

## **Work of the Spin-off group on Article 7 on technology development and transfer and Article 8 and 8bis on capacity building, and related decision paragraphs**

*Version of 23 October 2015@22:00hrs*

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

1. All Parties[, in accordance with the principles and provisions of the Convention, in particular Article 4 [and Article 11]], noting the importance of [meeting the] technology [requirements] for the implementation of mitigation and adaptation actions under this Agreement and recognizing existing deployment and dissemination efforts, [shall][should] strengthen cooperative action [among Parties] [to accelerate and upscale] [on] [technology development and transfer] [through];  
[inter alia:
  - (a) [Improve endogenous capacities and enabling environment according to nationally determined needs and priorities, in accordance with Article 4.5 of the Convention]
  - (b) Address barriers [in accessing to][for] the transfer of safe, appropriate and environmentally, and socially sound technologies [by developing countries]; and
  - (c) Foster cooperative approaches to research and development].]  
[1ter. **Option 1:** The [CMA] shall, at its first session, establish a global goal for technology development and transfer[, with the aim of improving the resilience of countries through adaptation and mitigation.][, under which][ In this regard] 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 the access of developing countries to such technologies, that match developing country Parties' technology needs, in order to progressively scale up 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.]  
**Option 2:** No text
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 the Technology [Mechanism][institutions] [under this Agreement] in the medium to long term, and strengthen them.
- 2bis. **Option 1:** 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 utilizing 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 effects of climate change.  
**Option 2:** No text
3. **Option 1:** The [Technology Mechanism] [institutional arrangements for technology established under the Convention] shall [be strengthened and] serve this Agreement [by facilitating enhanced action on technology development and transfer].  
**Option 2:** The Technology Mechanism shall serve this Agreement and be strengthened by facilitating enhanced action which include inter alia; anchoring dedicated nodal research, development and demonstration facility 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][, 5 and 9] of the Convention,] developed country Parties and other Parties included in Annex II to the Convention shall provide support, including financial support, for strengthening cooperative action the implementation of the technology framework through the Technology Mechanism. The availability of the financial support shall include through the Financial Mechanism.  
**Option 3:** No text
5. **Option 1:** Developed country Parties and other Parties included in Annex II to 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 by, 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.  
**Option 2:** No text

## B. DRAFT DECISION

### 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;
  - (a)bis. [The alignment of TNAs more closely with bankable finance projects and] improving TNAs to result in implementable projects;
  - (b) The synergy between the TNA process and other arrangements related to the implementation of mitigation and adaptation actions, as appropriate;
  - (c) The operationalization of decision 18/CP.20 in the TNA process towards achieving gender-responsive climate policy in all relevant activities under the Convention];\*
- \* This paragraph will be finalized in light of any relevant decision of COP 21 on strengthening the TNA process.*
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;]
- 49bis. [The Technology Mechanism of the Convention including the TEC and Climate Technology Centre and Network (CTCN) shall be strengthened or augmented in order to effectively anchor technology development through dedicated nodal research, development and demonstration platform having appropriate human resources, infrastructure and facilities. To achieve this, an expert committee shall be constituted to assess the capacity and augmentation needs of TEC and CTCN along-with its other linkages, for example, financial mechanism, national focal points, with respect to effectively anchoring technology development and transfer to recommend and undertake appropriate measures.]
50. **Option 1:** [Encourages] [Parties][Developed country Parties][Parties included in annex X] [to][shall][should] take steps to [improve enabling environments] [and address barriers] for technology development and transfer by:
- (a) **Option (a):** Establishing and strengthening policy frameworks, institutions and capacity to build country ownership and innovation, integrating a gender perspective and involving and strengthening the potential of citizens and communities;  
**Option (b) 1:** Arrangements shall be established to address IPRs, such as collaborative research and development, shareware, commitments related to humanitarian or preferential licensing, fully paid-up or joint licensing schemes, preferential rates and patent pools;  
Option (b) 2: No text;
  - (b) [Leveraging and attracting private sector investments and promoting access to [public sector technology][technology in the public domain];]
  - (c) Strengthening the development and enhancement of endogenous capacities and technologies;

- (d) **Option (a):** In accordance with Article 4.5 of the Convention, developed country Parties shall provide financial resources to address barriers created by intellectual property rights (IPRs) and facilitate access to and the deployment of technology, including, inter alia, by utilizing the Financial Mechanism and/or establishing a funding window under the GCF to meet the full costs of IPRs of environmentally sound technologies and know-how, and such technologies will be provided to developing country Parties free of cost in order to enhance their actions to address climate change;

**Option (b):** No text;

**Option 2:** [Developed country Parties][Parties included in annex X] [shall][should][other] undertake steps to address barriers to accessing technology [and know-how] and to:

- (a) Establish and strengthen their necessary policy frameworks in order to facilitate the removal of barriers and enable and accelerate technology development and transfer to [developing country Parties][Parties not included in annex X];
- (b) [Leverage enhanced support from the private sector for technology development and transfer to [developing country Parties][Parties not included in annex X]] [Promote access to public sector technology and promote development and transfer to developing country Parties];
- (c) Provide financial and human resources and institutional and technical support for technology development and transfer to [, and for the development and enhancement of endogenous capacities and technologies of] [developing country Parties][Parties not included in annex X];

51. **Option 1:** 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;

**Option 2:** [Decides that the SBI review the Technology Framework with a view to strengthening it, taking into consideration that the Framework shall inter alia] [Requests the [IPC][SBI/SBSTA][others] to elaborate on the technology framework established in article 7.2 of the Agreement taking into consideration that it shall, inter alia.]:

- (a) Facilitate the undertaking and updating of TNA in developing country Parties;
- (b) Facilitate various options for enabling developing countries' access to technologies;
- (c) Facilitate the [undertaking of technology assessments][conducting of regular assessments [on][of] technologies that are ready for transfer];
- (d) Make the list of ready-to-transfer technologies;
- (e) Set the target for supporting the development and transfer of each technology to developing countries;
- (f) [Mobilize resources to deliver the support] [[Facilitate] enhance financing and technical support for the implementation of the outcomes of technology needs of developing countries];
- (g) Address barriers and create appropriate enabling environments for technology development and transfer;

52. **Option 1:** Decides that the TEC and the ~~CTCN~~Climate Technology Centre and Network [shall][should] report to the [CMA] through the subsidiary bodies on their activities relating to the implementation of the Agreement;

**Option 2:** Decides that the [CMA][governing body] [may][shall][should] provide further guidance to [and strengthen] the [Technology Mechanism][institutional arrangements for technology[ development and transfer]] established under the Convention and serving this agreement, taking into account the specific needs of [developing countries][Parties not included in annex X] and countries with special circumstances in Africa, the LDCs and SIDS and promoting needs-based development, access, management and control, emphasizing the most marginalized; the guidance provided by the [CMA][governing body] shall not conflict with the guidance provided by the COP;

- 52bis. [Decides that [CMA] [the governing body] [an ad hoc review and monitoring mechanism shall be established and] shall conduct a periodic assessment of the effectiveness and adequacy [and implementation] of the [Technology Mechanism] [institutional arrangements] for technology development and transfer. [The [Technology Mechanism] [institutional arrangements] shall improve their performance, and be mandated new functions, as needed, in accordance with the result of the assessment;]

**Note from co-facilitator**

1. A Party intended to make proposal to insert some text in the bracketed sub-paragraphs in paragraph 1 of Article 7 of the draft Agreement. The co-facilitator noted that the Party would make this proposal when the specific article is considered in the subsequent meeting; however, in the last spin-off group meeting Parties did not further discuss the draft Agreement.