

Work of the Spin-off group on Articles 3, 3bis and 3ter on mitigation

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Article 3 *(MITIGATION)*

1. *Collective long-term goal*

Option 1:

[Parties aim [to achieve the global temperature goal], in accordance with the best available science [and the principles of the Convention], through [long-term global [low-[carbon]][emission] transformation] [[climate][carbon] neutrality]], [and peaking their [net] emissions] [by 2030][20XX][as soon as possible], [with a [x]40-[y]70% net emission reduction below 2010 levels by 2050][according to the global carbon budget distribution based on climate justice], and [overall reductions][[net] zero emissions] [over the course of the century][by 2050][by 2100].¹]

Option 2:

[Parties aim to reach long-term global low-emission transformation, in the context of sustainable development and equitable access to atmospheric space

{placeholder for further elaboration of the context, including CBDR, comprehensiveness, distribution of global carbon budget based on climate justice and etc.}]

Option 3:

[In pursuit of the objective of the Convention set out in its Article 2,][and][to achieve the long-term temperature goal set out in Article 2 of this Agreement,] Parties aim to reach [by X date] [as soon as possible] [a peaking of global greenhouse gas emissions] [and rapid reductions of global greenhouse gas emissions thereafter to at least] [40-70] [70-95] per cent below 2010 levels by 2050] [and zero net greenhouse gas emissions in the period 2060 - 2080] [[bearing in mind that peaking will vary for different countries and will be longer for developing countries] [[and] bearing in mind social and economic development and poverty eradication are the first and overriding priorities of developing country Parties]] [[in pursuing [decarbonisation of the global economy over the course of this century] [global low - carbon transformation] [global low-emission transformation]] [in the sharing of the remaining global emission budget]].

2. *Individual efforts*

Option 1:

Each Party [shall][should][other] regularly [prepare] communicate [maintain] [fulfil] [implement] [a][successive] nationally determined mitigation [contribution][commitment][component of the contribution referred to in Article 2 bis] {*hereafter NDMC*}, which the Party [shall][should][other] implement.

Option 2:

[Each Party][All Parties] [recognizing the principle of common but differentiated responsibilities and respective capabilities] [shall][should][other] regularly [formulate] [prepare], [communicate] [submit], [maintain] [update] and [shall][should][other] [implement] [fulfil] [intended][nationally determined mitigation [commitments][contributions][actions]] [nationally determined mitigation commitments and/or contributions] [a nationally determined contribution with a mitigation component], [, which can be in the form of co-benefits resulting

¹ There is a need to specify the context, which placement is yet to be decided.

from [its] [the Party's] adaptation contributions and economic diversification plans] [programmes containing measures to mitigate climate change] {*hereafter NDMC/NDMCC*}[placeholder of context, pples, art 4, support, etc.]²

3. *Differentiated efforts*

Option 1:

No text additional to 3.2

Option 2:

3.3 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;

3.3bis 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.

3.3ter Developed country Parties' post-2020 economy-wide absolute emission reduction commitments/targets shall be progressively more ambitious over time.

3.3quat 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.

Option 3:

{*add following to 3.2 option 1*}: [in accordance with][taking into account] its common but differentiated responsibilities and respective capabilities, in light of different national *circumstances* {*principle based differentiation*}

Option 4: {*modulators to 3.2*}

3.3: Each Party that has previously [communicated] [implemented] absolute economy-wide emissions reduction or limitation targets should continue to do so and all Parties should aim to do so over time. {*modality based differentiation option 1 + progression of modalities*}

3.3alt: Developed countries [and other Parties [in a position][who determine] to do so] should take the lead in mitigation efforts, including by [communicating] [and implementing] absolute economy-wide emissions reduction [or limitation] targets and all other Parties should aim to do so over time. [*developed countries taking the lead + modality based differentiation option 2*]

[Parties may otherwise communicate quantified targets relative to business as usual, carbon intensity of GDP, or other reference point, or non-economy-wide actions.]

3.3bis Each Party's *NDMC/NDMCC* [shall][should][other] reflect a progression beyond the Party's previous efforts and highest possible ambition [*level of ambition + progression*]

[in accordance with][taking into account] its common but differentiated responsibilities and respective capabilities, in light of different national circumstances [*principle based differentiation*]

3.3bisAlt Each Party's *NDMC/NDMCC* [shall][should][other] reflect the highest possible ambition [*level of ambition*]

² Indicate linkage with art 2 bis general, legal issue, housing, timing. The placing of this paragraph needs to be further discussed.

[in accordance with][taking into account] its common but differentiated responsibilities and respective capabilities, in light of different national circumstances [*principle based differentiation*]

3.x³ Notwithstanding Articles 3.2 and 3.3 above, Parties that are LDCs, SIDs may communicate their NDMC/NDMCC at their discretion, including information on strategies, plans and actions for low GHG emission development, reflecting their special circumstances. {*applies to all options for 3.3*}

4. *Progression*

Each Party's NDMC/NDMCC [shall][should][other] be progressively more ambitious over time. [The progression of ambition of developing country Parties' NDMC/NDMCC will be supported and enabled by enhanced finance, technology development and transfer and capacity-building by developed country Parties over time.]

5. *Ambition*

Each Party should ensure that its NDMC/NDMCC reflects the Party's highest possible ambition, in light of its national circumstances and of recommendations by science.

6. *Information*

In communicating their [proposed] [intended] NDMC/NDMCC, 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 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.]

7. *Features*⁴

Option 1:

[Each Party's NDMC/NDMCC [shall][should][other]:

- (a) [Be quantified or quantifiable;]
- (b) [Be unconditional, at least in part;]⁵[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) [, which can be in the form of co-benefits resulting from [its] [the Party's] adaptation contributions and economic diversification plans]

³ This provision may apply to other parts of this Article, in particular features and housing.

⁴ One group of Parties is of the view that this issue should be dealt with in the Decision.

⁵ [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.]

- (o) [Other.]]

Option 2:

[Each developed country Party's *NDMC/NDMCC* [and of those Parties in a position to do so][shall][should][other]:

- (a) [Be quantified or quantifiable;]
- (b) [Be unconditional;]
- (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) [, which can be in the form of co-benefits resulting from [its] [the Party's] adaptation contributions and economic diversification plans]
- (o) [Other.]]

[Each developing country Party's *NDMC/NDMCC* [shall][should][other]:

- (a) [Be expressed as an unconditional target and a conditional target, based on the provision of finance and/or technology transfer and/or capacity building;]
- (b) [Be expressed as a sectoral or collection of targets;]
- (c) [Be expressed where possible, in a manner that is quantified or quantifiable;]
- (d) [Maximize adaptation co-benefits;]
- (e) [Prioritize actions that are immediately implementable, scalable and results oriented, including REDD+;].
- (f) [[Strive to] include all key categories of emissions by sources and removals by sinks;]
- (g) [Include any source, sink or activity that has been previously included;]
- (h) [Continue to include any sources, sink or activity that has been previously included;]
- (i) [Be based on reference values that are defined transparently and are consistent with environmental integrity;]
- (j) [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;]
- (k) [To the extent that it uses baselines, base these on real and verifiable data;]
- (l) [Be implemented in accordance with the provisions of the Convention;]
- (m) [Take into account the outcomes of the global stock-take and the process to facilitate implementation set out in Articles 10 and 11 respectively;]
- (n) [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;]
- (o) [, which can be in the form of co-benefits resulting from [its] [the Party's] adaptation contributions and economic diversification plans;]
- (p) [Other.]]

8. *Timing*

- (a) *First communication (streamlined from 3.2, 3.6 bis)*

Option 1:

Each Party's first *NDMC/NDMCC* is that listed in Annex [x] to the Agreement.⁶

Option 2:

Each Party shall communicate its first *NDMC/NDMCC* no later than upon [ratification or acceptance of] [joining] this agreement.

Option 3:

No provision on first communication in Agreement [For Decision text]

- (b) *Subsequent communications (Merged proposal from (3.6 inc. elements of 3.2 bis, 3.4, 3.4 bis, 7, 3.6bis):*

Option 1: *communication to 5 year time period*

Every 5 years, harmonised NDC

Each Party shall [[communicate its [successive] [new]] [update its] *NDMC/NDMCC* by [year x] [2020] [2021] and every five years thereafter, on a [synchronised][common] basis, [or resubmit an existing *NDMC/NDMCC*], [for the subsequent 5 year timeframe], taking into account the outcomes of the global stocktaking referred to in Article [x].

Submit INDC

All Parties shall submit [intended] [proposed] *NDMC/NDMCC* [12 [-18] months prior to] [well before] [finalisation [inscriptions]

Finalise NDC

[[with a view to [inscription in [Annex x]⁷][finalization] [at least 3 months prior to] [well before] the CMA at which *NDMC/NDMCC* will be collectively updated]];

[placeholder for an option regarding an "indicative" or "intended" subsequent NDMC/NDMCC for [5] years after the year of the submitted contribution.]

Option 2: *communication before the end of the period of implementation*

Successive *NDMC/NDMCC* [shall] [will] [other] be communicated by Parties after completion of the current implementation cycle.

- (c) *Consultative period/ex ante (including parts of 3.2 bis, 4 and 4bis, 3.10)*

Option 1:

[In the 12 [-18] month period referred to in paragraph x] [The CMA shall facilitate [conduct]] [All Parties shall participate in] a [preparatory] process to [facilitate] [enhance] the clarity, transparency and understanding of the [intended] [proposed] *NDMC/NDMCC*, including their aggregate effect in the light of the long-term temperature goal in Article 2 of this agreement, including through the production of an aggregate synthesis report. The [preparatory] process shall be conducted in accordance with modalities and procedures to be adopted by the CMA at its first session

Option 2:

No provision on consultative period/ex ante

Option 3:

Placement: Deal with this issue in Article 9

- (d) *Common timeframe in future (previous 6 option 1b, quater)*

Option 1:

A common timeframe for Parties' *NDMC/NDMCC* from 2030 onward shall be decided by the CMA at its first session

Option 2:

No provision for common timeframe

Option 3:

Differentiated timeframes for developed and developing countries to be decided by the CMA at its first session

- (e) *Adjustments at any time (previous 3.4 ter and 3.6 ter)*

⁶ Some Parties would like to reflect the need for *NDMC/NDMCC* to be captured in an Annex to the Agreement at COP 21 in Paris. Links to housing issue and Article 3.2

⁷ Housing issue dealt with separately

Option 1:

A Party may, at any time, submit an update to its NDMC/NDMCC that represents a progression in ambition beyond its previous efforts [in accordance with the simplified adjustment procedure referred to in Article X]

Option 2:

The enhancement of the [(I)NDCs][NDMC/NDMCC] of developing country Parties is premised on the adequacy of finance, technology transfer and capacity building support from developed country Parties. A developing country Party may adjust its [(I)NDC][NDMC/NDMCC] when severely affected by an extreme natural event, force majeure, or when adequate finance, technology development and transfer, and capacity building support is not available;

Option 3:

No text on adjustment

Additional notes on related provisions:

** 3.4: This restructuring does not deal with the accompanying information requirements, as currently outlined in 3.4. After stripping out the timings elements, the paragraph would read: 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]*

9. *Housing***Option 1:**

[The NDMC/NDMCC communicated by Parties shall be [listed][published] in a [online registry maintained by the secretariat][Annex [X] to this agreement][on the UNFCCC website].]

Option 2:

[The NDMC/NDMCC communicated by developed country Parties shall be inscribed in Annex A to this agreement. The NDMC/NDMCC communicated by developing country Parties shall be inscribed in Annex B to this agreement.]

10. *Accounting***Option 1:**

[In tracking progress towards achieving NDMC/NDMCC, Parties shall apply the principles of transparency, accuracy, completeness, comparability, consistency, avoidance of double-counting, and environmental integrity.]

Option 2:

[In tracking progress towards achieving NDMC/NDMCC, Parties shall apply the principles of transparency, accuracy, completeness, comparability, consistency, avoidance of double-counting, and environmental integrity.]

[The rules and guidance related to tracking of progress towards achieving NDMC/NDMCC 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.]

Option 3:

- (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 NDMC/NDMCC, 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 *NDMC/NDMCC* and its implementation];

- (iii) [Include an explanation for the exclusion from their *NDMC/NDMCC* 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 *NDMC/NDMCC*, 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 4:

Deal with accounting in Transparency of Action and Support

Option 5:

No provisions on accounting and land use

Differentiation modulator: (A choice to be made for options 1, 2, and 3).

Option 1:

[Taking into consideration the principles of common but differentiated responsibilities and respective capabilities, and article 4.9 of the Convention]

Option 2:

No differentiation modulator applied in this specific paragraph (does not prejudice how or where differentiation is treated in this section).

Other choices (accounting):

- *Legal/ technical:*
 - *CMA*
 - *COP*
 - *1/CP.21*
- *Inclusion of/ exclusion of:*
 - *Land Use, Land-Use Change, Forests, REDD+*
 - *Internationally transferred mitigation outcomes*

11. *Methods and guidance*

Option 1:

In the context of *NDMC/NDMCC*, when recognising and implementing mitigation actions in respect of anthropogenic emissions and removals [including from land use [or REDD+]], Parties may draw from [build on] existing methods and guidance under the UNFCCC and the IPCC.

Option 2:

No provisions on methods and guidance

12. *Long-term strategies*

[Parties [are invited][should strive]][invite Parties, on voluntary basis] 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].

[The secretariat shall maintain in a public registry, Parties' communicated low-emission development strategies.]

13. *Response Measures*

[Preamble: Parties acknowledge the importance of cooperation including around economic diversification to reduce the adverse impacts of the implementation of response measures.]

Option 1:

[Parties shall give full consideration to what actions are necessary under the Agreement to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures, including in terms of economic diversification, and taking into consideration that poverty eradication and social and economic development, are the first and overriding priorities of developing country Parties.

Parties agree to enhance actions under this agreement, including through strengthening institutional arrangements and shall adopt modalities and procedures for enhancing those arrangements. To this end the CMA shall establish a cooperative mechanism to address the adverse impacts of the implementation of response measures on developing country Parties, as included in Decision X/CP.21.]

Option 2:

No text

14. *Unilateral Measures***Option 1:**

[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.]

Option 2:

[No text.]

15. *REIOS*

[Parties, including regional economic integration organizations and their member States, may jointly communicate and/or implement their *NDMC/NDMCC* [detailing in its joint communication combined level of *NDMC/NDMCC* and individual levels of *NDMC/NDMCC* 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 *NDMC/NDMCC* 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 *NDMC/NDMCC* 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 *NDMC/NDMCC*, be responsible for its level of *NDMC/NDMCC* as communicated in accordance with this Article.]

16. *Cooperative approaches***Option 1:**

Parties may also cooperate in the implementation of *NDMC/NDMCC*. {second sentence of original 3.8}

Option 2:

[Parties when using cooperative approaches shall ensure that they deliver real permanent additional and verified internationally transferrable mitigation outcomes which shall only be accounted once]

[The cooperation of Parties in the implementation of mitigation activities to implement *NDMC/NDMCC* 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 *NDMC/NDMCC*, while respecting the *NDMC/NDMCC* of the host Party.]

- *Potential elements of elaboration of the option:*
- *Approval by the Parties involved*

- *Transfer of units/outcomes*
- *Standards for environmental integrity*
- *Real, verified, permanent, additional*
- *Accounted once/no double counting (also see the relevance of article 3.5 of the text of October 5th as well as 3.4 quinquies and paragraph 30(e) of the decision)*
- *Transparency, accuracy, completeness, comparability, consistency*

Option 3:

Parties acknowledge the importance of cooperation instruments to enhance mitigation commitments at the local, regional and/or international level.

Option 4:

No provision

17. *Support*

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 NDMC/NDMCC of developing country Parties.

Option 1:

[Developing country Parties][developing country Parties and other countries with economies in transitions][Parties in need of support] are eligible for support in the implementation of this Article.

Option 2:

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.

18. *Framing*

[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].

[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.]

19. *International Transport Emissions*

Option 1:

Parties [shall][should][other] pursue limitation or reduction of greenhouse gas emissions from international aviation and marine bunker fuels, working through the International Civil Aviation Organization and the International Maritime Organization, respectively, with a view to agreeing concrete measures addressing these emissions, including developing procedures for incorporating emissions from international aviation and marine bunker fuels into low-emission development strategies.

Option 2:

No text

[Article 3bis] on REDD-plus

1. [Mechanisms for forest mitigation and adaptation are] [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.

- [4. The Joint Mitigation and Adaptation Mechanism (JMA) is established to support the integral and sustainable management of forests as an alternative to results-based payments, in accordance to decision X/CP.21.]

[Article 3ter] on mechanism to support sustainable development

Option 1:

1. Establishes a mechanism to support sustainable development to be available to assist Parties in fulfilling their NDMC/NDMCC. 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.]

Additional elements to article 3 ter to be reflected in the article (these are also applicable to paragraph 34 of the decision):

- *Additional element – own contribution – EU submission on paragraph 34 “Deliver where desired by Participating Parties a net contribution to mitigation over and above the current NDMC/NDMCC of the Parties participating”.*
- *Approval by the Parties involved*
- *Article 3 ter enabling creation of multiple mechanisms*
- *Sustainable development criteria of the host country*

Option 2:

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 NDMC/NDMCC. 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:

- (c) 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 NDMC/NDMCC 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;
- (d) Deliver, where desired by participating Parties, a net decrease or avoidance of emissions;
- (e) 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;] {paragraph 34 option 1 of the decision}

Option 3

[For the purpose of meeting a portion of its mitigation commitment under Article 3, any Party may elect to use certified units (CU) generated under the new market-based mechanism defined under decision 2/CP.17, paragraph 83, subject to the adoption by the CMA of modalities and procedures elaborating each of the elements in decision 1/CP.18 paragraph 51, and the adoption of eligibility rules for participation which promote fair and equitable access for all Parties. These modalities and procedures shall ensure that the design and operation of the mechanism delivers net global emission reductions, through the cancellation of a share of units generated, transferred, used or acquired from offsetting activities.]

Option 4:

Establishes a mechanism to support holistic and integrated approaches to sustainable development in harmony with nature to be available to assist developing country Parties in fulfilling their NDMC/NDMCC including in a balanced manner mitigation, adaptation, provision of finance, technology transfer and capacity building. 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 and adaptation ambition and the provision mobilization of public financing technology transfer and capacity building in an integrated manner for climate action;
- (b) Enhance non-market-based approaches and enable participation in joint cost-effective mitigation and adaptation actions by public and private entities acting under the responsibility of a Party.
- (c) Support the implementation of the joint mitigation and adaptation approach for the integral and sustainable management of forests as an alternative policy approach to results-based payments.
- (d) Fully respect mitigation contributions of participating Parties to ensure that the global mitigation effort is not undermined.

The CMA shall adopt modalities and procedures for the mechanism referred above on its first session.]

Option 5:

No Article 3ter.
