

Inputs to the Spin-off group on article 4 on adaptation and article 5 on loss and damage and related decision paragraphs

Non-paper by the co-facilitators

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As agreed at the spin-off group, this non-paper represents the results of the efforts by the co-facilitators to streamline and to reorganize the text considered by the ADP spin-off group on adaptation and loss and damage on the 22nd of October 2015 at 15:00-18:00. The aim of the co-facilitators was to make the text clearer, more concise, and structured. For this purpose, similar concepts were grouped together; similar language was merged; and minor changes and editorial corrections were made to enhance readability and to make the language compatible with the draft Agreement and the decision.

Article 4 (ADAPTATION)

1.

Option 1: Parties hereby establish the [global goal][long-term vision] of enhancing adaptive capacity, strengthening 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 [enabling climate resilient sustainable development and] 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 of this Agreement].

Parties recognize 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].

Option 2: Parties share the goal of increasing resilience and reducing vulnerability to climate change, recognizing that adaptation is a 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.

2. **Option 1:** [Parties recognize that adaptation will be needed regardless of the level of mitigation reached and that [less adaptation will be needed if[, inter alia,] their collective mitigation efforts are greater].]

Option 2: [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^[1] to developing country Parties^[2] and a platform to undertake such an assessment through strengthened measurement, reporting, and verification of support;
- (b) Recognition of adaptation efforts of developing countries;
- (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, and recognizing there are limits to adaptation.]

Option 3: no text

3. Parties acknowledge that adaptation action should follow a country-driven, gender-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 indigenous and local knowledge

¹ 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]”.

² 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, including countries with economies in transition”.

systems, [taking into account relevant activity on adaptation of UN specialized organizations,] with a view to integrating adaptation into relevant socio-economic and environmental policies and actions, where appropriate.

4. Parties [shall][should] enhance [their] cooperation, including with respect to:
 - (a) Sharing information, good practices, experiences and lessons learned[,including through a knowledge dimension informed by science, planning and policy aspects to implement adaptation action;]
 - (b) [Strengthening institutional arrangements [under the Convention] to support the synthesis of relevant information and knowledge as well as the provision of technical [support and] guidance [and support][to the Parties];]
 - (c) [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][comprehensive climate risk management];]
 - (d) [Assessment for the adequacy of support referred to in paragraph 2 (option 2 (a)) above, with a view to ensuring transparency and accountability;]
 - (e) [Assisting developing countries to identify adaptation needs, priorities, support provided and received for adaptation actions and efforts, challenges and gaps encouraging good practices.]
 - (f) [Improving the effectiveness and durability of adaptation actions]
5. Each Party, in accordance with [Article 4, paragraph 1 of the Convention and] its national circumstances and priorities [shall][should] engage in [a] [national] adaptation planning [process], formulate and implement a national adaptation plan, and/or enhance other relevant plans, policies, actions, and/or contributions, which could include:
 - (a) Assessments of climate change impacts [and][or] vulnerability [with a view to identifying the most vulnerable people, places, ecosystems and sectors];]
 - (b) [Prioritizing action with respect to the most vulnerable people, places, ecosystems and sectors;]
 - (c) Strengthening [governance and enabling environments for][arrangements for implementation of] adaptation;
 - (d) Monitoring[, reporting], evaluating, and learning from, adaptation plans, policies, programmes and actions;
 - (e) [Building resilience of socio-economic and ecological systems, including through economic diversification and sustainable management of natural resources;]
 - (f) [Enhancing of implementation of plans, policies and actions in a manner that is continuous and shall have continuous and enhanced international support.]
 - (g) [Strategies and approaches for enhancing the effectiveness of adaptation planning and actions, in the context of broader economic and development efforts.]
7. Each Party [shall][should][may] submit [an adaptation communication][communications or undertakings on adaptation] that [shall][should][may][, with a view to sharing best practices, experiences, and lessons learned, including on progress in implementing adaptation action, and to build capacity] include:
 - (a) Its priorities[, experiences, efforts], needs, plans [and actions];]
 - (b) [The level of support needed by developing country Parties in order to enhance adaptation action;]
 - (c) [Actions on provision of support to developing country Parties by developed country Parties;]
8. The [adaptation communication][communications or undertakings on adaptation] referred to in paragraph 7 above, [shall][should][may] be:
 - (a) Submitted independently or in conjunction with another communication[, including a national adaptation plan, an [intended] nationally determined contribution, and/or a national communication][, in a manner that does not create an additional burden to [developing country] Parties;]
 - (b) Option 1: [Updated every [X][5] years in [conjunction with the mitigation cycle][accordance with modalities to be decided by the [CMA][CMP]].]
Option 2: no text
9. **Option 1:** The [an adaptation communication][communications or undertakings on adaptation] referred to in paragraph 7 above shall be [recorded in [a registry][another modality]] made publicly available by the secretariat [on the UNFCCC website][in accordance with modalities to be decided by the [CMA][CMP] at its first session].
Option 2: no text
10. **Option 1:**
[There shall be a [high-level session][global stocktake] on adaptation every [X] years, with the purpose of [raising the profile of adaptation efforts undertaken and considering experiences, challenges, and future priorities, with a

view to increasing the effectiveness of adaptation actions][enhancing implementation of adaptation action based on the [an adaptation communication][communications or undertakings on adaptation] referred to in 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.]

[The [CMA][CMP] shall facilitate the communication of adaptation efforts for the stocktake.]

Option 2: no text

11. **Option 1:** [The Adaptation Committee and the Least Developed Countries Expert Group[, the Adaptation Fund, the Green Climate Fund, LDCF, SCCF, 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][under the guidance by the CMA].]

Option 2: Institutional arrangements for adaptation under the Convention shall serve this agreement. The CMA shall, based on a review of institutional arrangements under the Convention, further elaborate the adaptation framework for this Agreement, in order to enhance its coherence and effectiveness, building on, consolidating and coordinating institutional arrangements relevant to adaptation under the Convention.

12. [[Developing country] Parties [in need][other Parties in need of support] are eligible for support in the implementation of this Article] .
13. [Parties included in Annex II of the Convention][Developed country Parties] [shall][should]:
- (a) [Provide developing country Parties with [grant-based,] long-term, scaled-up, predictable, new and additional finance, technology and capacity-building[, in accordance with the [provisions of Article 4][relevant provisions] of the Convention, recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable, to implement][Enhance support for] [the activities referred to in paragraph 5 of this Article,][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;]
- (b) [Transfer technology, in particular for early warning systems, through United Nations mechanisms, in order to make it accessible for all.]

Article 5 *(LOSS AND DAMAGE)*

Option 1:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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).

DRAFT DECISION

[ADAPTATION

35. [Decides that the activities referred to in Article 4, paragraph 5, of the Agreement 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][, recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable];
 - (e) Promote climate resilience and sustainable development trajectories;
 - (f) Option 1: [Not be a prerequisite for financial, technological or capacity-building support for adaptation actions];
Option 2: [should facilitate access to financial, technological, and capacity-building support for adaptation action, without being a prerequisite]].
36. Requests the [SBSTA][AC][LEG] to develop modalities and procedures to assist developing countries to assess their adaptation needs without placing an undue burden on them, [taking into account the urgent needs of those developing countries that are particularly vulnerable,] through existing mechanisms under the Convention.
37. Requests the [SBI][AC][SCF][LEG] to develop methodologies for taking the steps necessary to ensure that the level of support meets the needs for adaptation in developing countries in the context of the limit to global average temperature increase referred to in Article 3 of this agreement, and make recommendations for adoption by the Conference of the Parties at its [X] session.
38. Requests the [AC][SBSTA][SCF][LEG] to develop methodologies and approaches to recognize the adaptation efforts of developing countries to respond to climate change.
39. Requests the operating entities of the financial mechanism of the convention and developed country Parties country parties to provide financial support for undertaking the adaptation needs assessments referred to in paragraph 36 above.
40. Requests the Adaptation Committee to:
- (a) Review the work of the adaptation-related institutional arrangements under the Convention in 2017, to ensure and enhance the coherence of their work, and prepare recommendation for consideration at COP 23, and to identify improvements in the articulation of these arrangements in order to respond effectively to the needs of Parties, for consideration of the COP and the IPC by their 23rd and second sessions, respectively;
 - (b) Establish and maintain stronger linkages with the GCF, [taking into account the balanced 50:50 approach of the allocation of financing between mitigation and adaptation,] the AF, and other funds;
 - (c) Evaluate information on finance, technology, and capacity-building support for adaptation;
 - (d) Provide recommendations on existing methodologies for adaptation;
 - (e) Take such other actions as may be appropriate to enhance and support via finance, technology transfer, and capacity-building for adaptation efforts;
 - (f) Identify, as outlined in Article 4, paragraph [X] of the agreement, the implications of the aggregate mitigation effort for projected regional impacts on the basis of the best available science, with the aim of assisting developing countries particularly vulnerable to adverse effects of climate change, including LDCs, SIDs, and Africa with:

- (i) National adaptation planning;
 - (ii) Identification of gaps in capacities and knowledge in the light of projected impacts;
 - (iii) Development of strategies to address projected impact.
41. *Decides* that the Adaptation Committee shall report annually to the CMA on priority areas of concern for regions.
42. **Option 1:** *Requests* the [SBSTA][SBI][AC [and the LEG]] to develop modalities and procedures for the operation of the [registry][other modality] referred to in Article 4, paragraph 9 of the Agreement with a view to making recommendations to the IPC at its [second][first] session.
- Option 2:** no text (*linked to option [X] in the agreement*).
43. *Requests* the GCF to establish programs for expedited support for the LDCs for the formulation of NAPs as defined in decision 1/CP.16 and 5/CP.17, and the subsequent implementation of policies, projects and programs identified by them.
44. **Option 1:** [*Requests* the secretariat to make available an interim registry in the first half of 2016 for the recording of [adaptation communications][communications on adaptation], in accordance with Article 4 of the Agreement, [such as plans, priorities, needs, actions and/or contributions] pending the adoption by the CMA of the modalities and procedures referred to in paragraph 36 above;]
- Option 2:** no text (*linked to option [X] in the agreement*)
45. *Requests* the [AC][LEG][SBSTA][SBI] to [record][compile] priorities and needs communicated by Parties as established in Article 4, paragraph 7 of the Agreement with a view to the IPC making a recommendation to the CMA/CMP at its first session.
46. [*Establishes* a technical and knowledge platform under [the AC and building upon] the Nairobi work programme on impacts, vulnerability and adaptation to climate change in order to[, inter alia][facilitate]:
- (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][adaptation benefits, practices and outcomes; in line with Article 4.1 (g) and 5 of the Convention];
 - (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][international][and regional] implications of adaptation actions, of interlinkages among local, national, [regional] and [global][international] adaptation actions[, and of progress made in reducing vulnerability at all levels and in achieving the [global goal for adaptation][Article 2, paragraph 2 and Article 4, paragraph 1 of the Agreement];
 - (g) [Enhance regional cooperation to foster adaptation actions.]
47. [*Requests* the Adaptation Committee to operationalize the technical and knowledge platform referred to in paragraph 38 above [and where possible, build on existing work and processes to strengthen coherence];]
48. *Requests* the SBI and SBSTA to review, by 2016, the institutional arrangements for adaptation under the Convention, encompassing the Cancun Adaptation Framework, the Adaptation Committee, the Nairobi work programme, and the LEG, to enhance the coherence and effectiveness of their work in light of Article 4 of the agreement.
49. *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][climate finance] programmes and finance incorporate climate-proofing and climate resilience measures;
50. *Requests* Parties to strengthen regional cooperation on adaptation where appropriate and, where necessary, establish regional centres and networks, in particular in developing countries, with support from developed country Parties as previously agreed to in 1/CP.16 paragraph 13.
51. *Requests* the [IPC][COP][AC][LEG] to prepare a recommendation [including modalities to streamline and simplify existing adaptation reporting instruments and mechanisms] to the [CMA][CMP] regarding Article 4, paragraph 7, of the Agreement;
52. [*Also requests* the IPC to prepare a recommendation to the CMA regarding Article 4, paragraph 10, of the Agreement.]]

*LOSS AND DAMAGE***Option 1**

53. *Recalls* decisions 2/CP.19 and 2/CP.20 on the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts;
54. *Invites* all Parties to reduce the risk of and address loss and damage associated with the adverse effects of climate change;
55. *Encourages* all Parties to strengthen early warning systems and comprehensive risk management planning for both extreme and slow onset events associated with the adverse effects of climate change;
56. *Decides* that the Warsaw International Mechanism under the Convention, will, following the review in 2016, continue to serve as the mechanism for loss and damage;
57. *Requests* the Executive Committee of the Warsaw International Mechanism, which guides the implementation of the functions of the Warsaw International Mechanism, to develop guidance for a comprehensive approach to climate risk management;
58. *Requests* the Executive Committee to establish, as part of its work plan, a clearinghouse for risk transfer that serves as a repository for information on insurance and risk transfer in order to facilitate Parties' efforts to develop and implement comprehensive risk management strategies;
59. *Further requests* the Executive Committee to complement, draw upon the work of and involve, as appropriate, existing bodies and expert groups under the Convention, as well as that of relevant organizations and expert bodies outside the Convention, to enhance understanding, coordination and cooperation with regard to displacement, migration and planned relocation in the context of climate change, where appropriate, at the national, regional and international level;

Option 2

53. *Encourages* Parties to develop early warning systems and risk management plans for both extreme events and slow onset events and communicate them to the secretariat as part of their national communications, in accordance with the modalities and procedures to be developed and adopted by the Conference of Parties;
 54. *Agrees* that, as part of its work, the Warsaw International Mechanism on Loss and Damage shall develop guidelines for a comprehensive approach to climate risk management;
 55. *Establishes* a financial technical panel under the Warsaw International Mechanism on Loss and Damage which shall explore approaches for:
 - (a) Establishing regional and sub-regional pools to support regional and sub-regional risk transfer schemes;
 - (b) Providing support for microfinance initiatives;
 - (c) Exploring finance for slow onset events;
 56. *Decides* to develop interim modalities and procedures for the operation of a climate change displacement coordination facility and which shall:
 - (a) Assist in developing arrangements for emergency relief;
 - (b) Assist in providing organized migration and planned relocation;
 57. *Establishes* under the Warsaw International Mechanism on Loss and Damage a clearing house for risk transfer that shall:
 - (a) Provide a repository for information on insurance and risk transfer;
 - (b) Assist Parties in developing risk management strategies and finding best insurance schemes;
 - (c) Facilitate financial support for rehabilitation.
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