i) [Use common Intergovernmental Panel on Climate Change (IPCC) metrics, guidance and guidelines for the estimation of greenhouse gas emissions and removals as agreed by the CMA;]
- (j) [To the extent that it uses baselines, base these on real and verifiable data;]
- (k) [Be implemented in accordance with the provisions of the Convention;]
- (l) [Take into account the outcomes of the global stock-take and the process to facilitate implementation set out in Articles 10 and 11 respectively;]
- (m) [Parties should use joint mitigation and adaptation approach for the integral and sustainable management of forests as an alternative policy approach to results-based payments;]
- (n) [Other.]]

**Option 2:** [Developed country Parties' post-2020 economy-wide absolute emission reduction commitments/targets shall be progressively more ambitious over time. Developing country Parties' post-2020 diversified enhanced mitigation actions/efforts will be more ambitious than compared to their pre-2020 actions under the Bali Action Plan, supported and enabled by enhanced finance, technology development and transfer and capacity-building by developed country Parties over time.]

- 3bis. [Each developing country Party, not included in the above, shall communicate their nationally determined mitigation commitments that reflects their national circumstances and may be expressed as:
- (a) An unconditional target and a conditional target, based on the provision of finance and/or technology transfer and/or capacity building;
  - (b) A sectoral or collection of targets;
  - (c) Where possible, in a manner that is quantified or quantifiable.]
- 3ter. [Notwithstanding 3bis and 3ter above, the least developed countries and small island developing States may communicate information on strategies, plans and actions for low GHG emission development reflecting their special circumstances in the context of intended nationally determined contributions.]
- 3quater. [The initial nationally determined mitigation contribution established under Article 3ter above and strategies, plans and actions for low GHG emission development established under Article 3quater above are inscribed in Annex B to this agreement .]
- 3quinquies. [The initial nationally determined mitigation commitments established under Art. 3, paragraph 3, is inscribed in Annex A to this agreement.]
- 3sexies. [All Parties should aim to work towards economy-wide targets over time and ensuring comparability of efforts.]
4. Each Party [, when communicating][shall communicate] [shall as part of ] [its][a [proposed][intended]] nationally determined [mitigation] [[contribution]][[commitment]][[other]] [shall]][[should][other]] [at least 12 to 18 months prior to the session of the CMA at which nationally determined mitigation commitments will be updated. In communicating their [proposed] [intended] nationally determined mitigation [commitments][contributions], Parties shall] provide the information necessary for clarity, transparency and understanding, in accordance with [decision 1/CP.21 ][1/CP.20 ] [and any subsequent decisions by the CMA.] [Article 12 of the Convention and the relevant

<sup>2</sup> [South Africa wishes its reservation on the original text in brackets to be recorded; we do not accept any unconditional part of contributions that are nationally determined, particularly if this is a precondition under Art 17.]

arrangement for reporting information adopted by the COP including those resulting from the Bali Action Plan and the information listed in decision 1/CP.20.]

4bis. [In the 12 months prior to the collective updating of nationally determined mitigation commitments, the CMA shall conduct a preparatory process to facilitate the clarity, transparency and understanding of the [proposed] [intended] nationally determined mitigation commitments and their aggregate effect in the light of the long-term temperature goal in Article 2 of this Agreement. The preparatory process shall be conducted in accordance with modalities and procedures to be adopted by the CMA at its first session. Thereafter, each Party shall submit a nationally determined mitigation commitment at least three months prior to the session of the CMA at which nationally determined mitigation commitments will be collectively updated.]

4ter. [A Party may, at any time, submit an update to its nationally determined mitigation commitment that represents a progression in ambition beyond its previous efforts, in accordance with the simplified adjustment procedure referred to in Article X.]

4quinqies. [In tracking progress towards achieving nationally determined mitigation [commitments][contributions][other], Parties shall apply the principles of transparency, accuracy, completeness, comparability, consistency, avoidance of double-counting, and environmental integrity.]

5. **Option 1:**

(a) [Taking into consideration the principles of common but differentiated responsibilities and respective capabilities, and article 4.9 of the Convention] [The rules and guidance related to accounting [that are set forth in [relevant COP decisions and in] decision 1/CP.21], including with respect to land use [and land-use change] [and forests][ and REDD+][and internationally transferred mitigation outcomes], [shall be adopted by the CMA at its first session and maybe amended by any subsequent decisions by the CMA] [so as to improve clarity, transparency and environmental integrity of the agreement.]

(b) [In accounting for their mitigation commitments, each Party shall, taking into account guidance developed under paragraph (a) above]:

- (i) [Use common metrics, guidance and guidelines accepted by the IPCC for the estimation of greenhouse gas emissions and removals and agreed by the CMA];
- (ii) [Ensure methodological consistency between the definition of the nationally determined mitigation commitment and its implementation];
- (iii) [Include an explanation for the exclusion from their nationally determined mitigation commitment of any key categories of emissions and removals, and strive to include these over time];
- (iv) [[Ensure that] Once a source, sink or activity is accounted for in a nationally determined mitigation commitment, Parties shall continue to include];
- (v) [[Ensure that] internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation commitment shall be real, permanent, additional and verified, be subject to systems to ensure that units are not counted more than once in tracking progress toward nationally determined mitigation commitments and shall be supplemental to domestic action].

**Option 2:** No text on accounting and land use.

6. **Option 1:**

[(a) Beginning in 2020,] Successive nationally determined mitigation [contributions][commitments][other][will][shall] be communicated [by Parties] [every five years][ after the completion of its current implementation cycle ][ for the subsequent 5 year timeframe ][, unless decided otherwise by the CMA] placeholder for an option regarding an “indicative” or “intended” subsequent contribution for [5] years after the year of the submitted contribution. [Proposed [contributions][commitments][other] shall be communicated [12 - 18 months] before inscription.];

[(b) A common timeframe for Parties’ nationally determined mitigation commitments from 2030 onward shall be decided by the CMA at its first session.]

**Option 2:**

(a) Each Party shall, beginning in [year x], and every five years thereafter, communicate a new, [updated] intended nationally determined mitigation commitment or resubmit an existing nationally determined mitigation commitment, unless decided otherwise by the CMA;

(b) Twelve months after this communication, Parties shall communicate new, updated or re-submitted nationally determined mitigation commitments, to the Secretariat with a view to inscription in [Annex x] at the next meeting of the CMA].

**Option 3:** [Each Party shall examine, and as appropriate, update its existing nationally determined mitigation contributions, or communicate subsequent nationally determined mitigation contributions every five years on a common basis.]

- 6bis. [Parties shall communicate its first mitigation contribution no later than upon ratification or acceptance of this agreement and regularly communicate successive contributions every five years, unless otherwise decided by the CMA, taking into account the outcomes of the global stocktaking referred to in Article [global stocktaking].]
- 6ter. [More ambitious adjustments to nationally determined mitigation commitments and subsequent amendments to the annex of this agreement may be made at any time, subject to the provision of Article X below.]
- 6quater. [A common timeframe for Parties nationally determined mitigation commitments from 2030 onwards shall be decided by the CMA at its first session.]
7. [Each Party shall at all times maintain successive nationally determined mitigation commitments in Annex [X]] [and] [[The secretariat shall maintain [and, following multilateral consideration, update ] in a public registry][publish on the UNFCCC website] Parties' nationally determined mitigation [contributions][commitments][actions ][other]] [[and use such information to assess the aggregate effect of the mitigation [contributions][actions][commitments] and progress towards implementation of the Convention], including for the support provided to developing countries].
8. [Parties, including regional economic integration organizations and their member States, may jointly communicate and/or] implement their nationally determined mitigation [[contributions][commitments][undertakings][other]][[detailing in its joint communication combined level of nationally determined mitigation [contributions][commitments][other] and individual levels of nationally determined mitigation [contributions][commitments] [other] of each member State of that regional economic integration organization. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization, any alteration in the composition of the organization after adoption of this Agreement shall not affect existing [contributions][commitments][other] under this Agreement. Any alteration in the composition of the organization shall only apply for the purposes of those commitments under Article 3 that are adopted subsequent to that alteration. If Parties acting jointly to implement their nationally determined mitigation [contributions][commitments] [other] in the framework of, and together with, a regional economic integration organization which is itself a Party to this Agreement, each member State of that regional economic integration organization individually, and together with the regional economic integration organization shall, in the event of failure to achieve the total combined level of nationally determined mitigation [contributions][commitments][other], be responsible for its level of nationally determined mitigation [contributions][commitments][other] as communicated in accordance with this Article].]
- 8bis. **Option 1:** Parties acknowledge the importance of cooperation instruments to enhance mitigation commitments at the local, regional and/or international level.]
- Option 2:**[The cooperation of Parties in the implementation of mitigation activities to implement NDCs may include cooperation through the Warsaw Framework for REDD-plus, mechanisms developed under the COP and cooperative approaches involving the international transfer of mitigation outcomes that meet standards and guidelines, to be decided upon by the CMA at its first session, that are aimed at ensuring environmental integrity and that ensure that they deliver real, permanent, additional and verified internationally transferrable mitigation outcomes that shall only be accounted once toward tracking progress toward NDCs. The CMA shall provide for a mechanism to support sustainable development, to be available to assist Parties in fulfilling their NDMCs, while respecting the NDMCs of the host Party.]
- Option 3:** [No provision on carbon markets in the Agreement.]
9. **Option 1:** Parties acknowledge the importance of [economic diversification and] cooperation to [enhance the positive impacts and] reduce the adverse [effects][impacts ] of the implementation of response measures [, including through the institutional arrangements as defined in decision 1/CP.21 (delete bracket)].
- Option 2:** [In accordance with the principles and provisions of the Convention, Parties shall give full consideration to what actions are necessary under the Convention, including actions related to funding, insurance and the transfer of technology, to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures and taking into consideration that poverty eradication and social and economic development are the first and overriding priorities of developing country Parties [including through strengthening institutional arrangements]. [The COP shall strengthen institutional arrangements through a cooperative mechanism to address the adverse impacts of the implementation of response measures on developing country Parties, as included in Decision1/CP 21.]
- 9bis. Developed country Parties shall not resort to any form of unilateral measures against goods and services from developing country Parties on any grounds related to climate change, recalling the principles and provisions of the Convention, in particular its Article 3, paragraphs 1, 4 and 5, and Article 4, paragraphs 3, 5, 7, 8, 9 and 10, taking into account the principles of equity, common but differentiated responsibilities, and the obligations of developed

country Parties to provide financial resources, transfer of technologies and capacity-building support to developing country Parties.

10. [[During the 12 month period referred in paragraph 6 ]The CMA shall facilitate the [continuous ]enhancement of the clarity, transparency and understanding of the [intended] nationally determined mitigation [contributions][commitments] communicated by Parties [in accordance with the review provisions in Article 9][, including information communicated with their nationally determined commitments and a process to facilitate clarity, transparency and understanding of nationally determined commitments] [, including through the production of an aggregate synthesis report ]] [*Placeholder: Parties to follow relevant guidance by the COP*].
- 10bis. [There shall be a high-level session on mitigation, as part of the process outlined in Article 10 every 5 years, the modalities of which are to be in accordance with decision 1/CP.21 and any subsequent decisions by the CMA].
11. Parties [are invited][should strive ] to formulate and communicate longer-term low-emission development strategies [in accordance with the modalities to be decided by the CMA at its first session][Developed country Parties shall formulate low emissions development strategies with time frames for zero emissions. Developing country Parties are encouraged to develop a long-term green and low-carbon development strategy, plan or programme, as appropriate].
- 11bis. [The secretariat shall maintain in a public registry, Parties' communicated low-emission development strategies.]
12. **Option 1:** [Developing country] Parties [and other Parties in need of support<sup>3</sup> [including countries with economies in transition (EITs)<sup>4</sup> ]][in need ] are eligible for support in the implementation of this Article.]  
**Option 2:** Developing country Parties shall provide support to developing country Parties in the implementation of this Article, including through the provision of financial resources in accordance with Article 6 of this Agreement.  
**Option 3:** The developed country Parties and other developed Parties included in Annex II to Convention shall provide new and additional financial resources, technology transfer and capacity building to meet the agreed full costs incurred by developing country Parties in complying with their obligations under this Article. The extent to which developing country Parties will effectively implement their commitments will depend on the effective implementation by developed country Parties of their commitments related to financial resources, transfer of technology and capacity-building.]
13. [The implementation of the provisions of this Article should [reflect][be subject to] [national circumstances]] [common but differentiated responsibilities and respective capabilities in light of different national circumstances and different development stages ] [differentiation between developed and developing country Parties ] [of LDCs and SIDs].
- 13bis. **Option 1:** [Parties shall pursue the reduction of emissions of greenhouse gases not controlled by the Montreal Protocol from international aviation and maritime transport by working through the International Civil Aviation Organization and the International Maritime Organization respectively, with a view to agreeing concrete measures addressing these emissions.]  
**Option 2:** [The CMA shall cooperate with the International Maritime Organisation and the International Civil Aviation Organization to develop procedures for incorporating emissions from international shipping and aviation into low-emission development strategies, and where appropriate, nationally determined mitigation commitments.]
- 13quarter. [Developed country Parties, the operating entities of the Financial Mechanism and any other organizations in a position to do so shall provide support for the preparation, communication and implementation of the mitigation [contribution][actions] of developing country Parties.]

### [Article 3bis]

1. A REDD-plus mechanism is hereby defined.
2. The REDD-plus mechanism consists of relevant decisions of the Conference of the Parties, including decisions 9 to 15/CP.19 and decision XX/CP.21.
3. The purpose of the REDD-plus mechanism shall be to incentivize the reduction of emissions from deforestation and forest degradation and to promote conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries, while enhancing the non-carbon benefits derived as a result of the multiple functions of forests, including alleviating poverty and building ecosystem resilience.

<sup>3</sup> In all cases in the context of support, where it says 'developing country Parties', read 'developing country Parties [and other Parties in need of support]'.

<sup>4</sup> In all cases in the context of support, where it says 'and other Parties in need of support' read 'and other Parties in need of support [, including countries with economies in transition]'.



*Note: decision XX/CP.21 refers to the 3 draft decisions on methodological guidance for REDD-plus (safeguards, non-carbon benefits and alternative policy approaches) forwarded by SBSTA 42 to COP21 ]*

### [Article 3ter]

1. Establishes a mechanism to support sustainable development to be available to assist Parties in fulfilling their nationally determined mitigation [contributions][commitments][other]. This mechanism shall be under the authority and guidance of the CMA and be supervised by a body designated by the CMA, and would aim to:
  - (a) Enhance mitigation ambition and the mobilization of financing for climate action;
  - (b) Incentivise and enable participation in cost-effective mitigation action by public and private entities acting under the responsibility of a Party.
2. The CMA shall adopt modalities and procedures for the mechanism referred above on its first session.]

### Article 4 *(ADAPTATION)*

1. Parties [share][hereby establish] the [global] [goal][long-term vision] of [enhancing adaptive capacity,] increasing resilience and reducing vulnerability to climate change, [in accordance with the objective, principles and provisions of the Convention, including common but differentiated responsibilities and respective capabilities, with a view to ensuring adaptation in the context of the goal of holding the increase in the global average temperature [below 2 C][below 2 or 1.5 C] referred to in Article 2,] recognizing that adaptation is a [global] challenge faced by all with local, national, regional and international dimensions, and that it is a key component of and contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems[, taking into account the urgent and immediate needs of those developing countries that are particularly vulnerable].
2. **Option 1:** Parties recognize that, the greater their mitigation efforts, the less adaptation will be needed.  
**Option 2:** Parties recognize that, the greater their mitigation efforts, the less adaptation will be needed and vice versa, the greater increase in adaptive capacities and in the protection of people, livelihoods and ecosystems, the less mitigation will be needed.
- 2bis. [The [global goal][long-term vision] for adaptation shall be the basis for, inter alia:
  - (a) Assessment of the adequacy of support from developed country Parties to developing country Parties [and other Parties in a position to do so<sup>5</sup>] and a platform to undertake such an assessment through strengthened measurement, reporting, and verification of support;
  - (b) Recognition of adaptation efforts of developing countries to respond to climate change;
- (c) Recognition of increased adaptation needs and associated costs in light of mitigation efforts, taking into account that adaptation will be needed regardless of the level of mitigation reached, and also taking into account the relationship between aggregate mitigation ambition, associated climate change impacts, and adaptation needs and cost, as well as recognizing there are limits to adaptation.]
3. Parties acknowledge that adaptation action should follow a country-driven, [human rights and] gender-[sensitive][responsive], participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional [local] and indigenous knowledge, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate.
4. Parties further recognize the importance of international cooperation and support for adaptation efforts and the importance of taking into account the needs of those developing countries that are particularly vulnerable, recognizing the particular vulnerabilities of Least Developed Countries and Small Island Developing States. [Parties included in Annex II of the Convention shall enhance the support for the implementation of paragraph 7 of this Article, national adaptation plans and the other adaptation actions, in accordance with the provisions of Article 4 of the Convention, recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable.]
5. Parties [shall][should][other] enhance their cooperation, including with respect to:

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<sup>5</sup> In all cases in the context of support, where it says ‘developed country Parties’, read ‘developed country Parties [and other Parties in a position to do so].’

- (a) Sharing information, best practices, experiences and lessons learned; [and the sharing of good practices by all Parties, including through a knowledge dimension informed by science, planning and policy aspects to implement adaptation action;]
  - (a bis) [Provision of grant-based finance, technology development and transfer, and capacity-building to support the implementation of adaptation actions;]
  - (b) Strengthening institutional arrangements to support the synthesis of relevant information and knowledge as well as the provision of technical guidance and support;
  - (b bis) [Strengthening information available to underscore the importance of systematic observation of the climate system for advancing scientific knowledge on climate change and advising informed policy-making to include] early warning and emergency response preparedness;
  - (b ter) [Assessment for the adequacy of support from developed country Parties to developing country Parties and a platform to undertake such an assessment through strengthened measurement, reporting and verification of support with a view to ensuring transparency and accountability;]
  - (b quart) [Assisting developing countries to identify adaptation needs, priorities, support provided and received for adaptation actions and efforts, challenges and gaps encouraging good practices.]
6. Each Party [in accordance with Article 4, paragraph 1 of the Convention] [shall][should][other] engage in a national adaptation planning process[, including national adaptation plans,] and enhance its adaptation plans, policies and actions [or contributions]. Such plans, policies and actions will vary depending on each Party's national circumstances and priorities, and could include:
- (a) Undertaking assessments of climate change impacts and vulnerability;
  - (b) Prioritizing action with respect to the people, places, ecosystems and sectors that are most vulnerable to climate impacts;
  - (c) Strengthening [governance and enabling environments for adaptation][the operational arrangements for implementation of adaptation];
  - (d) Monitoring, reporting, evaluating, and learning from, adaptation plans, policies, programmes and actions;
  - (d bis) [Building resilience of socio-economic and ecological systems, including through economic diversification and sustainable management of natural resources;]
  - (d ter) [Enhancing of implementation of plans, policies and actions in a manner that is continuous and shall have continuous and enhanced international support.]
7. Each Party [shall][should][other][may] submit [an adaptation communication][communications or undertakings on adaptation, including through, inter alia, national adaptation plans, [intended] nationally determined contributions, and/or national communications,] that [[shall][should][other][may]]:
- (a) Include its priorities, needs, plans and actions;
  - (a bis) [Include the level of support needed by developing country Parties in order to enhance adaptation action;]
  - (a ter) [Include actions on provision of support to developing country Parties by developed country Parties;]
  - (b) Be submitted independently or in conjunction with another communication[, in a manner that does not create an additional burden to developing country Parties];
  - (c) [Be updated [periodically] every [X][5] years [in conjunction with [other processes][the mitigation cycle]][in accordance with [the above elements][with a decision of the [CMA][CMP]]].
8. The [adaptation communications][communication or undertakings on adaptation] referred to in paragraph 7 above shall be recorded in [a registry][another modality] made publicly available by the secretariat in accordance with modalities to be decided by the [CMA][CMP] at its first session.
9. [Developing country Parties are eligible for support in the implementation of this Article][Developed country Parties shall provide developing country Parties, taking into account the need of those that are particularly vulnerable, with long-term, scaled-up, predictable, new and additional finance, technology and capacity-building, consistent with relevant provisions of the Convention, to implement urgent, short-, medium- and long-term adaptation actions, plans, programmes and projects at the local, national, subregional and regional levels, in and across different economic and social sectors and ecosystems][Developed countries [shall][should] transfer technology, in particular for early warning systems through United Nations mechanisms, in order to make it accessible for all].
10. **Option 1:** There shall be a [high-level session][global stocktake] on adaptation every [X] years, [with the purpose of enhancing implementation of adaptation action based on the communicated adaptation priorities, needs, plans and action referred to in Article 4, paragraph 7 above, assessing the adequacy of support, and recognizing adaptation efforts of developing countries], and guided by modalities to be adopted by the [CMA][CMP] at its first session.

**Option 2:** The CMA shall facilitate the communication of adaptation efforts for the stocktake referred to in Article 10.

11. The Adaptation Committee and the Least Developed Countries Expert Group[, the Adaptation Fund, the Green Climate Fund, the Technology Executive Committee, the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention, and other relevant bodies] shall serve this Agreement [, be enhanced and their work intensified, as appropriate, within their respective mandates].

## **Article 5** *(LOSS AND DAMAGE)*

### **Option 1:**

1. Parties acknowledge the importance of addressing loss and damage associated with climate change impacts and recognize the need for international cooperation and solidarity [, including through the institutional arrangements as defined in [this Agreement][decision 1/CP.21]].

2. An international mechanism to address loss and damage is hereby defined under this agreement/protocol and shall be bound by the principles and provisions of the Convention, in particular common but differentiated responsibilities and respective capabilities.

3. The purpose of the mechanism shall be to promote and support the development and implementation of approaches to address loss and damage associated with the adverse effects of climate change. inter alia, extreme events and slow onset events, in developing countries that are particularly vulnerable to the adverse effects of climate change.

4. The international mechanism on loss and damage shall draw upon, further develop and elaborate on the work of the Warsaw International Mechanism on Loss and Damage pursuant to relevant COP decisions, including the development of modalities and procedures for the mechanism's operation and support. It can involve, as appropriate, existing bodies and expert groups under the Convention, as well as relevant organizations and expert bodies outside the Convention, and be informed by relevant precedents in international law.

5. The international mechanism on loss and damage shall be subject to the authority and guidance of the governing body/CMP/CMA and supported through the financial mechanism of the Convention.

6. The governing body/CMP/CMA shall, at its first session, establish a climate change displacement coordination facility to help coordinate efforts to address the displacement of people as a result of the extreme impacts of climate change.

7. The governing body/CMP/CMA shall, at its first session, initiate a process to develop approaches to address irreversible and permanent damage resulting from human-induced climate change, and shall endeavour to complete this process within four years.

**Option 2:** No reference to loss and damage (no Article 5).

## **Article 6** *(FINANCE)*

1. [Over time, [all] finance flows should [promote][be consistent with] the transformation to low-emission and climate resilient societies and economies.]

1bis. [To this end, all Parties shall take action to mobilize, and/or facilitate the mobilisation of, climate finance in line with their respective and evolving responsibilities and capabilities. Some Parties may need support in order to take action.]

1ter. [The actions taken by Parties in the mobilization of climate finance shall reflect and be dynamically adapted to future changes in needs, developments and environmental and economic realities, reflecting evolving capabilities and responsibilities.]

### **Option 1:**

2. [[Developed country Parties should take the lead and][Developed country Parties and Parties in a position to do so][All Parties in a position to do so][Developed country Parties] [shall][should][other] provide support to assist developing country Parties with respect to both mitigation and adaptation [and others in a position to do so should complement such efforts].]
- 2bis. [In the implementation of (this Agreement), developed country Parties and other developed Parties included in Annex II to the UNFCCC (the “Convention”) shall provide and mobilize new and additional, predictable, accessible, sustained and scaled-up financial resources to developing countries to implement their climate change actions with respect to both mitigation and adaptation to contribute to the achievement of the objective of (this Agreement), meeting costs of adaptation, addressing loss and damage and including access to and transfer of environmentally-sound technologies and capacity-building, based on the principles and in accordance with the provisions of the Convention.]
- 2ter. [Developed country Parties shall provide support, including adequate and predictable financial support channelled through the financial mechanism of the Convention and other financial mechanisms to developing country Parties to advance the implementation of their policies, strategies, regulations and action plans on climate change education, training, public awareness, public participation and public access to information to enable effective adaptation and mitigation action by all Parties.]
3. [[Developed country Parties][Developed country Parties and Parties in a position to do so][All Parties] [shall][should][other] periodically communicate information on the projected levels of public climate finance.]
- 3bis. [Developed country Parties and other developed Parties included in Annex II shall prepare and communicate biennially on the provision and implementation on the provision of financial resources, including quantitative and qualitative information on the projected levels of public financial resources to be provided to developing country Parties.  
A short-term collective quantified goal by developed country Parties shall be (periodically) reviewed and assessed based on needs and priorities identified by developing country Parties, in accordance with modalities and procedures to be developed by the CMA, in the context of achieving the objective of (this Agreement).]
4. [The Parties recognize the desirability of a wide variety of sources, public and private, bilateral and multilateral, including alternative sources, noting the need for a diversity of sources and instruments to fit recipients’ changing economic circumstances.]
- 4bis. [Parties may transfer mitigation outcomes for the purpose of fulfilling commitments and supporting actions under this Agreement in accordance with relevant COP decisions.]
- 4ter. [Public funds, distinct from Official Development Assistance, will be the main source of financing, noting that sources may include a wide variety of sources, public and private, bilateral and multilateral as well as additional sources.]
5. [[Parties recognize the importance of the Green Climate Fund and other multilateral mechanisms for] The mobilization of climate finance [that] [shall][should][other] be scaled up [in a predictable and transparent manner] [from USD 100 billion per year] from 2020.]
- 5bis. [The provision and mobilization of financial resources by developed country Parties and other developed Parties included in Annex II shall represent a progression beyond their previous efforts, and financial resources shall be scaled up from a floor of US\$100 billion per year from 2020, including a clear burden-sharing formula among them, and in line with needs and priorities identified by developing country Parties in the context of contributing to the achievement of the objective (Article 2/XX) of this Agreement.  
These resources shall be provided in a measurable, reportable and verifiable manner, and be based on clear road map with individual annual targets in the post-2020 period, with clearly identified pathways to annual expected levels of available resources towards achieving short-term quantified goals. It shall take into account an equitable regional distribution of financial resources and a gender-sensitive approach, and include the implementation of Articles 5 and 6 of the Convention.]
6. [Parties should strive to balance adaptation support relative to mitigation support, bearing in mind country-driven strategies, priorities and needs, including in relation to [finance][forests], technology transfer and capacity-building.]
- 6bis. [The provision of these scaled-up resources, including for the transfer of technology, shall aim to achieve a balance of 50:50 allocation for mitigation and adaptation actions of developing country Parties, recognizing that financing for adaptation should be public and grant-based, taking into account the needs of developing country Parties which are particularly vulnerable to the adverse effects of climate change, including small island developing States (SIDS), least-developed countries (LDCs), and Africa, bearing in mind the country-driven strategies, priorities and needs of developing countries, including in relation to forests, technology development and transfer and capacity-building.]
7. [Parties should strive to improve the predictability of finance flows.]

8. [Parties [shall][should strive to] improve domestic enabling environments to attract low-emission, climate-resilient investment, noting that cooperative action and support may enhance such efforts.]
9. [The Parties [shall][should][other] take appropriate steps to:
  - (a) [[Prioritize the provision of][Recognize the importance of providing] grant-based [and concessional finance][support] to the poorest, most vulnerable and/or those with the least ability to mobilize other resources, [including][especially] for adaptation[, with priority given to financing for activities that are readily implementable, scalable, results based and deliver co-benefits];]
  - (a bis) [Prioritize financial support for results-based payments for verifiable achieved emission reductions related to existing approaches under the Convention;]
  - (b) Integrate climate considerations, including resilience, into international development assistance[, national development plans, national and international investments];
  - (c) Reduce international support for high-emission and maladaptive investments;
  - (d) Explore options for simplifying procedures for accessing support, in particular for the LDCs and SIDS;
  - (e) [Implement and improve where necessary the pricing of greenhouse gas emissions.]]
- 7/8/9 bis. [The provision of financial resources, including for the transfer of technology shall ensure facilitated and enhanced direct access, pursue a country-driven approach, delivered through simplified procedures, and continuous readiness support in particular to capacity-constrained developing countries, in particular LDCs and SIDS. It shall likewise ensure adequacy and predictability of resources, and avoid double counting.]]

**Option 2:**

2. [Parties should promote the mobilization of climate finance from a wide variety of instruments and channels, including public, private, bilateral, multilateral, domestic, and international. In this regard:
  - (a) Recognizing the importance of mobilizing domestic resources in the first instance, Parties in a position to do so should provide support to assist developing country Parties in need of support with respect to both mitigation and adaptation. Parties should strive to balance adaptation support and mitigation support, bearing in mind country-driven strategies, priorities and needs.
  - (b) Parties should strive to improve domestic enabling environments to attract and mobilize low-emission, climate-resilient investment, noting that cooperative action and support may enhance such efforts.
  - (c) Parties should prioritize the provision of the most concessional finance to the poorest, most vulnerable, and/or those with the least ability to mobilize other resources, including for adaptation.
  - (d) Parties should integrate climate considerations, including resilience, into [international development assistance][their domestic development plans, international development assistance, and domestic and international investments].
  - (e) Parties should [reduce][enhance] international support for [high-emission and maladaptive][low-emission and climate-resilient] investments.
3. Parties should periodically communicate relevant, indicative information about their plans related to paragraph 2, as appropriate.]
10. [The Financial Mechanism established by Article 11 of the Convention, including [the Green Climate Fund and the Global Environment Facility for] its operating entities shall serve as the financial mechanism of this Agreement. [The CMA shall decide on the operating entities' policies, programme priorities, and eligibility criteria related to this Agreement.]]
- 10bis. [The Financial Mechanism of the Convention, as defined in its Article 11, shall serve as the financial mechanism of (this Agreement), including the Green Climate Fund and the Global Environment Facility as its operating entities, in line with their respective mandates. Its operation shall remain open to be entrusted to other existing international entities. The guidance to the entity or entities entrusted with the operation of the financial mechanism of the Convention in relevant decisions of the Conference of the Parties, including those agreed before the adoption of this Protocol, shall apply mutatis mutandis to the provisions of the paragraph.  
 The Funds under the Convention such as the Special Climate Change Fund (SCCF) and the Least-Developed Countries Fund (LDCF), and the Adaptation Fund under the Kyoto Protocol to the UNFCCC (KP) shall also serve this Agreement. Other funds may be established under this Agreement as may be deemed necessary. These funds shall operate under the guidance and authority of the Governing body of (this Agreement) in relation to activities to be developed and implemented under this Agreement.]

11. [The Standing Committee on Finance established under the Convention shall serve this Agreement. [Its biennial assessment of climate finance flows shall utilize, inter alia, information drawn from relevant submissions from Parties.]]
- 11bis. [The Standing Committee on Finance of the Convention shall assist the (Governing body) of (this Agreement) in exercising its functions with respect to the Financial Mechanism of the Convention, in line with its functions and responsibilities established under the COP. Other thematic bodies of the Convention shall likewise assist the (Governing body of this Agreement), which may also establish other thematic bodies as may be necessary.]
12. [A High-Level Segment on Climate Finance shall be held biennially, as part of the sessions of the CMA, to consider the biennial assessment of the Standing Committee on Finance and make recommendations, as appropriate, to the CMA.]
- 12bis. [The (Governing body to this Agreement) shall ensure that adequate support is available to the International Mechanism to address Loss and Damage as defined in Article (XX), as well as to promote and support the development and implementation of approaches to address irreversible and permanent damage resulting from human-induced climate change.]
- 12ter. [The CMA shall facilitate the communication of finance efforts for the stocktake referred to in article 10, taking into account the biennial assessment of the Standing Committee on Finance.]

### **Article 7** *(TECHNOLOGY DEVELOPMENT AND TRANSFER)*

1. **Option 1:** All Parties, [in accordance with the principles and provisions of the Convention, in particular Article 4, paragraphs 1, 3, 5 and 7, and Article 11,] noting the importance of [meeting the] technology [requirements] to support the implementation of mitigation and adaptation efforts under this Agreement and recognizing existing deployment and dissemination efforts, [shall][should][other] strengthen cooperative action to promote and enhance technology development and transfer, improve enabling environments for and address barriers to the dissemination and uptake of technology, and foster cooperative approaches to research and development.  
**Option 2:** Developed country Parties and other developed country Parties included in Annex II of the Convention shall provide support for the research, development and application of environmentally sound technologies and facilitate the transfer of and access to such technologies for developing country Parties, including inter alia strengthening cooperative action, providing financial resources to address barriers caused by the absence of domestic research and development capability and innovations and enhancing access to environmentally sound technologies and know-how.
- 1bis. Parties recognize the need to create enabling environments that will attract investment and cultivate the absorptive capacity needed to develop and deploy low-carbon and climate resilient technologies.
- 1ter. The [CMA] shall, at its first session, establish a global goal for technology development and transfer, under which developed country Parties shall regularly prepare, communicate and implement their commitments on provision of developed country Parties' ready-for-transfer technologies and know-how as well as providing financial resources for collaborative research and development of environmentally sound technologies and enhancing accesses of developing countries to such technologies, that match developing country Parties' technology needs, in order to progressively scale up the support and cooperation for technology development and transfer, taking into account the limit to global average temperature increase referred to in Article 2, paragraph 2 of the Agreement.
2. **Option 1:** The CMA shall, at its first session, consider and adopt a technology framework in accordance with the guidelines contained in decision 1/CP.21. Such a technology framework would be intended to provide direction and overarching guidance to the work of the existing institutions in the medium and long term and to strengthen them.  
**Option 2:** The Technology Framework shall provide direction and overarching guidance in respect of technology assessments, identifying those with potential for high impact, and identifying options for enhancing access, and addressing barriers to their deployment. The framework shall further guide the work of Technology [Mechanism][institutions] [under this Agreement] in the medium to long term, and to strengthen them.
- 2bis. In accordance with Article 4, paragraph 5 of the Convention, developed country Parties shall provide financial resources to address barriers created by policies and intellectual property rights (IPRs) and facilitate access to and the deployment of technology, including, inter alia, by utilising the Financial Mechanism and/or establishing a funding window under the GCF to meet the full costs of IPRs of environmentally sound technologies, know-how and such technologies will be provided to developing country Parties, free of cost, in order to enhance their actions to address the adverse effect of climate change.
3. **Option 1:** The Technology Mechanism[, including the Technology Executive Committee and the Climate Technology Centre and Network,] shall serve this Agreement.

**Option 2:** The institutional arrangements for technology established under the Convention should serve this Agreement by facilitating enhanced action on technology development and transfer.

4. **Option 1:** Developing country Parties are eligible for support in the implementation of this Article.

**Option 2:** [In accordance with Article 4, paragraphs 3 and 5 of the Convention,] developed country Parties, Annex II Parties shall provide support, including financial support, for strengthening cooperative action the implementation of the technology framework through the Technology Mechanism. The availability of these funds shall include through the Financial Mechanism.

### **Article 8** *(CAPACITY-BUILDING)*

1. Capacity-building under this Agreement should facilitate the enhancement of ability and capacity in all areas on climate change for developing country Parties, particularly vulnerable developing countries like Least Developed Country Parties, Small Island States and Africa, in accordance with principles and provisions of the Convention to identify, design and implement adaptation and mitigation actions; facilitate technology development and the absorption of technology; facilitate access to [and] finance; facilitate relevant aspects of education, training and public awareness; and facilitate the transparent, timely and accurate communication of information.

2. Capacity-building should be based on and respond to national needs and foster country ownership of developing country Parties, including at the national, subnational and local levels. Capacity-building should be guided by lessons learned on capacity-building under the Convention and should be an effective, iterative process that is participatory, country-driven and cross-cutting. [Capacity-building should respond to national needs and foster country ownership, including at the national, subnational and local levels].

3. **Option 1.** Developed country Parties [shall][should][other] scale up [such support] cooperation] to enhance the capacity of Parties in need of support to implement this Agreement, mainly through the financial mechanism of the Convention [including through regional, bilateral and multilateral approaches].

**Option 2.** Developed country Parties shall regularly prepare, communicate and implement plans, policies, actions and measures on capacity-building support to developing country Parties, in order to progressively scale up such support and cooperation to enhance the capacity of developing country Parties to implement this Agreement, including through regional, bilateral and multilateral approaches.

4. [**Option 1:** The capacity-building institutional arrangements established under the Convention shall serve this Agreement and shall be enhanced and their work intensified, as appropriate, within their respective mandates.]

[**Option 2:** An international capacity-building mechanism shall be established to serve this Agreement with the intention of enhancing the planning and implementation of mitigation and adaptation actions, including by improving coordination and coherence in the provision of capacity-building and by identifying gaps and needs.]

[**Option 3:** The provision of capacity-building by institutional arrangements established under the Convention shall be enhanced and their work intensified, as appropriate, within their mandates. An international capacity-building mechanism is hereby established [defined] to enhance the capacity of developing country Parties to implement this Agreement.]

[**Option 4:** This Agreement shall ensure effective institutional arrangements related to building capacity to enhance the implementation of this Agreement].

### **Article 8 bis**

Parties shall cooperate and take appropriate measures to develop, adopt and implement policies, strategies, regulations and/or action plans on climate change education, training, public awareness, public participation and public access to information so as to enhance actions under this Agreement.

## Article 9 *(TRANSPARENCY)*

1. **Option 1:** [Building on the Convention arrangements][In accordance with Article 12 of the Convention and building on the Convention arrangements]] and with a view to promoting confidence and effective implementation, [a] [unified][robust][differentiated] transparency system[s] [differentiated between developed and developing countries] [covering][ensuring transparency, accuracy, completeness, comparability and consistency of] both action and support, applicable [to all Parties] in a flexible manner [and taking into account their differing capacities][reflecting the differentiation between developed and developing country Parties], is hereby [defined][established].  
**Option 2:** With a view to promoting confidence and effective implementation, a unified and robust transparency system covering both action and support, and applicable to all Parties is hereby established.  
*{Merge 9.2 and 9.3 under one chapeau}*
2. The purpose of the [system for] transparency [system] of action [and support] is to:
  - (a) Provide the clearest possible understanding of the emissions and removals of individual Parties and of global aggregate net emissions in the light of the global temperature goal;
  - (a bis) Provide the clearest possible understanding of progress of individual Parties' actions, regional actions and global actions on adaptation to the impacts of climate change, in the light of the global temperature goal;
  - (b) **Option 1:** Ensure clarity and tracking of progress made in implementing and achieving individual Parties' respective [nationally determined] mitigation [contributions][commitments][other] under Article 3, as well as tracking progress in implementing adaptation actions under Article 4 to achieve the global adaptation goal;  
**Option 2:** Ensure clarity and tracking of progress made in implementing and achieving individual Parties' nationally determined mitigation [contributions][commitments][other] under Article 3, as well as sharing information, lessons learned and good practice on adaptation, including on progress in implementing adaptation actions under Article 4;  
**Option 3:** Provide clear understanding of climate change actions in the light of the objective as set by Article 2 of this Agreement and consistent with the principles and commitments of Articles 3 and 4 of the Convention;]
  - (c) Enable an assessment of whether mitigation commitments have been achieved;
  - (d) Promote comparability among developed country Parties.
- [3. The purpose of the system for transparency of support is to:]
  - (a) [Enhance][Ensure] [clarity and] the [tracking] [transparency and accountability] of [progress made in achieving developed country Parties' respective commitments under Article 6 of providing new, additional, predictable and adequate] [support][finance, technology and capacity-building support] to developing countries, including clearly identified pathways and forward-looking information on expected levels of available resources towards achieving the short-term collective quantified goals under Article 6, as well as tracking of support received] [as well as tracking of support] provided [by developed country Parties,] and received [by developing country Parties] without placing an undue burden on SIDS and LDCs;
  - (b) Provide[, to the extent possible,] a full overview [and the clearest possible understanding] of [aggregate] support [mobilized,] provided [, needs] and received [and assist Parties in identifying gaps in support provided and received].
  - (c) Ensure that the provision of the financial resources, development and transfer of technology and capacity-building for enhanced climate actions by developed country Parties and other developed Parties included in Annex II, shall be measured, reported and verified through modalities established under the Convention by relevant subsidiary bodies of the Convention;
  - (d) Ensure that there shall be no double counting of financial resources provided and ensure environmental integrity of this agreement.
- 3bis. The transparency arrangements under the Convention, including national communications, biennial reports and biennial update reports, international assessment and review (IAR) and international consultation and analysis (ICA) shall serve this Agreement.
4. **Option 1:** Each Party [shall][[should][other]] [regularly][biennially] provide [transparent, consistent, comparable], complete and accurate information [in relation to][[on a biennial basis, including on]][in accordance with guidelines referred to in paragraph 6 including]:  
**Option 2:** Each Party [shall][[should][other]] regularly submit a biennial[[communication], in accordance with any guidance developed by the CMA, containing transparent, complete, consistent, comparable, and accurate information in relation to:



- (a) [Its national inventory][National inventories] of anthropogenic emissions by sources and removals by sinks of greenhouse gases, using common metrics and comparable methodologies [to be][as] agreed on by the [CMA][COP] [and to be provided at least as frequently as required under the Convention];
- (a bis) Projected estimated emissions and removals;
- (b) [Information on] Progress made in implementing and achieving its [nationally determined] mitigation [contribution][commitment][other];
- (c) **Option (a):** [Relevant] Information on [vulnerability to] climate change impacts and [adaptation][actions taken] to build resilience and reduce vulnerability;  
**Option (b):** Information on vulnerability to climate change impacts and actions taken to build resilience and reduce vulnerability and progress on implementing any adaptation action under Article 4, paragraph 7;
- (d) [The projected quantified levels of public climate finance provided by developed country Parties under Article 6, paragraph 3, as well as] Information on support required, provided [and received,] [through enhanced Convention arrangements to be agreed by the CMA] [efforts to improve domestic enabling environments, and support received, including the use, impact and estimated results thereof];
- (e) Information on the use, impact and estimated results support for mitigation actions.

**Option I:**

- 5. *[[Further discussion is needed on: the relationship between the system and existing arrangements; the nature of flexibility, including whether there should be a “transition” period; the potential role of ‘nationally determined’; the potential role of technical expert review/facilitative examination; option of enhancing current modalities and procedures under the COP (ICA and IAR); and the need to strike a parallelism between transparency of support and transparency of action.]]*

**Option II:**

- 5. The reports provided by each Party under paragraph 4, shall undergo technical expert review to consider the consistency with guidelines agreed by the CMA, the Party’s implementation and achievement of its nationally determined mitigation contribution, and to identify any areas for improvement in reporting. For Parties with least capacity, the expert review may also identify capacity building needs.]
- 5bis. Each Party shall undergo a facilitative examination of the implementation of its nationally determined mitigation contribution in a multilateral forum.

**Option III:**

- 5. The information submitted by each Party shall be subject to international technical expert review. The review process shall provide a thorough and comprehensive technical assessment of the implementation by a Party of the requirements of the Agreement. The technical expert review shall be carried out by an expert review team, to be composed by the secretariat based upon guidance adopted by the CMA at its first session.
- 5bis. The expert review team shall produce a report on the results of the technical expert review, which shall be communicated to the CMA. The expert review team shall consult the Party concerned on the report prior to its communication to the CMA. The report shall analyse the extent to which the Party is on track to achieving its obligations under this agreement, as well as the extent to which the Party’s reporting is in line with the guidelines.
- 5ter. The report shall identify any issues related to compliance.

**Option IV:**

- 5. The information submitted by each Party under paragraphs 4 (a), (b) and (d) shall be subject to technical expert review, to be carried out biennially by an expert review team, based on guidelines adopted by the CMA at its first session.
- 5bis. The review process shall provide a thorough, objective and comprehensive technical review of the implementation by a Party of the requirements of the Agreement.
- 5ter. The expert review team shall produce a report on the results of the technical expert review, which shall be communicated to the CMA.
- 5quarter. All Parties shall participate in a multilateral consideration process based on the output of the technical review process.

**Option V:**

- 5. The information required under this Article shall be subject to:
  - (a) A technical expert review in accordance with common guidelines and procedures adopted by the CMA in accordance with paragraph 6. The expert review team shall provide a comprehensive technical assessment of

all aspects of the implementation of this agreement by the Party and shall produce a report for the consideration of the CMA and publication by secretariat;

- (b) An international multilateral assessment process.

**Option VI:**

- 5. Each Party shall participate in a common international verification process of the information reported under paragraph 4, including:
  - (a) A technical expert review;
  - (b) A multilateral and facilitative examination/consideration for the implementation of each Party's obligations.

**Option VII:**

- 5. Built on the existing MRV arrangements under the Convention:
  - (a) Developed country Parties shall report information related to their actions and provision of support to developing countries in accordance with the provisions of the Convention and relevant decisions of the COP mutatis mutandis under the Agreement, in their national communications, biennial reports and annual inventory reports. All of that information will be verified through a robust technical review process followed by a multilateral assessment process, and result in a conclusion with consequences for compliance;
  - (b) Developing country Parties should report information on their actions and support received according to the Convention and relevant decisions of the COP, inter alia procedures set up under decisions 1/CP.16 and 2/CP.17 mutatis mutandis, and the level of support received from developed country Parties.
- 5bis. Developed country Parties and other developed Parties included in Annex II shall ensure transparency of support by:
  - (a) Providing clear information in national communications and biennial reports;
  - (b) Providing a clear road map with individual annual commitments for public funding, technology transfer and capacity-building support in the post-2020 period;
  - (c) Drawing on the work according to the mandate of the Standing Committee on Finance under the COP to assist the COP in exercising its functions with respect to the MRV of support provided to developing country Parties;
  - (d) Drawing on the work of the Subsidiary Body for Scientific and Technological Advice (SBSTA) on methodologies for the reporting of financial information.

**Option I:**

- 6. [The CMA shall at its first session, building on lessons learned [and elaborating on the provisions above], adopt [common] modalities, procedures and guidelines, [to elaborate on the provisions above] [as appropriate, for promoting environmental integrity] [for the reporting and review of the information as set out in paragraph 4]. It shall take into account, inter alia:
  - (a) The need for flexibility in the light of capability;
  - (b) The importance of facilitating improved reporting and transparency over time;
  - (c) The need to avoid undue burden and duplication, taking into account the particular situation of small States Parties with limited administrative capacities;
  - (d) The facilitative, non-intrusive nature of review;
  - (e) The need to ensure no backsliding;
  - (f) The need to ensure no double counting;
  - (g) The need to ensure environmental integrity.]

**Option II:**

- 6. The CMA shall at its first session, building on lessons learned from reporting under the Convention and elaborating on the provisions above, adopt common modalities, procedures and guidelines, as appropriate, for transparency of action and support.
- 6bis. The transparency system shall be guided by the Principles and provisions of the Convention and be conducted in facilitative, non-intrusive, non-punitive, respectful of national sovereignty, provide flexibility and avoid undue burden to developing countries.
- 6ter. The rules and guidance related to accounting [that are set forth in decision 1/CP.21,] [including with respect to [land use], will apply along with any subsequent decisions by the CMA.

- 6quarter. The secretariat shall maintain [in a public registry] Parties' nationally determined [contributions][commitments] other] [and use such information to assess the aggregate effect of the [contributions][commitments] and progress towards implementation of the Convention.]
- 6quinquies. [The CMA shall facilitate the enhancement of the clarity, transparency and understanding of the nationally determined [contributions] communicated by Parties.]
7. [The CMA shall cooperate with the Conference of the Parties to avoid overlap and duplication.] *{Proposed to move this to Article 12 (CMA) }*
8. [Developing country Parties shall [[receive][be eligible for] support to [assist in the implementation of][implement] this Article][implement this Article consistent with their capacities and the level of support provided].
- 8bis. [Developed country Parties][shall][should][other]provide support to developing country Parties in the implementation of this Article.]
- 8ter. Developed country Parties, the operating entities of the financial mechanism and any other organizations in a position to do so shall allocate financial resources for the building of transparency-related capacity of developing country Parties in need, on a continuous basis.
9. [The CMA shall periodically review its decisions and update them, as appropriate [and at least once every 5 years].] *{Proposal to move this to the section on the transparency of action and support in the draft decision }*

### **Article 10** *(GLOBAL STOCKTAKE)*

1. The CMA shall [periodically] take stock of [the implementation of this Agreement to assess] [aggregate][overall] [collective] progress towards achieving the [objective of the Convention] [in its Article 2] [and] [the purpose of this Agreement] [as set out in its Article 2] [and the [long-term] goals set in Article 3, [paragraph 1], [Article 4,][paragraph 1] and Article 6]] in a comprehensive and facilitative manner.
- The stocktaking shall consider[:] [inter alia] the [aggregate] [overall] effect of [implementation of the individual] the [efforts] [nationally determined mitigation commitments] by Parties, [in the light of the long-term temperature goal, taking into account information of the implementation of individual and collective efforts under the Agreement,] [covering mitigation, adaptation, finance, technology development and transfer and capacity-building and taking into account Parties' differentiated responsibilities and commitments under the Convention ] [the state of adaptation experiences, efforts and priorities] as well as assessments of [aggregate level of ambition communicated through the proposed nationally determined contributions for the subsequent commitment period in relation to the level of ambition needed as recommended by the] the best available science, [including reports of the IPCC,] [and information from other relevant international processes,] with a view to enhancing the implementation of the [Agreement][Convention] [and informing the process referred to in Article 3, paragraph 6 and Article 4, paragraph 6] [; adaptation needs resulting from the level of implementation of mitigation efforts, and the adequacy of the mobilization and provision of means of implementation to developing countries, taking into account the aggregate level of ambition as communicated through the NDCs].
2. The CMA shall undertake its first [global stocktake][stocktaking] in [2023][2024] [after the review of the accelerating the pre-2020 implementation and the review of adequacy of post-2020 finance support by developed country Parties,] on the basis of the [elements identified in paragraph 1of this Article, and the] modalities to be adopted by the CMA at its first session, and shall conduct [global stocktake] [stocktakings] [every five years thereafter] [or] [at [other][regular] intervals [to be][if so] decided by the CMA].

### **Article 11** *(FACILITATING IMPLEMENTATION AND COMPLIANCE)*

1. **Option 1:** A [process] [[compliance] mechanism][Committee][, including a Committee [as a standing subsidiary body under the CMA] is hereby established to [promote compliance by developed countries Parties and facilitate implementation by developing country Parties through provision of adequate financial resource and transfer of technology][promote and] facilitate [effective] implementation of [Articles [3] and [9] of this Agreement and to assess and address questions of implementation arising from each Party's performance in accordance with these provisions.][and] promote [and enforce] compliance with] [the provisions of][commitments under] this Agreement. The [Committee][process][mechanism] [,including the committee,] shall be [expert based,] [facilitative] [in nature] [and shall act in a manner that is transparent], [non-punitive], [non-adversarial] and [non-judicial] [and shall pay particular attention to the respective national capabilities and circumstances of Parties]. [The members of the Committee shall serve in their individual capacity.]

**Option 2:** [An International Tribunal of Climate Justice as][A] [compliance mechanism] is hereby established to address cases of non-compliance of the commitments of developed country Parties on mitigation, adaptation, [provision of] finance, technology development and transfer [and][,] capacity-building[,] and transparency of action and support, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance.

A facilitative mechanism is hereby established to facilitate implementation by developing country Parties for enhanced action on mitigation, adaptation and transparency of action. The mechanism shall be facilitative, non-punitive, non-adversarial and non-judicial.]

**Option I:**

2. The Committee shall consist of [X] members, nominated by Parties and elected by the CMA, with due consideration to equitable geographical representation based on the five regions of the United Nations; ensuring representation of SIDS. The first members shall be elected at the first meeting of the CMA.

2bis. The Committee may consider issues on the basis of:

(a) Written submissions from any Party [or group of Parties] with respect to [itself][its own or other Parties' compliance with or implementation of the provisions of the Agreement;

(b) [Reports [by Parties in accordance with Article x of this Agreement][ and questions of implementation arising from the transparency and accountability system under Article [9]][reports from Technical Expert (Review) teams]; or

(c) Information derived from Annex [X] with regard to a situation where a Party fails to communicate and inscribe its NDMC[; and

(d) Requests from the CMA].

2ter. The Committee shall make every effort to adopt its decisions by consensus. If all efforts at consensus have been exhausted and no consensus is reached, the decisions shall as a last resort be adopted by a [X] majority vote of the members present and voting, based on a quorum of two-thirds of the members.]

**Option II:**

2. The composition of the Compliance Mechanism shall be based on equitable geographical representation, and to include representation of least developed countries and small island developing States. The body shall comprise 12 members. Decisions of the Compliance Committee shall be made by consensus where possible and, as a last resort, by a two-thirds majority;

2bis. The Compliance Mechanism shall consist of two separate branches – an enforcement branch for developed country Parties and a facilitative branch for developing country Parties. The Compliance Mechanism may establish technical panels to assist them in their task;

2ter. The role of the enforcement branch is to review compliance with commitments made by developed country Parties and those developing country Parties that have made economy wide quantified emission reduction commitments, with respect to their commitments on mitigation and support as established under this Agreement.

[2quater. The enforcement branch may recommend actions that a developed country Party should take to ensure it fulfills its commitments under this Agreement.

2 quinquies. The role of the facilitative branch is to review the implementation of the national determined mitigation commitment made by developing country Parties and to assist them in finding ways to incentivise their efforts to meet these commitments.

2 sexes. The Compliance Mechanism shall report annually to the CMA and shall operate under modalities and procedures agreed by the CMA at its first session.]

3. The [Committee][process][mechanism] [, including the committee] shall be under [the authority of the CMA]. The [Compliance Committee][body referred to in paragraph 2] shall consider matters relating to the [implementation] of [and compliance with] the [[all ] provisions of][commitments under] this Agreement and] shall report annually to the CMA. [It shall elaborate its rules of procedure which shall be subject to approval by the second session of the CMA.]

[3bis. The Committee shall function through a plenary and two branches, namely a compliance and an implementation forum [, each with equitable and balanced representation of Parties]. The members of the Committee shall have competence in a field relevant to this Agreement and reflect an appropriate balance of expertise.

3ter. The Compliance Branch shall examine, determine and address issues of non-compliance. Where it has determined that a Party is not in compliance, it shall apply the following consequences, taking into account the cause, type,

degree and frequency of the non-compliance of that Party and pay attention to the respective national capabilities and circumstances of Parties as appropriate:

- (a) Declaration of non-compliance; and
  - (b) Request of the development of a compliance action plan.]
4. Pursuant to this Article [and decision 1/CP.21], the CMA shall, at its first session, adopt [additional] modalities and procedures for the [process][mechanism][effective operation of the committee] referred to in paragraph 1 of this Article. Those modalities and procedures shall[, inter alia,] [define the [functions][and triggers] of the [process][mechanism], [establish the body that will carry out those functions,][its composition, and decision-making processes,] and] set out the measures [available to the committee in performing their functions under paragraph 1 of this Article, taking into account the cause, type and frequency of the matter of concern.] [These measures shall range from offering advice and assistance to the issuance of a statement of concern][to [be applied or actions to be taken to] [facilitate implementation][and [address cases of non-compliance][promote compliance]].

## Article 12 *(CMA)*

1. The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Agreement.
2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the Conference of the Parties serving as the meeting of the Parties to this Agreement. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.
3. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from among Parties to this Agreement.
4. The CMA shall keep under regular review the implementation of this Agreement and shall make within its mandate the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Agreement and shall:
  - (a) Establish such subsidiary bodies as deemed necessary for the implementation of this Agreement;
  - (b) **Option 1:** Adopt its own rules of procedure at its first session;  
**Option 2:** The rules of procedure of the Conference of the Parties shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the CMA;
  - (c) **Option 1:** Exercise such other functions as may be required for the implementation of this Agreement.  
**Option 2:** Exercise the following functions:  
 [Periodical examination of obligation of Parties to the agreement;]  
 [Promote and facilitate exchange of information;]  
 [Facilitate the coordination of measures adopted by them to address climate change and its effects, taking into account the differing circumstances, responsibilities and capabilities of the Parties and their respective commitments].
5. The financial procedures applied under the Convention shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the CMA.
6. The first session of the CMA shall be convened by the secretariat in conjunction with the first session of the Conference of the Parties that is scheduled after the date of entry into force of this Agreement. Subsequent ordinary sessions of the CMA shall be held in conjunction with ordinary sessions of the COP, unless otherwise decided by the CMA.
7. Extraordinary sessions of the CMA shall be held at such other times as may be deemed necessary by the CMA or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the secretariat, it is supported by at least one third of the Parties.
8. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented at sessions of the CMA as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by this Agreement and which has informed the secretariat of its wish to be represented at a session of the CMA as an observer, may be so admitted unless at least one third of the Parties present object. The

admission and participation of observers shall be subject to the rules of procedure referred to in paragraph 4(b) of this Article.

### **Article 13** *(SECRETARIAT)*

1. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Agreement.
2. Article 8, paragraph 2, of the Convention on the functions of the secretariat, and Article 8, paragraph 3, of the Convention on arrangements made for the functioning of the secretariat shall apply mutatis mutandis to this Agreement. The secretariat shall, in addition, exercise the functions assigned to it under this Agreement and by the CMA.

### **Article 14** *(SBSTA AND SBI)*

1. The Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation (SBI) established by Articles 9 and 10 of the Convention shall serve, respectively, as the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement. The provisions of the Convention relating to the functioning of these two bodies shall apply mutatis mutandis to this Agreement. Sessions of the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement shall be held in conjunction with the meetings of, respectively, the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention.
2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the subsidiary bodies. When the subsidiary bodies serve as the subsidiary bodies of this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.
3. When the subsidiary bodies established by Articles 9 and 10 of the Convention exercise their functions with regard to matters concerning this Agreement, any member of the bureaux of those subsidiary bodies representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from among the Parties to this Agreement.

### **Article 15** *(BODIES AND INSTITUTIONAL ARRANGEMENTS TO SERVE AGREEMENT)*

1. Subsidiary bodies or other institutional arrangements established by or under the Convention, in addition to those subsidiary bodies and institutional arrangements explicitly referred to in this Agreement, may serve this Agreement upon a decision of the CMA. Such decision shall specify the functions to be exercised by such bodies or arrangements.
2. The CMA may provide further guidance to those subsidiary bodies and institutional arrangements.

### **Article 16** *(SIGNATURE AND INSTRUMENTS OF RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION)*

1. This Agreement shall be open for signature and subject to ratification, acceptance or approval by States and regional economic integration organizations that are Parties to the Convention. It shall be open for signature at the United Nations Headquarters in New York, the United States of America, from [21 March 2016] to [20 March 2017]. Thereafter, the Agreement shall be open for accession from the day following the date on which it is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary;
2. Any regional economic integration organization that becomes a Party to this Agreement without any of its member States being a Party shall be bound by all the obligations under this Agreement. In the case of regional economic integration organizations with one or more member States that are Parties to this Agreement, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Agreement. In such cases, the organization and the member States shall not be entitled to exercise rights under this Agreement concurrently.
3. In their instruments of ratification, acceptance, approval or accession, regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by this Agreement. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence.

**Article 17** *(FURTHER REQUIREMENTS AND DECISION-MAKING RIGHTS)*

*[Further discussion needed on whether there should be preconditions to join the Agreement and to exercise decision-making rights.]*

**Article 18** *(ENTRY INTO FORCE)*

1. This Agreement shall enter into force on the thirtieth day after the date on which at least [X] number of Parties to the Convention have deposited their instruments of ratification, acceptance, approval or accession[.][, with such Parties to the Convention accounting for X per cent of total global greenhouse gas emissions in [1990][2000][2010].]
2. [For the purposes of paragraph 1 of this Article, “total global greenhouse gas emissions” means the total global greenhouse gas emissions as estimated by the Intergovernmental Panel on Climate Change in its Fifth Assessment Report.]
3. For each State or regional economic integration organization that ratifies, accepts or approves this Agreement or accedes thereto after its entry into force in accordance with paragraph 1 of this Article, this Agreement shall enter into force on the thirtieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.
4. For the purposes of paragraph 1 of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by its member States.

**Article 19** *(AMENDMENTS)*

The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.

**Article 20** *(ANNEXES)*

1. Annexes to this Agreement shall form an integral part thereof and, unless otherwise expressly provided for, a reference to this Agreement constitutes at the same time a reference to any annexes thereto. Such annexes shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character.
2. The provisions of Article 16 of the Convention on the adoption and amendment of annexes to the Convention shall apply mutatis mutandis to this Agreement.

**Article 21** *(SETTLEMENT OF DISPUTES)*

The provisions of Article 14 of the Convention on settlement of disputes shall apply mutatis mutandis to this Agreement.

**Article 22** *(VOTING)*

1. Each Party shall have one vote, except as provided in paragraph 2 of this Article.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to this Agreement. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.
3. Without prejudice to the provisions of paragraph 3 of Article 15 of the Convention, the Parties shall make every effort to reach agreement on all matters by consensus. If such efforts to reach consensus have been exhausted and no agreement has been reached, a decision shall, as a last resort, be adopted by a three-fourths majority vote of the Parties present and voting, except the following which shall be taken by consensus:
  - (a) The financial rules referred to in Article 7, paragraph 2 (k), of the Convention;
  - (b) Decisions under paragraph 3 of Article 4 and paragraphs 1, 3 or 4 of Article 11 of the Convention.
4. For the purpose of this Article, Parties present and voting’ means Parties present and casting an affirmative or negative vote.

**Article 23** ([DEPOSITARY](#))

The Secretary-General of the United Nations shall be the Depositary of this Agreement.

**Article 24** ([RESERVATIONS](#))

No reservations may be made to this Agreement.

**Article 25** ([WITHDRAWAL](#))

1. At any time after three years from the date on which this Agreement has entered into force for a Party, that Party may withdraw from this Agreement by giving written notification to the Depositary.
2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.
3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Agreement.

**Article 26** ([LANGUAGES](#))

The original of this Agreement, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. ]



## B. DRAFT DECISION

[ *The Conference of the Parties,*

- Pp1 *Recalling* decision 1/CP.17 on the establishment of the Ad Hoc Working Group on the Durban Platform for Enhanced Action,
- Pp2 *Also recalling* decisions 2/CP.18, 1/CP.19, and 1/CP.20,
- Pp3 *Welcoming* the outcome of the “Transforming our world: the 2030 Agenda for Sustainable Development,” in particular its goal 13,
- Pp4 *Also welcoming* the outcome of the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,
- Pp5 *Recognizing* the important role that subnational and local authorities play in addressing climate change;
- Pp6 *Emphasizing* the importance of respecting and taking into account human rights, gender equality, the rights of indigenous peoples, intergenerational concerns, and the needs of particularly vulnerable groups, including women, children and persons with disabilities, when taking action to address climate change, as well as of aligning actions with the goal of promoting food security, restoration of degraded lands, national health policies, participation in environmental decision-making by civil society and individuals, and a just transition of the workforce and creation of decent work and quality jobs in accordance with nationally defined development priorities and strategies;

[*Additional preambular paragraphs as may be decided during the course of the negotiations, e.g., a reference to Mother Earth.*]

### I. ADOPTION OF THE [PARIS AGREEMENT]

1. *Decides* to adopt the Agreement under the United Nations Framework Convention on Climate Change (UNFCCC), (hereinafter referred to as the Agreement) as contained in the annex to this decision;
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to open it for signature in New York, United States of America, from [21 March 2016] to [20 March 2017];
3. *Invites* the Secretary-General to convene a high -level signature ceremony for the Agreement in early 2016;
4. *Also invites* all Parties to the Convention to sign the Agreement at the ceremony to be convened by the Secretary-General or at their earliest opportunity, and to deposit their respective instruments of ratification, acceptance or approval, or instruments of accession where appropriate, as soon as possible;
5. *Recognizes* that Parties to the Convention may provisionally apply the Agreement pending its entry into force, and *requests* Parties to provide notification of any such provisional application to the Depositary;
6. *Notes* that in accordance with decision 1/CP.17, paragraph 4, the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action has been completed and decides that it is therefore terminated;
7. *Decides* to establish an Intergovernmental Preparatory Committee (IPC) to prepare for the entry into force of the Agreement and the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to this Agreement (CMA);
8. *Requests* the IPC to oversee the implementation of the work programme resulting from the relevant requests in sections III and IV of this decision and authorizes the IPC to guide the work of the Subsidiary Body for Scientific and Technological Advice (SBSTA), the Subsidiary Body for Implementation (SBI) and other Convention bodies in relation to the work programme, where appropriate, and in accordance with their respective mandates;
9. *Also requests* the IPC to report regularly to the COP on the progress of its work;

### II. INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

10. *Welcomes* the intended nationally determined contributions (INDCs) that have been communicated by Parties in accordance with decision 1/CP.19, paragraph 2(b);

11. *Reiterates* its invitation to all Parties that have not done so to communicate to the secretariat their INDCs towards achieving the objective of the Convention as set out in its Article 2 as soon as possible and well in advance of the twenty-second session of the Conference of the Parties, and in a manner that facilitates the clarity, transparency and understanding of INDCs;
12. *Requests* the secretariat to continue to publish INDCs as communicated by Parties on the UNFCCC website;
13. *Reiterates* its call to developed country Parties, the operating entities of the Financial Mechanism and any other organizations in a position to do so to provide support for the preparation and communication of the INDCs of Parties that may need such support;
14. [*Requests* the SBI to clarify in a facilitative, non-intrusive and consultative manner the information provided by Parties when communicating their INDCs. The SBI shall report on progress made to the IPC at its second session;]
15. *Takes note* of the synthesis report on the aggregate effect of INDCs contained in document FCCC/CP/2015/7;
16. *Requests* the secretariat to update the synthesis report referred to in paragraph 15 above so as to cover INDCs communicated by Parties by [1 October 2016], and make it available by [1 November 2016];
17. *Invites* all Parties to consider enhancing the ambition of their mitigation efforts before they submit their nationally determined mitigation [contribution][commitment][other] [in accordance with the provisions of Article [17] of the Agreement on the preconditions for joining the Agreement];
18. [**Option 1:** [*Decides*][*Invites* the President of the COP] to convene a facilitative dialogue among Parties to take stock of the collective efforts of Parties in [2018][2019];]<sup>6</sup>  
[**Option 2:** No such facilitative dialogue prior to 2020;]

### III. DECISIONS TO GIVE EFFECT TO THE AGREEMENT

#### GENERAL

19. *Welcomes* the efforts of all actors to address climate change, including those by civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples;
20. *Invites* the actors referred to in paragraph 19 above to scale up their efforts and support further actions by Parties to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change;
21. *Also invites* the actors referred to in paragraph 19 above to demonstrate their continued efforts to address climate change through the Non-State Actor Zone for Climate Action (NAZCA);<sup>7</sup>

#### MITIGATION

22. *Decides* that Parties shall submit their first nationally determined mitigation [contributions][commitments][other] in accordance with Article 3 of the Agreement;
23. *Also decides* that the information to be provided by Parties when communicating their first nationally determined mitigation [contributions][commitments][other] shall include, inter alia, the information listed in decision 1/CP.20, paragraph 14;
24. *Acknowledges* that Parties may adjust the submission of their first nationally determined mitigation [contribution][commitment][other] to make them consistent with the rules and guidance for accounting for anthropogenic greenhouse gas emissions and removals pursuant to Article 3, paragraph 5, of the Agreement;
25. *Requests* the [SBI] to develop modalities and procedures for the operation and use of the registry referred to in Article 3, paragraph 7, of the Agreement, for consideration by the IPC at its [X] session, with a view to the IPC making a recommendation thereon to the CMA at its first session;
26. *Requests* the secretariat to make available an interim registry in the first half of 2016 for the recording of nationally determined mitigation [contribution][commitment][other] submitted in accordance with Article 3 of the Agreement pending the adoption by the CMA of the modalities and procedures referred to in paragraph 25 above;

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<sup>6</sup> This paragraph is similar to paragraph 76 in section IV (workstream 2). Parties may wish to consider whether these paragraphs overlap, and if so whether to reconcile them.

<sup>7</sup> Available at: <<http://climateaction.unfccc.int>>.

27. *Recommends* that the CMA consider, at its first session, in regard to Article 3, paragraph 4 of the Agreement, whether any additional information shall be included by Parties when communicating their nationally determined mitigation [contribution][commitment][other];
28. *Requests* the IPC to make a recommendation to the CMA regarding paragraph 27 above;
29. *Decides*, in relation to Parties, including regional economic integration organizations, implementing their nationally determined [contributions][commitments][other] jointly under Article 3, paragraph 8, of the Agreement that:
- (a) Parties, including regional economic integration organizations, that have reached an agreement to implement their nationally determined mitigation [contributions][commitments][other] jointly shall notify the secretariat of the terms of such an agreement on the date of deposit of their instruments of ratification, acceptance or approval of this Agreement, or accession thereto;
  - (b) The secretariat shall inform the Parties to this Agreement [and Parties to the Convention] of the terms of the agreement to implement jointly referred to in paragraph 29(a) above;
  - (c) Any alteration to the composition of the Parties, including regional economic integration organizations, implementing jointly shall not affect any then current nationally determined mitigation [contribution(s)][commitment(s)][other] and shall become applicable for the purposes of this Agreement for the next nationally determined mitigation [contribution][commitment][other] submitted by that organization, by Parties implementing jointly with Parties that have become members of that organization, or by Parties implementing jointly;
30. *Also decides* that the rules and guidance for accounting referred to in Article 3, paragraph 5 of the Agreement, for consideration and adoption by the CMA at its first session, should ensure that:
- (a) Parties ensure methodological consistency between the communication of nationally determined mitigation [contributions][commitments][other] and their implementation;
  - (b) Parties include an explanation for the exclusion from their nationally determined mitigation [contribution][commitment][other] of any key categories of emissions and removals, and strive to include these over time;
  - (c) Parties, once a source, sink or activity is accounted for in a nationally determined mitigation [contribution][commitment][other], continue to include it or provide an explanation of why it has been excluded;
  - (d) Parties use common metrics and methodologies adopted by the Intergovernmental Panel on Climate Change (IPCC) for the estimation of greenhouse gas emissions and removals;
  - (e) [Internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation [contribution][commitment][other] are supplemental to domestic action;]
31. *Requests* the SBSTA to develop methodologies and approaches with regard to accounting in accordance with Article 3, paragraph 5, of the Agreement and paragraph 30 above, for consideration by the IPC at its [X] session;
32. *Also requests* the IPC to elaborate the methodologies and approaches for accounting referred to in paragraph 31 above, taking into account the methodologies and approaches developed by the SBSTA, with a view to the IPC making recommendations thereon to the CMA at its first session;
33. *[Provision on response measures.]*
34. **[Option 1:**
- Recommends* that the CMA at its first session consider establishing a mechanism to support sustainable development to be available to assist Parties in fulfilling their nationally determined mitigation [contributions][commitments][other]. This mechanism would be under the authority and guidance of the CMA and be supervised by a body designated by the CMA, and would aim to:
- (a) Enhance mitigation ambition and the mobilization of financing for climate action;
  - (b) Incentivize and enable participation in cost-effective mitigation action by public and private entities acting under the responsibility of a Party;
- Requests* the SBSTA to elaborate modalities and procedures for the mechanism for sustainable development referred to in paragraph 34 above and report to the IPC at its [X] session with a view to the IPC making recommendations, for consideration and adoption by the CMA at its first session, that inter alia:

- (a) Provide, where desired by the participating Parties, for the creation and issuance of real, permanent, additional and verified mitigation outcomes that may be used to meet nationally determined [contributions] [commitments][other] in a manner that is supplementary to domestic action, is consistent with the rules and guidance for accounting, and provides for a share of proceeds for adaptation;
- (b) Deliver, where desired by participating Parties, a net decrease or avoidance of emissions;
- (c) Build on the mechanism defined in Article 12 of the Kyoto Protocol and related decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol;]

**[Option 2:** No text on this mechanism;]

*ADAPTATION*

- 35. *Decides* that the process to formulate and implement national adaptation plans (NAPs), national adaptation planning processes, and/or other adaptation strategies, plans or priorities should:
  - (a) Not be prescriptive or result in the duplication of efforts;
  - (b) Facilitate country-owned and country-driven action;
  - (c) Involve and facilitate the participation of relevant stakeholders, in particular women and indigenous peoples, in planning, decision-making, and monitoring and evaluation, and give priority to the poorest and most vulnerable communities and people;
  - (d) Be participatory and inclusive, building on existing community-driven and traditional adaptation efforts, in all interested developing countries, in particular in the least developed countries, small island developing States and countries in Africa;
  - (e) Promote climate resilience and sustainable development trajectories;
  - (f) Not be a prerequisite for financial, technological or capacity-building support for adaptation actions;
- 36. *Requests* the [SBSTA][Adaptation Committee] to develop modalities and procedures for the operation of the registry referred to in Article 4, paragraph 8 of the Agreement with a view to making recommendations to the IPC at its [second] session. In developing these modalities and procedures, the [SBSTA][Adaptation Committee] should take into account paragraph 35 above;
- 37. *Requests* the secretariat to make available an interim registry in the first half of 2016 for the recording of adaptation communications, in accordance with Article 4 of the Agreement, pending the adoption by the CMA of the modalities and procedures referred to in paragraph 36 above;
- 38. *Establishes* a technical and knowledge platform under the Nairobi work programme on impacts, vulnerability and adaptation to climate change in order to:
  - (a) Disseminate and enhance the use of climate change scenarios and of methods and tools for assessing impacts and vulnerability, as well as information on the outcomes and effectiveness of adaptation;
  - (b) Develop and strengthen global, regional, national and local capacities, as well as social capacities, to address adaptation concerns and to use adaptation metrics;
  - (c) Promote, coordinate and strengthen adaptation knowledge platforms, centres and networks at all levels in order to fill adaptation knowledge gaps;
  - (d) Scale up adaptation benefits, practices and outcomes;
  - (e) Incorporate the sustainable management of ecosystems into adaptation planning and actions;
  - (f) Enhance the understanding of the global implications of adaptation actions, of interlinkages among local, national and global adaptation actions, and of progress made in reducing vulnerability at all levels and in achieving the global goal for adaptation;
- 39. *Requests* the Adaptation Committee to operationalize the technical and knowledge platform referred to in paragraph 38 above;
- 40. *Invites* all relevant United Nations institutions and international, regional and national financial institutions to provide information to Parties through the UNFCCC secretariat on how their development assistance programmes and finance incorporate climate-proofing and climate resilience measures;
- 41. *Requests* the IPC to prepare a recommendation to the CMA regarding Article 4, paragraph 7, of the Agreement;
- 42. *Also requests* the IPC to prepare a recommendation to the CMA regarding Article 4, paragraph 10, of the Agreement;

#### LOSS AND DAMAGE

43. [Recalls decisions 2/CP.19 and 2/CP.20 on the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts;]

*[There has been significant progress on the subject of loss and damage, most notably general acceptance that it needs to be included in the Paris outcome. At the end of ADP 2.10<sup>8</sup>, two proposals were put forward that show growing understanding and progress. Questions remain about content and placement that require further discussion by Parties.]*

#### FINANCE

44. Decides that the operating entities of the Financial Mechanism (the Green Climate Fund and the Global Environment Facility), the Least Developed Country Fund and the Special Climate Change Fund shall serve the Agreement, and that the CMA has the authority to modify this list;
45. Decides to establish a process for the consideration of new and alternative sources of finance beyond existing bilateral and multilateral sources, in accordance with the terms of reference to be developed by the COP at its twenty-second session, with a view to the COP taking a decision on this matter at its twenty-third session;
46. Requests the IPC to prepare a recommendation to the CMA regarding the creation of a process, which should include biennial in-session workshops, to consider progress in relation to the efforts referred to in Article 6, paragraphs 8 and 9, of the Agreement;
47. Also requests the secretariat to organize and prepare a summary of the biennial in-session workshops referred to in paragraph 46 above for consideration by the CMA;

#### TECHNOLOGY DEVELOPMENT AND TRANSFER

48. Decides to strengthen the technology needs assessment (TNA) process taking into account existing efforts, including under the Poznan strategic programme on technology transfer, by enhancing:
- (a) The implementation of the results of the TNA process through, inter alia, technology action plans and project proposals;
  - (b) The synergy between the TNA process and other arrangements related to the implementation of mitigation and adaptation actions, as appropriate;
49. Requests the Technology Executive Committee (TEC) to elaborate the means of strengthening the TNA process referred to in paragraph 48 above taking into account ongoing work relating to this matter, for consideration and adoption by the COP at its twenty-third session;
50. Encourages Parties to take steps to improve enabling environments and address barriers for technology development and transfer by:
- (a) Establishing and strengthening policy frameworks, institutions and capacity to build country ownership and innovation;
  - (b) Leveraging and attracting private sector investments and promoting access to public sector technology;
  - (c) Strengthening the development and enhancement of endogenous capacities and technologies;
51. Requests the IPC to develop recommendations regarding the technology framework referred to in Article 7, paragraph 2, of the Agreement, for consideration and adoption by the CMA at its first session, taking into account the need to avoid duplication and the opportunity to create synergies. The IPC should consider, inter alia, the relationship between this framework and the technology transfer framework established by decision 4/CP.7, as well as the functions of the former and its linkage to the Technology Mechanism;
52. Decides that the TEC and the Climate Technology Centre and Network shall report to the CMA through the subsidiary bodies on their activities relating to the implementation of the Agreement;

#### CAPACITY-BUILDING

53. Decides to launch a work programme to enhance the implementation of the framework for capacity-building in developing countries established by decision 2/CP.7;
54. Also decides that the work programme should address, inter alia:

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<sup>8</sup> Tenth part of the second session of the ADP, held in Bonn, Germany, from 31 August to 4 September 2015 (ADP 2.10, <<http://unfccc.int/9056>>).

- (a) Gaps and needs, current and emerging, in the delivery of capacity-building, in particular at the national level;
  - (b) Ways and means to enhance coordination and coherence in the provision of capacity-building, including within existing institutional arrangements;
55. *Requests* the SBI to develop recommendations concerning the work programme referred to in paragraphs 53 and 54 above for consideration by the COP at its twenty-third session;
56. **[Option 1:** *Requests* the IPC to prepare a recommendation to the CMA for the enhancement and intensification of the work of the institutional arrangements on capacity-building;]
- [Option 2:** *Requests* the IPC to develop modalities and procedures for the capacity-building mechanism established in Article 8, paragraph 4, of the Agreement;]
57. *Recalls* the importance of education, training and public awareness reflected in Article 6 of the Convention;

#### *TRANSPARENCY OF ACTION AND SUPPORT*

58. *Requests* the operating entities of the Financial Mechanism of the Convention to allocate financial resources for the building of transparency-related capacity of developing country Parties in need, on a continuous basis;
59. *Also requests* the IPC to develop recommendations for modalities, procedures and guidelines in accordance with Article 9, paragraph 6, of the Agreement for adoption at the first session of the CMA;

*[Potential paragraphs related to Article 9, paragraph 5, of the Agreement.]*

#### *GLOBAL STOCKTAKE*

60. *Decides* that the stocktaking referred to in Article 10 of the Agreement shall be designed to:
- (a) Take into account the information on the implementation of the individual and collective efforts under the Agreement;
  - (b) Be informed by the reports of the IPCC;
  - (c) Take into consideration the lessons learned from the 2013–2015 review;
61. *Requests* the SBSTA to provide advice on how the assessments of the Intergovernmental Panel on Climate Change can inform the stocktaking of the implementation of the Agreement pursuant to its Article 10, paragraph 1, and to report to the IPC on this matter at its [second] session;
62. *Also requests* the IPC to develop modalities for the stocktaking, referred to in Article 10, paragraph 2, of the Agreement, and make recommendations to the CMA for consideration and adoption at its first session. The IPC should be guided by paragraph 60 above and Article 10, paragraph 1, of the Agreement, take into account the advice of the SBSTA referred to in paragraph 61 above, and consider the following when developing the modalities:
- (a) The arrangements for the stocktaking including the institutional arrangements and the relationship with other Agreement and Convention processes and procedures;
  - (b) The operational processes and procedures, including relevant time frames;
  - (c) The form and nature of the outcomes of the stocktaking;

#### *FACILITATING IMPLEMENTATION AND COMPLIANCE*

63. *Requests* the IPC to develop the modalities and procedures for the [process][mechanism] referred to in Article 11 of the Agreement with a view to completing its work on this matter for consideration and adoption by the CMA at its first session;

#### *PROCEDURAL AND INSTITUTIONAL PROVISIONS*

64. *Requests* the IPC to develop the draft rules of procedure of the CMA, including procedures for decision-making and voting by Parties to the Agreement, in accordance with Article 12, paragraph 4, of the Agreement, with a view to the IPC making recommendations on this matter to the CMA at the first session of the CMA;

**IV. [WORKSTREAM 2]<sup>9</sup>**

- Pp1* Recalling decisions 1/CP.17, 2/CP.18, 1/CP.19 and 1/CP.20,
- Pp2* Resolving to uphold and promote international cooperation and to mobilize stronger climate action by all,
- Pp3* Noting that enhanced pre-2020 ambition can serve to increase post-2020 ambition and that actions taken to enhance pre-2020 ambition could be applicable in a post-2020 context,
- Pp4* Stressing the urgency of accelerating pre-2020 mitigation ambition,
- Pp5* Emphasizing the enduring benefits of taking early action,
- Pp6* Urging Parties to act with the highest possible ambition in the interest of promoting the transition to a low-emission global economy,
65. Invites each Party that has not already done so to ratify the Doha Amendment to the Kyoto Protocol;
66. Urges each Party that has not already done so to make a pre-2020 mitigation pledge under the Cancun Agreements;
67. Reiterates its resolve as set out in 1/CP.19, paragraphs 3 and 4, to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13 and enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts under the Convention by all Parties;
68. Promotes the voluntary cancellation of certified emission reductions, without double counting, by Parties and non-Party stakeholders, including of certified emission reductions issued under the clean development mechanism;
69. Resolves to strengthen, in the period 2016–2020, the technical examination of opportunities with high mitigation potential, including those with adaptation, health and sustainable development co-benefits, with a focus on accelerating the implementation of actions, including by:
- (a) Encouraging Parties, Convention bodies, international organizations, international cooperative initiatives and non-Party stakeholders to engage actively and effectively in this process and to cooperate in facilitating the implementation of policies, practices and actions identified during this process, including in accordance with national sustainable development priorities;
  - (b) Striving to improve access to and participation in this process by developing country Party experts;
  - (c) Requesting the Technology Executive Committee and the Climate Technology Centre and Network, in accordance with their respective mandates, to:
    - (i) Engage in the technical expert meetings in order to enhance the effective coordination and provision of support;
    - (ii) Enhance their efforts to facilitate and support Parties in scaling up the implementation of policies, practices and actions identified during this process;
  - (d) Encouraging Parties to make effective use of the Climate Technology Centre and Network in order to support the development of economically, environmentally and socially viable project proposals in the high potential areas identified in this process;
70. Requests the secretariat to facilitate the technical examination referred to in paragraph 69 above and disseminate its results, including by:
- (a) Organizing regular technical expert meetings focusing on specific policies, practices and actions representing best practice and with the potential to be scalable and replicable;
  - (b) Updating on an annual basis, following the meetings referred to in paragraph 70(a) above and in time to serve as input to the summary for policymakers referred to in paragraph 70(c) below, a technical paper on the mitigation benefits of policies, practices and actions to enhance mitigation ambition;
  - (c) Preparing a summary for policymakers and publishing it well in advance of each meeting of the Conference of the Parties as input for the high-level dialogues referred to in paragraph 82 below;
  - (d) Strengthening intra-convention cooperation and coordination, such as by organizing meetings with representatives of relevant Convention bodies to consider ways to accelerate the implementation of policies,

<sup>9</sup> A draft decision on workstream 2, with identical content as included here in section IV, is also presented separately. For clarity, the preambular paragraphs related to workstream 2 are maintained at the beginning of section IV. Parties may further wish to consider how the content of section IV may relate to other sections of this draft decision.

practices and actions identified during this process and the provision of support necessary for their implementation;

71. *Decides* that the technical examination referred to in paragraph 69 above should be continued under the [COP] and occur on an ongoing basis until 2020;
72. *Decides* to conduct, in 2018, an assessment of the technical examination referred to in paragraph 69 above with the aim of improving its effectiveness;
73. *Recognizes* the need to enhance finance, technology and capacity-building support to the efforts of developing country Parties related to pre-2020 action;
74. *Reiterates* its request to the Standing Committee on Finance to explore how it can enhance its work on the measurement, reporting and verification of support on the basis of the best available information on the mobilization of various resources, including private and alternative resources, through public interventions;
75. *Reemphasizes* its request to developed country Parties, in preparing their updated biennial submissions on strategies and approaches for scaling up climate finance for the period 2016–2020, to enhance the available quantitative and qualitative elements of a pathway, placing greater emphasis on the transparency and predictability of financial flows;
76. [*Decides* to conduct a facilitative and exploratory dialogue in conjunction with the twenty-third session of the Conference of the Parties (2017) with a view to identifying ways to accelerate the implementation of commitments under the Convention in the pre-2020 period, including:
  - (a) Opportunities to enhance the ambition of mitigation efforts by all Parties;
  - (b) Opportunities to enhance the provision and mobilization of finance, technology and capacity-building support to developing country Parties in a holistic manner;]<sup>10</sup>
77. [*Invites* Parties and accredited observer organizations to submit to the secretariat by [x date] their views on the matter referred to in paragraph 76 above;]
78. [*Also invites* Convention bodies to provide expert inputs on the matter referred to in paragraph 76 above;]
79. *Welcomes* the efforts of non-Party stakeholders, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples, to scale up their climate actions and provide further opportunities for Parties to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change;
80. *Invites* non-Party stakeholders to demonstrate their climate actions through mechanisms such as the Non-State Actor Zone for Climate Action (NAZCA) platform;
81. *Acknowledges* with appreciation the results of the Lima–Paris Action Agenda, which build on the climate summit convened on 23 September 2014 by the United Nations Secretary-General;
82. *Agrees* to convene, in conjunction with each meeting of the Conference of the Parties from 2016 to 2020 and building on the Lima–Paris Action Agenda and the event referred to in paragraph 83(a) below, high-level dialogues that:
  - (a) Provide an opportunity for announcing efforts, voluntary initiatives and coalitions of Parties and non-Party stakeholders, including policies, practices and actions arising from the technical examinations referred to in paragraph 69 above and presented in the summary for policymakers referred to in paragraph 70(b) above;
  - (b) Take stock of progress and recognize the efforts, voluntary initiatives and coalitions referred to in paragraph 82(a) above;
  - (c) Provide meaningful and regular opportunities for the effective engagement of experts from Parties, international organizations, international cooperative initiatives and non-Party stakeholders;
83. [*Decides* that two high-level champions shall be appointed to facilitate, through strengthened high-level engagement, the scaling up and launching of initiatives, including those that implement policies, practices and actions arising from the technical examinations referred to in paragraph 69 above, including by:
  - (a) Working with the Executive Secretary and the current and incoming presidents of the Conference of the Parties to coordinate the annual high-level event on enhancing the implementation of climate action pursuant to decision 1/CP.20, paragraph 21, and the high-level dialogues referred to in paragraph 82 above;

<sup>10</sup> This paragraph is similar to paragraph 18 above (section II). Parties may wish to consider whether these paragraphs overlap, and if so whether to reconcile them.



- (b) Coordinating with the secretariat on the organization of technical expert meetings referred to in paragraph 70(a) above;
  - (c) Engaging intensively with Parties and non-Party stakeholders to further the activities referred to in paragraph 69 above;]
84. [Also decides that each incoming presidency of the Conference of the Parties shall appoint one of the champions referred to in paragraph 83 above to serve for a two-year term such that their terms overlap for a full year in the interest of promoting continuity and a smooth transition, and, accordingly:
- (a) Invites the host of the twentieth meeting of the Conference of the Parties to appoint one champion, who shall serve from the date of the appointment until the first day of the twenty-second meeting of the Conference of the Parties (2016);
  - (b) Invites the host of the twenty-first meeting of the Conference of the Parties to appoint one champion, who shall serve from the date of the appointment until the first day of the twenty-third meeting of the Conference of the Parties (2017);
  - (c) Invites the host of the twenty-second meeting of the Conference of the Parties to appoint one champion, who shall serve from the first day of the twenty-second meeting of the Conference of the Parties until the first day of the twenty-fourth meeting of the Conference of the Parties (2018);]
85. [Invites interested Parties and relevant organizations to provide support for the work of the champions referred to in paragraph 83 above;]
86. [Requests the secretariat, in consultation with the current and incoming presidents of the Conference of the Parties, to make arrangements facilitating the provision of support referred to in paragraph 85 above;]
87. Notes the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in this decision and requests that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources;
88. [Decides to conduct, in the period 2016–2020, a technical examination of opportunities to enhance adaptation action and support, including those with mitigation co-benefits, address gaps in implementation, knowledge, technology, capacity and finance, share best practices, and accelerate action on the ground, building on the lessons learned from the technical examination of opportunities with high mitigation potential, recognizing the unique characteristics, stakeholders, and needs of cooperative action on adaptation, and also recognizing the need to build on work, without duplication, being conducted under existing arrangements and institutions under the Convention;
89. Requests the secretariat to facilitate the technical examination referred to in paragraph X above and disseminate its results, taking into account the work of, inter alia, the Adaptation Committee, Least Developed Countries Expert Group and activities under the Nairobi work programme, including by:
- (a) Organizing regular technical expert meetings focusing on specific policies, practices and actions representing good practice and with the potential to be scalable and replicable;
  - (b) Preparing, on an annual basis, following the meetings referred to in paragraph 89 (a) above and in time to serve as input to the summary for policymakers referred to in paragraph 89 (c) below, a technical paper on opportunities to enhance adaptation action and support;
  - (c) Preparing a summary for policymakers and publishing it well in advance of each session of the Conference of the Parties as input for the high-level dialogues referred to in paragraph 82 above;
  - (d) Strengthening intra-convention cooperation and coordination to consider ways to accelerate the implementation of policies, practices and actions identified during this process and the provision of support necessary for their implementation;]

## V. INTERIM INSTITUTIONAL ARRANGEMENTS

90. Decides that the IPC shall meet in conjunction with the first session of the SBSTA and SBI in 2016 to organize its work on the implementation of the work programme referred to in paragraph 8 above and to prepare draft decisions to be recommended to the CMA for consideration and adoption at its first session;
91. Also decides that the IPC shall report and make recommendations to the Conference of the Parties on the implementation of the work programme referred to in paragraph 8 above;

## **VI. ADMINISTRATIVE AND BUDGETARY MATTERS**

92. *Takes note* of the requirement for additional resources for the implementation of the relevant actions referred to in this decision;
93. *Emphasizes* the urgency of making additional resources available for the implementation of the relevant actions, including actions referred to in this decision, and the implementation of the work programme referred to in paragraph 8 above by the IPC from 2016;
94. *Urges* Parties to make voluntary contributions for the timely implementation of this decision, noting the estimated budget requirement for 2016 of USD [X];
95. *Requests* the Executive Secretary to provide an estimate of the budgetary implications of the actions requested in this decision to be undertaken in 2017 for consideration by the SBI at its forty-fourth session, with a view to the SBI making a recommendation thereon to the COP at its twenty-second session.]