

***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

Version of 3 December 2015@08:00hrs¹

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 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 [as set out in its Articles 2, 3 and 4], [[including][in particular] the principles of equity and common but differentiated responsibilities and respective capabilities [in the light of different national circumstances],]

Pp3 *Pursuant to the Durban mandate* on the establishment of the Ad Hoc Working Group on the Durban Platform for Enhanced Action *set out in* decision 1/CP.17 [and recalling decisions 2/CP.18, 1/CP.19 and 1/CP 20],

Pp4 *[[Recognizing][Taking account of]* the [particular vulnerabilities and specific needs of][particularly vulnerable][urgent and immediate needs and special circumstances of] developing country Parties, especially [those that are particularly vulnerable, including] the least developed country (LDC) Parties [and other Parties identified in Article 4, paragraph 8, of the Convention], small island developing States (SIDS) [,small mountainous developing States] and Africa, [and the Central American isthmus]]

[Taking full account of the specific needs and special situations of the LDCs and SIDS arising from the adverse impacts of climate change],

[Taking into account the particular vulnerabilities, specific needs and circumstances of developing country Parties to the adverse effect of climate change in accordance with Article 4, paragraphs 8 and 9, of the Convention]

Pp4bis *[Taking full account of the specific needs and specific situations of the least developed countries in accordance with Article 4, paragraph 9, of the Convention],*

Pp5 *[Recognizing* the intrinsic relationship between climate change, poverty eradication and sustainable development and *reaffirming* that the response to climate change should be coordinated with social and economic development [in an integrated manner] with a view to avoiding adverse impacts [of response measures on the latter], taking into full account the legitimate priority [needs] of developing countries and their rights to equitable access to sustainable development for the achievement of sustained economic growth and the eradication of poverty,] *[recognizing* the importance of promoting social and economic development in harmony with nature as the fundamental requirement for addressing climate change,]],

Pp6 *[Emphasizing* the need for [universal and] sustained action [by all][in accordance with the Convention] to respond to the urgent threat of climate change on the basis of the best available scientific knowledge, [including, inter alia,][in particular] the assessment reports of the Intergovernmental Panel on Climate Change[, and inputs and resources from Parties]],

Pp7 *Recognizing* the outcomes of the 2013–2015 review[, including the report on the structured expert dialogue on the review, 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"],

¹ The paragraph numbering as well as the cross-references contained in this version will need to be updated.

Pp8 [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.]

Pp9 [Recognizing that Parties should take action to address climate change in accordance with [[relevant][evolving economic and emission] trends, which will continue to evolve post-2020] [and the principles and provisions of the Convention],]

Pp10 *Emphasizing* the importance of respecting and taking into account [, subject to jurisdiction] [right to development,] human rights, [including people under occupation], gender equality [and women’s empowerment], [the rights of indigenous peoples,] [local communities,] intergenerational equity concerns, and the needs of [migrants] [particularly vulnerable groups] [people in vulnerable situations], [including people under [foreign] occupation,] women, children and persons with disabilities, when taking action to address climate change,

Pp11 *Also emphasizing* the importance of aligning actions with the goal of promoting food security and livelihood [security, restoration of degraded lands, health and ecosystem integrity], [participation in environmental decision-making by civil society and individuals, and a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities and strategies] [towards [environmentally] [the achievement of] sustainable [economies][development] for all],

Pp12 [**Option 1:** *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[and removals, its unique characteristics and[,] multiple sustainability objectives[, disturbance, permanence, legacy and non-anthropogenic effects][including food security],]

Option 2: *Recognizing* the fundamental priority of the international community in the eradication of hunger and safeguarding food security,]

[*Recognizing* the importance and special characteristics of food production, given the fundamental priority of the international community in the eradication of hunger and safeguarding food security,]

Pp13 [*Recognizing* the critical role played by sinks and reservoirs of greenhouse gases, [such as forests [and oceans],] through mitigation and adaptation actions, [including REDD-plus,] [and the Joint Mitigation and Adaptation Mechanism] in attaining the stabilization of greenhouse gas concentrations in the atmosphere, conserving biological diversity, restoring ecosystems and enhancing ecosystem services[, including food security], while acknowledging their vulnerability to climate change and associated natural disturbances,]

Pp14 *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 behaviour needed [to foster [low-emission and climate-resilient][sustainable] development] and to mobilize public support for climate policies and action, [*recognizing* that sustainable lifestyles and sustainable patterns of consumption and production play an important role in addressing climate change, [with the lead of developed countries] and *recognizing* the important role that subnational and local authorities[, as well as non-state actors and the private sector,] play in addressing climate change,

Pp15 [*Acknowledging* that putting a price on carbon is an important approach for the cost-effectiveness of the cuts in global greenhouse gas emissions,]

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”.]
5. [“Climate forcers” means: compounds or group of compounds that contribute to climate change. This contribution can be measured through their radiative forcing (expressed in W/m²). They are well-mixed and near-term greenhouse gases, aerosols or particles.]
6. [“Emission reductions” means the sum of all reduced emissions and increased carbon stocks.]

7. ["REDD-plus" means a mechanism aimed at reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries, which is based on the Warsaw Framework for REDD-plus and relevant decisions of the [Conference of the Parties].]
8. ["JMA" means a mechanism for the implementation of joint mitigation and adaptation actions for the integral and sustainable management of forests as an alternative to REDD-plus and to results-based payments.]
9. ["Developed country Party" means a developed country Party [under the Convention] [within the meaning of this Agreement] [in the United Nations system].]
10. ["Developing country Party" means a developing country Party [under the Convention] [within the meaning of this Agreement] [in the United Nations system].]
11. [Placeholder for "climate finance".]
12. ["Conference of the Parties" means the Conference of the Parties to the Convention.]
13. ["Convention" means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992.]
14. ["Party included in Annex I" means a Party included in Annex I to the Convention, as may be amended, or a Party which has made a notification under Article 4, paragraph 2(g), of the Convention.]

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

Article 2 *(PURPOSE)*

Option I:

1. The purpose of this Agreement is [to enhance the implementation of the Convention and] to achieve [its][the] objective [of the Convention] as stated in its Article 2. In order to strengthen and support the global response to the urgent threat of climate change, Parties [shall][agree to] to take urgent action and enhance [cooperation][support] so as to:
 - (a) Hold the increase in the global average temperature [below 1.5 °C [or] [well] below 2 °C] above pre-industrial levels by ensuring deep cuts in global greenhouse gas [net] emissions;
 - (b) Pursue a transformation towards sustainable development, to foster societies that are resilient to climate change and economies with low greenhouse gas emissions and to ensure that food production and distribution are not threatened;
 - (c) Increase their ability to adapt to the adverse impacts of climate change [and to effectively respond to the impacts of the implementation of response measures and to loss and damage].
2. [This Agreement shall be implemented on the basis of equity and science, in [full] accordance with the principles of equity and common but differentiated responsibilities and respective capabilities[, in the light of national circumstances] [the principles and provisions of the Convention], while ensuring the integrity and resilience of natural ecosystems, [the integrity of Mother Earth, the protection of health, a just transition of the workforce and creation of decent work and quality jobs in accordance with nationally defined development priorities] and the respect, protection, promotion and fulfillment of human rights for all, including indigenous peoples, including the right to health and sustainable development, [including the right of people under occupation] and to ensure gender equality and the full and equal participation of women, [and intergenerational equity].]

Option II: No text

Article 2bis *(GENERAL)*

Option I:

1. [All Parties [shall] regularly prepare, communicate [and implement] [intended] nationally determined [contributions][components] [on [mitigation] and adaptation] [undertakings in adaptation planning] [and means of implementation]* [towards achieving the [purpose of this Agreement as set out in Article 2] [objective of the Convention as set out in its Article 2],] [in accordance with Article 4 of the Convention] [in accordance with the provisions of this Agreement, including the specific provisions related to mitigation and adaptation and means of implementation.]]
2. [Each Party's [intended] nationally determined contribution will represent a progression in the 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 the provision of finance, technology development and transfer and capacity-building.]
4. [Successive [intended] nationally determined contributions will be communicated [informed by the result of the global stocktake as defined in Article 10] before the expiry of the previous [intended] nationally determined contribution by the Party concerned.]

* without prejudice to the terminology to be used to describe Parties' commitments, undertakings and efforts under the Paris Agreement

Option II: No text

Article 3 *(MITIGATION)*

{Collective long-term goal}

1. [Parties [collectively][cooperatively] aim to reach the global temperature goal referred to in Article 2 through:
 - a) [a peaking of global greenhouse gas emissions as soon as possible[, recognizing that peaking requires deeper cuts of emissions of developed countries and will be longer for developing countries]]
 - b) [rapid reductions thereafter [in accordance with best available science] to at least a X [-Y] per cent reduction in global [greenhouse gas emissions][CO₂[e]] compared to 20XX levels by 2050]];
 - c) [achieving zero global GHG emissions by 2060-2080]
 - d) [a long-term low emissions transformation] [toward [climate neutrality][decarbonization] [over the course of this century] [as soon as possible after mid-century];
 - e) [equitable distribution of a global carbon budget based on historical responsibilities and [climate] justice]

[on the basis of equity and common but differentiated responsibilities and respective capabilities] [in the context of sustainable development and eradication of poverty][while ensuring that food security, production and distribution is not threatened][informed by the best available science].

- 1bis. [To achieve this, policies and measures should take into account different socio-economic contexts, be comprehensive, cover all relevant sources, sinks and reservoirs of greenhouse gases and adaptation, and comprise all economic sectors [for developed countries]]

{Individual efforts}

2. Each Party shall regularly prepare, communicate [and maintain] [successive] [NDMCs*²][INDC] and [shall][should][other] [take appropriate domestic measures] [have in place][identify and] [pursue] [implement] [domestic laws, [nationally determined] policies or other measures] [designed to] [implement][achieve][carry out][that support the implementation of] its [NDMCs*][INDC].

[Placeholder for article 3.8 and 3.9]

[Placeholder for context CDRCC[, in the light of different national circumstances]]

[Placeholder referring to article 4 of the Convention]

[Placeholder for support]

{Differentiated efforts}

Option I:

3. In accordance with Article 4, paragraph 2, of the Convention, developed country Parties and other Parties included in Annex I shall undertake quantified economy-wide absolute emission reduction commitments/targets, which are comparable, measurable, reportable and verifiable, cover all greenhouse gases and are implemented domestically without any conditions.

² Without prejudice to how the final agreement will refer to the mitigation commitments/contributions/other of Parties and pending resolution to Article 2bis. Options include:

Option 1: Nationally Determined Mitigation [Contribution][Commitment] (NDMC)

Option 2: Nationally Determined Mitigation Component of the Contribution referred to in Article 2bis (NDMCC)

Option 3: Mitigation Component of the [Intended] Nationally Determined Contribution (MCNDC)

Option 4: INDC which can be in the form of co-benefits resulting from the Party's adaptation contributions and economic diversification plans

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.

Option II:

3. **Option a:** 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.

Option b: Developed country Parties [and other Parties [in a position][that 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.

3bis [Developed country Parties should continue to take the lead].³

{Flexibility}

4. LDCs [and SIDS][and African states] may communicate their [NDMC*][INDC] at their discretion, including information on strategies, plans and actions for low GHG development, reflecting their special circumstances.

{Progression/ambition}

5. Each Party's successive [NDMC*][INDC] [shall][should][will] represent a progression beyond the Party's previous efforts and reflect its highest possible ambition [based on common but differentiated responsibilities and respective capabilities [in light of different national circumstances [and best available science]] [based on provision of finance, technology and capacity-building to developing countries].⁴

{Information}

6. In communicating their [proposed] [intended] [NDMC*][INDC], Parties shall provide the information necessary for clarity, transparency and understanding, in accordance with [decision 1/CP.21][decision 1/CP.20] [and any subsequent decisions of the CMA.] [Article 12 of the Convention and the relevant arrangement for reporting information adopted by the Conference of the Parties to the Convention (COP) including those resulting from the Bali Action Plan and the information listed in decision 1/CP.20.]

{Features⁵}

7. **Option 1:** Each Party's [NDMC*][INDC] [shall][should] be quantified or quantifiable, [be unconditional, at least in part], maintain coverage of emissions and removals covered previously, and strive for coverage of all significant emissions and removals over time. Additional guidance may be elaborated by decision [of the CMA][1/CP.21].

Option 2: Each Developed country Party's [NDMC*][INDC] shall be quantified, cover all key categories of emissions by sources and removals by sinks and use common Intergovernmental Panel on Climate Change (IPCC) metrics, guidance and guidelines for the estimation of greenhouse gas emissions and removals; and others strive to communicate this over time. Additional guidance may be elaborated by the [CMA] [IPC] at its [x] session

Option 3: Guidance on the features of [NDMCs*][INDC] to be elaborated by decision [of the CMA [at its x session]] [1.CP/21].

Option 4: Guidance on the features of [NDMCs*][INDC] to be elaborated by decision of the CMA at its x session.

Option 5: No text in agreement

{Timing}

(a) {First communication option for agreement⁶}

Option I

8. **Option 1⁷⁸:** Each Party's first [NDMC*][INDC] is that listed in [Annex [x] to the Agreement][the registry][the website].

³ Belongs to option b.

⁴ Depending on the placeholder on 3.1, 3.2 or 3.3 and pending resolution on 2bis.

⁵ Note: some of the sub-items listed under features in October/November text taken up elsewhere in Article 3 or the agreement (eg link to global stocktake, environmental integrity)

Note: some Parties suggested that some of the sub-items could be taken up in Article 9

Note: Flexibility for LDCs SIDS African States addressed elsewhere in art 3.

⁶ No decision as to whether {first communication} should be placed in agreement or decision has been taken.

⁷ Note: Ensure consistency with housing.

⁸ Note: Some Parties would like to reflect the need for NDMC* to be captured in an annex to the agreement at COP 21. Links to housing issue and Article 3, paragraph 2.

Option 2: Each Party [shall][should] communicate its first [NDMC*][INDC] no later than upon [ratification or acceptance of] [joining] this Agreement.

Option II

No provision on first communication in agreement and/or decision

(b) {Subsequent communications}

Option 1: {communication to five-year time period}

(i) {Every five years, harmonized [NDMC*][INDC]}

Each Party shall [[communicate its [successive] [new]] [update its] [NDMC*][INDC] by [year x] [2020] [2021] and every five years thereafter on a [synchronized][common] basis, [or resubmit an existing [NDMC*][INDC]/ [for the subsequent five-year time frame], taking into account the outcomes of the global stocktake referred to in Article 10.

(ii) {Submit INDC}

All Parties shall submit their [intended] [proposed] [NDMC*][INDC] [12 [-18] months prior to] [well before] [finalization [inscriptions]

(iii) Finalize [NDMC*][INDC]

[[with a view to [inscription in [Annex] x⁹][finalization] [at least three months prior to][well before] the session of the CMA at which [NDMC*][INDC] will be collectively updated]]; [placeholder for an option regarding an "indicative" or "intended" subsequent [NDMC*][INDC] for [five] years after the year of the submitted contribution.]

Option 2: {communication before the end of the period of implementation}

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

(c) {Consultative period/ex ante¹⁰}

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*][INDC], including their aggregate effect in the light of the long-term temperature goal referred to in Article 2, including through the production of an aggregate synthesis report. The [preparatory] process shall be conducted in accordance with the modalities and procedures to be adopted by the CMA at its first session.

Option 2: No provision on consultative period/ex ante

(d) {Adjustments}

A Party may at any time adjust its existing [NDMC*][INDC] with a view to enhancing its level of ambition [, in accordance with the simplified adjustment procedure referred to in Article 19, paragraph 3]. [Adjustments towards lower ambition levels may only be communicated in case the [developing country] Party's efforts are [severely] affected by an extreme natural event, economic shock or force majeure.][Developing country Parties may adjust their [NDMC*][INDC] at their discretion depending upon the adequacy and availability of finance, technology development and transfer and capacity-building support.]

{Housing}

9. **Option 1:** [The [NDMC*][INDC] communicated by Parties shall be [listed][published] [in an online registry maintained by the secretariat][in Annex [X] to this Agreement][on the UNFCCC website].]

Option 2: [The [NDMC*][INDC] communicated by developed country Parties shall be inscribed in Annex A to this Agreement.

The [NDMC*][INDC] communicated by developing country Parties shall be inscribed in Annex B to this Agreement.]

⁹ Housing issue dealt with separately.

¹⁰ Note: Current paragraphs that are captured in the decision text to remain there.

{Accounting}¹¹

10. **Option 1:** [In tracking progress towards achieving their [NDMC*][INDC], 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 their [NDMC*][INDC], Parties shall apply the principles of transparency, accuracy, completeness, comparability, consistency, avoidance of double counting, and environmental integrity.]

[The rules and guidance related to the tracking of progress towards achieving [NDMC*][INDC] 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-plus] [and internationally transferred mitigation outcomes], [shall be adopted by the CMA at its first session and may be amended by any subsequent decisions of the CMA] [so as to improve the clarity, transparency and environmental integrity of this Agreement.]

Option 3:

(a) [Taking into consideration the principles of common but differentiated responsibilities and respective capabilities, and Article 4, paragraph 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-plus][and internationally transferred mitigation outcomes], [shall be adopted by the CMA at its first session and may be amended by any subsequent decisions of the CMA] [so as to improve the clarity, transparency and environmental integrity of this Agreement.]

(b) [In accounting for its [NDMC*][INDC], each Party shall, taking into account the guidance developed under paragraph [x](a) above]:

(i) [Use the 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*][INDC] and its implementation];

(iii) [Include an explanation for the exclusion from the [NDMC*][INDC] 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*][INDC], Parties shall continue to include it];

(v) [[Ensure that] internationally transferred mitigation outcomes to meet its [NDMC*][INDC] are real, permanent, additional and verified, are subject to systems to ensure that units are not counted more than once in tracking progress towards nationally determined mitigation commitments, and are 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 of this Article (Art. 3.10)}

Option (a): [Taking into consideration the principles of common but differentiated responsibilities and respective capabilities, and Article 4, paragraph 9, of the Convention]

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

{Methods and guidance}

11. **Option 1:** In the context of their [NDMC*][INDC], when recognizing and implementing mitigation actions in respect of anthropogenic emissions and removals [including from land use [or REDD-plus]], Parties may draw from [/build on] existing methods and guidance under the Convention and from the IPCC.

Option 2: No provisions on accounting and land use.

{Long-term strategies}

¹¹ {Other choices (accounting):

Legal/technical: CMA; COP; 1/CP.21

Inclusion of/ exclusion of: Land use, land-use change, forests, REDD-plus; Internationally transferred mitigation outcomes}

12. [Parties [are invited][should strive]][invite Parties, on a 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-emission development strategies with time frames for achieving 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 Parties' communicated low-emission development strategies in a public registry.]

{Response measures}

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

13. **Option 1:**

[Parties shall give full consideration to what actions are necessary under this 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 to 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 -/CP.21.]

Option 2: No text

{Unilateral measures}

14. **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, and 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

{REIOs}

15. [Parties, including regional economic integration organizations and their member States, may jointly communicate and/or] implement their [NDMC*][INDC] [detailing in their joint communication the combined level of [NDMC*][INDC] and individual levels of the [NDMC*][INDC] 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*][INDC] under this Agreement. Any alteration in the composition of the organization shall apply only for the purposes of those commitments under Article 3 that are adopted subsequent to that alteration. If Parties act jointly to implement their [NDMC*][INDC] in the framework of, and together with, a regional economic integration organization that 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*][INDC], be responsible for the level of its [NDMC*][INDC] as communicated in accordance with this Article.]

{Cooperative approaches}

16. **Option 1:** Parties may also cooperate in the implementation of their [NDMC*][INDC].

Option 2: [Parties, when using cooperative approaches, shall ensure that they deliver real, permanent, additional and verified internationally transferrable mitigation outcomes, which shall be counted only once.][The cooperation of Parties in the implementation of mitigation activities to implement their [NDMC*][INDC] 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 on by the CMA at its first session that are aimed at ensuring environmental integrity and the delivery of real, permanent, additional and verified internationally transferrable mitigation outcomes that shall be counted only once in tracking progress towards [NDMC*][INDC]. The CMA shall provide that a mechanism for supporting sustainable

development is available to assist Parties in fulfilling their [NDMC*][INDC], while respecting the [NDMC*][INDC] of the host Party.]¹²

Option 3: Parties acknowledge the importance of cooperation instruments for enhancing mitigation commitments at the local, regional and/or international level.

Option 4: No provision

{Support}

17.¹³ **Option 1:** The developed country Parties and other developed Parties included in Annex II to the Convention [and other Parties with the capacity to do so] shall provide new and additional financial resources, technology transfer and capacity-building to meet the agreed full costs incurred by developing country Parties [and Parties whose special circumstances are recognized by the COP] in complying with their obligations under this Article.

Option 2: [Developing country Parties][and other countries with economies in transition][and Parties whose special circumstances are recognized by the COP][Parties in need of support] are eligible for support in the implementation of this Article.

Option 3: 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.

{International transport emissions}

19. **Option 1:** Parties [shall][should][other] pursue the 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 3 bis] ([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 COP, including decisions 9/CP.19 to 15/CP.19 and decision -/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 the conservation and sustainable management of forests and enhancement of forest carbon stocks in developing countries, while enhancing the non-carbon benefits 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 with decision X/CP.21.]

[Article 3 ter] ([MECHANISM TO SUPPORT SUSTAINABLE DEVELOPMENT](#))

Option I:

1. A mechanism is established to support sustainable development, to be available to assist Parties in fulfilling their [NDMC*][INDC]. 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) Incentivize and enable participation in cost-effective mitigation action by public and private entities under the responsibility of a Party.
2. The CMA shall adopt modalities and procedures for the above-mentioned mechanism at its first session.]

¹² Potential elements of elaboration of the option:

- Approval by the Parties involved
- Transfer of units/outcomes
- Standards for environmental integrity (footnote continues on next page)
- Real, verified, permanent, additional
- Accounted once/no double counting (also see the relevance of Article 3, paragraph 5, of the text of 5 October as well as Article 3, paragraph 10, option 1 and paragraph 37(g), option 1 of the decision)
- Transparency, accuracy, completeness, comparability, consistency

¹³ Noting that support for the implementation by developing country Parties of their mitigation actions is addressed under Article 6.

{Additional elements to Article 3ter to be reflected in the Article (these are also applicable to paragraph 46 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*][INDC] 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 II:

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 [NDMC*][INDC]. 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;
2. Requests the Subsidiary Body for Scientific and Technological Advice (SBSTA) to elaborate modalities and procedures for the mechanism for sustainable development and report to the Intergovernmental Preparatory Committee (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 their [NDMC*][INDC] in a manner that is supplementary to domestic action, is consistent with the rules and guidance for accounting, and provides that a share of proceeds will be allocated for adaptation;
 - (b) Deliver, where desired by participating Parties, a net decrease in 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 (CMP);] *{paragraph 46, option 1, of the decision}*

Option III:

[For the purpose of meeting a portion of its mitigation commitment under Article 3, any Party may elect to use certified units 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 that 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 IV:

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*][INDC], including, in a balanced manner, with regard to 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 and 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 the mitigation contributions of participating Parties to ensure that the global mitigation effort is not undermined.

The CMA shall adopt modalities and procedures for the above-mentioned mechanism at its first session.]

Option V:

No Article 3 ter.

Article 4 *(ADAPTATION)*

1. Parties hereby [establish][share] 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][contributing to] [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].
Parties recognize that adaptation is a global challenge faced by all with local, subnational, 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 adaptation [will][may] be needed regardless of the level of mitigation reached [and that [greater aggregate levels of mitigation can reduce the need for additional adaptation efforts][the greater their collective mitigation efforts, the less adaptation is needed [in the long term]][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^[14] to developing country Parties^[15] and a platform to undertake such an assessment through strengthened measurement, reporting, and verification of support;
(b) Recognition of the adaptation efforts of developing countries;
(c) Recognition of increased adaptation needs and associated costs in the 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. **Option 1:** Parties [acknowledge][X] that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, [respecting [human rights][the right to life][the rights of people under occupation] and] taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and[, as appropriate,] traditional and indigenous [and local knowledge systems][[peoples knowledge] and [local] knowledge,] [taking into account relevant activity on adaptation of United Nations specialized organizations] with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate.
Option 2: 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 systems, [taking into account relevant activity on adaptation of United Nations specialized organizations,] with a view to integrating adaptation into relevant socioeconomic 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 the LDCs and SIDS. [Parties included in Annex II to 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] enhance [their] cooperation [for enhancing action on adaptation, taking into account the Cancun Adaptation Framework], [including with respect to][which may include]:

¹⁴ 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]".

¹⁵ 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".

- (a) Sharing information, good practices, experiences and lessons learned, including, as appropriate, as it relates to science, planning, policies and implementation of adaptation actions;
- (b) [Strengthening institutional arrangements [, including those] 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) bis [Advancing][*alternative verb*] scientific knowledge on climate, including research and systematic observation of the climate system in a manner that informs the development and delivery of climate services and supports decision-making;
- (d) [Assessment of the [effectiveness][adequacy] of support [referred to in paragraph 2 (option 2(a)) of this Article] with a view to ensuring transparency and accountability;]
- (e) [Assisting [developing] countries [, including Parties whose special circumstances are recognized by the decisions of the COP] [and other Parties in need of support, including countries with economies in transition] to identify [effective adaptation practices,] adaptation needs, priorities, [support provided and received for adaptation actions and efforts,] challenges and gaps [in a manner consistent with] and encouraging good practices;]
- (f) [Improving the effectiveness and durability of adaptation actions.]
6. Each Party, in accordance with [Article 4, paragraph 1, of the Convention and] its national circumstances [, commitments related to sustainable development] and priorities should engage in the implementation of adaptation planning processes and actions, including the development or enhancement of relevant plans, policies, and/or contributions, which may include:
- (*new a*) [Process to formulate and implement] National adaptation plans;
- (a) Assessments of climate change impacts [and][or] vulnerability [with a view to identifying the vulnerable people, places, ecosystems and sectors];
- (b) [Prioritizing action with respect to the most vulnerable people, places, [and] ecosystems [and sectors];]
- (c) Strengthening [governance and enabling environments for][arrangements for the implementation of] adaptation;
- (d) Monitoring[, reporting], evaluating and learning from adaptation plans, adaptation plans, policies, programmes and actions;
- (e) [Building resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources;]
- (f) [Enhancing the 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[s]][communications or undertakings on adaptation] that [shall][should][may][, with a view to sharing good 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 to enhance adaptation action;]
- (c) [Actions on provision of support to developing country Parties by developed country Parties.]
8. The [adaptation communication[s]][communications or undertakings on adaptation] referred to in paragraph 7 of this Article [shall][should][may] be:
- (a) Submitted independently[, included in,] 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 for [developing country] Parties;]
- (b) **Option (a):** [Updated [periodically] every [X] [five] years [periodically] in [conjunction with the mitigation cycle][accordance with modalities to be decided by the [CMA][CMP]].
- Option (b):** No text
9. **Option 1:** The [[an] adaptation communication[s]][communications or undertakings on adaptation] referred to in paragraph 7 of this Article shall be [recorded in [a registry][[another][other] modalit[y][ies]]] 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 the implementation of adaptation action based on on [the] [an] adaptation communication[s]][communications or undertakings on adaptation] referred to in paragraph 7 of this Article, assessing the adequacy of support and recognizing the adaptation efforts of developing countries], and guided by modalities to be adopted by the [CMA][CMP] at its first session.]
- Option 2:** [The [CMA][CMP] shall facilitate the communication of adaptation efforts for the stocktake referred to in Article 10.]
- Option 3:** No text.
- 11. Option 1:** [The AC and the Least Developed Countries Expert Group[, the Adaptation Fund, the Green Climate Fund (GCF), the Least Developed Countries Fund, the Special Climate Change 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][under the guidance of 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. Option 1:** [[Developing country] Parties [in need][other Parties in need of support] are eligible for support in the implementation of this Article.]
- Option 2:** [Developed country Parties shall provide developing country Parties, taking into account the needs of those that are particularly vulnerable, with long-term, scaled-up, predictable, new and additional finance, technology and capacity- building, in accordance with the 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].]
- Option 3:** No text. *{Text on adaptation support to be considered in Articles 6, 7, 8, and 9.}*

Article 5 (LOSS AND DAMAGE)

Option I:

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, including 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 for Loss and Damage associated with Climate Change Impacts pursuant to relevant decisions of the COP, 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 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 II: No reference to loss and damage (no Article 5).

Article 6 *(FINANCE)*

1. [[Over time,] [climate] finance [flows] [from developed country Parties] should be consistent with [the transformation to][a pathway towards] low-emission and climate resilient [societies and economies][development][, [including] in the context of [developing] countries' sustainable development priorities and efforts to eradicate poverty].]
2. **Option 1**
[[Developed country Parties and other developed country Parties included in Annex II to the Convention][Developed country Parties should take the lead and][Developed country Parties[, Parties with economies in transition] [and Parties in a position to do so]] [All Parties in a position to do so] [shall][should][other] provide [support][[new and additional] financial resources] to assist developing country Parties [including Parties whose special circumstances recognized by [Article 4.8 of the Convention][COP decisions]] with respect to both mitigation and adaptation [as well as addressing loss and damage] [and others in a position to do so should complement such efforts].]
- Option 2**
[Developed country Parties and other developed Parties included in Annex II to the Convention shall provide new and additional, adequate, predictable, accessible, sustained and scaled-up financial resources to developing countries to enhance actions with respect to both mitigation and adaptation to contribute to the achievement of the [objective][purpose] of this Agreement, based on the principles and in accordance with the provisions of the Convention.]
- Option 3**
[Parties in a position to do so, including developed country Parties, should provide support to assist developing country Parties in need of support with respect to both mitigation and adaptation.]
3. **Option 1**
[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.]
[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 2**
[Developed country Parties and other Parties included in Annex II to the Convention shall mobilize financial resources beyond their previous efforts, supporting country-driven strategies, and taking into account the needs and priorities of developing country Parties.]
- Option 3**
[As part of a shared effort, Parties should cooperate to promote the mobilization of climate finance from a wide variety of sources, instruments and channels, including public, private, bilateral, multilateral, domestic, and international.]
4. [Parties should strive to improve enabling environments and policy frameworks to attract and mobilize climate finance, noting that cooperative action and support may enhance such efforts.]
5. [Parties should] [prioritize the provision of] [recognize the importance of providing] [the most concessional finance] [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].]
6. [Parties should mobilize enhanced results-based payments for verifiable achieved emission reductions related to existing approaches under the Convention.]
7. [Parties should integrate climate considerations, including resilience, into international development assistance.]
8. [Parties should [reduce international support for high-emission [and maladaptive] investments] [and/or][or] [enhance international support for low-emission and climate-resilient investments].]
6. [Parties [shall][should][other] explore options for simplifying procedures for accessing [support][financial resources] and improving readiness to developing country Parties, [including] [in particular] for the LDCs and SIDS [and Africa].][The institutions serving this Agreement shall simplify procedures for access, in particular for the LDCs and SIDS [and Africa].] *{Placement proposal: to be moved to decision section}*
7. [Parties [shall][should][other] implement and improve where necessary the pricing of greenhouse gas emissions.] *{Placement proposal: to be moved to section on mitigation}*

9. **Option 1**

[Parties recognize the role of a wide variety of sources, public and private, bilateral and multilateral, including alternative sources.]

Option 2

[[Public funds from developed country Parties, distinct from Official Development Assistance, will be the main source of finance [indemnization mechanism based on historical responsibilities,] noting [a wide variety of sources][that sources may include a wide variety of sources, public and private, bilateral and multilateral, including additional sources [to meet developing country needs [including Parties whose special circumstances were recognized by COP decisions] for mitigation and adaptation actions]]. In the mobilization of finance from various sources, Parties shall abide by the principles of fiscal sovereignty and avoid incidence on developing country Parties[, particularly disguise distortions to trade].]

10. **Option 1**

[[Parties recognize the importance of the Green Climate Fund and other multilateral mechanisms [and other efforts] for] The mobilization of climate finance [that] [shall][should][other] be scaled up [in a predictable and transparent manner] [beyond previous efforts] [from USD 100 billion per year] from 2020.]

Option 2

[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 towards achieving short-term collective quantified goals for the post 2020 period to be periodically established and reviewed. Financial resources shall be scaled up from a floor of US\$100 billion per year, 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][purpose] (Article 2/XX) of this Agreement.]

Option 3

[As part of a shared mobilization effort Parties should, in accordance with paragraph X-Y, enhance the scale and effectiveness of climate finance by: mobilizing climate finance from a wide variety of instruments and channels; provide, when in a position to do so, support to developing countries in need of support; appropriately prioritize support; improve enabling environments; integrate climate considerations into international development assistance; and reduce international support for high-emissions investments.]

11. **Option 1**

[[Developed country Parties [and other developed Parties included in Annex II]][Parties] [shall][should][other] [periodically][biennially] communicate [relevant, indicative] information on [the [provision] [and mobilization] [and implementation] of financial resources, including [available] quantitative and qualitative information on the] projected [efforts to mobilize [and attract] climate finance][levels of public [climate finance][financial resources to be provided to developing country Parties [including countries with special circumstances recognized by COP decisions]]][about their plans related to paragraph X-Y, as appropriate].]

Option 2

[Developed country Parties and other developed Parties included in Annex II shall biennially communicate on the provision and mobilization of financial resources, including quantitative and qualitative information on the projected levels of public financial resources to be provided to developing country Parties.]

Option 3

[Parties should periodically communicate relevant, indicative information about their plans related to paragraph X-Y, as appropriate.]

12. [The [stocktake shall take into account available information by [developed country] Parties and Agreement bodies on efforts related to climate finance][CMA shall facilitate the communication of finance efforts for the stocktake referred to in Article 10, taking into account the [annual reports][biennial assessment] of the Standing Committee on Finance].] *{Pending outcome of discussions on Article 10}*13. [Developed country Parties and other developed Parties included in Annex II to the Convention shall at least biennially provide transparent, complete, consistent, comparable and accurate information on financial resources provided and mobilized through public interventions to developing country Parties, in accordance with guidelines to be adopted by the CMA at its first session, including through a clear definition of climate finance as stipulated in Article 1 of this agreement. These guidelines shall be developed in accordance with the provisions of the Convention and relevant decisions of the COP mutatis mutandis under the Agreement, and will be part of the common framework for transparency of action and support under Article 9 of this Agreement.] *[Placeholder: outcome on discussion on MRV and Article 9 on transparency]*

14. [When accounting for financial resources provided and mobilized through public interventions, Developed country Parties and other developed Parties included in Annex II to the Convention shall ensure that:
- (a) Such financial resources accounted for specifically target climate adaptation, mitigation and cross-cutting activities as their main objective in line with criteria from the IPCC
 - (b) Any uncertainty is to be overcome following the principle of conservativeness, where it is preferable that financial resources are under-reported rather than over-reported;
 - (c) Where multiple actors are involved, the resulting financial resources are only counted once;
 - (d) Mobilized private financial resources are only reported where there is a clear causal link with a public intervention and the activity would not have moved forward, or moved forward at scale, in the absence of the public intervention;
 - (e) Mobilized multilateral financial resources are adjusted so that only the share attributed to Developed country Parties and other developed Parties included in Annex II to the Convention is accounted for.]
- [Placeholder: notion of avoiding double counting]*
15. [The provision of [support][[scaled-up] financial resources][these scaled-up resources]] [should][shall] aim to achieve a balance between adaptation and mitigation, taking into account country-driven strategies, and the priorities and needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, including least-developed countries (LDCs) small island developing States (SIDS), and Africa [,[taking into account] [recognizing] the [need for] [importance of] public and grant-based resources for adaptation].]
16. [The provision of financial resources, [including for the transfer of technology] [and capacity-building] shall ensure facilitated [direct] and enhanced direct access, pursue a country-driven approach, [delivered through] [aim at] simplified procedures, and [continuous] readiness support [to developing countries] [especially those countries that are particularly vulnerable to the adverse effects of climate change, including least-developed countries (LDCs) small island developing States (SIDS), and Africa] [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.]
17. [The CMA 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.]
18. [The Financial Mechanism, as [established by][defined in] Article 11 of the Convention, 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][The Financial Mechanism established by Article 11 of the Convention, including its operating entities, shall serve as the Financial Mechanism of this Agreement].]
- [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.] *{Placement proposal: issue to be addressed in decision paragraph 70}*
- [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 CMA in relation to activities to be developed and implemented under this Agreement.] *{Placement proposal: issue to be addressed in decision paragraphs 70 and 71}*
- [The Adaptation Fund Board, established by decision 1/CMP.3 shall be designated as an operating entity entrusted with the operation of the financial mechanism, referred to in Article 6.18, for the implementation of this Agreement.] *{Placement proposal: issue to be addressed in Agreement on interim arrangements}*
19. [The Standing Committee on Finance established under the Convention shall [serve this Agreement.] [assist the CMA 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 CMA, which may also establish other thematic bodies as may be necessary.]] *{Placement proposal: issue to be addressed in decision part; issue of other thematic bodies not appropriate for finance section of the agreement}*

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 [and the urgency of realizing technology development and transfer], [shall][should] strengthen cooperative action [among Parties] [to accelerate and upscale] [on] [technology development and transfer] [through] [, inter alia:
 - (a) [Improving endogenous capacities and enabling environments according to nationally determined needs and priorities, in accordance with Article 4, paragraph 5, of the Convention];
 - (b) [Addressing barriers [in accessing to][for] the transfer of safe, appropriate and environmentally and socially sound technologies [by developing countries];]
 - (c) Fostering cooperative approaches to research and development].

Option 1: (*paragraphs 2-3*)

2. Parties share the long-term vision for technology development and transfer to improve resilience to climate change and reduce emissions.
3. A technology framework is hereby established to pursue that vision, including to enhance the development and transfer of socially and environmentally sound technologies.

Option 2: (*paragraphs 2-3*)

2. Parties share a long-term vision regarding the importance of urgently realizing technology development and transfer to improve resilience to climate change and reduce emissions, which is hereby agreed.
3. A technology framework is hereby established to achieve that vision, with a view to enhancing the development and transfer of, and access to, socially and environmentally sound technologies by [addressing [mutually agreed] barriers and] guiding the work of the Technology Mechanism and further to facilitate the understanding of [the intended nationally determined contributions of Parties pertaining to] technology provision under the Agreement.
4. **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

5. **Option 1:** The [Technology Mechanism] [institutional arrangements for technology established under the Convention] shall [be strengthened [within its mandate] 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 [within its mandate] by facilitating enhanced action, which includes, inter alia, anchoring dedicated nodal research, development and demonstration facility on technology development and transfer.

Option 3: The [institutional arrangements for technology established] [Technology Mechanism] under the Convention shall serve the Agreement and be strengthened [within its mandate] by facilitating enhanced action, which includes, inter alia, anchoring dedicated nodal research, development and demonstration facility on technology development and transfer. The effectiveness and adequacy of the overall implementation of the Technology Mechanism will be periodically assessed by the CMA through the process of global stocktake in accordance with Article 10 of the Agreement.

6. **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

7. **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

Article 8 *(CAPACITY-BUILDING)*

1. Capacity building under this Agreement should enhance the capacity and ability of [developing country Parties] [countries,] [in particular countries with the least capacity,] [such as][in particular] [LDCs and SIDs][and Africa][and countries with economies in transition][in accordance with principles and provisions of the Convention], to take effective climate change action, [including to,] inter alia, implement adaptation and mitigation actions; facilitate technology development and the [absorption][dissemination and deployment] of technology [on mutually agreed terms]; facilitate access to [climate] finance; facilitate relevant aspects of education, training and public awareness; and facilitate the [reporting of] transparent, timely and accurate communication of information.
2. Capacity-building should be country-driven, based on and responsive to national needs and foster country ownership [of Parties, in particular for] [by] developing country Parties and [[other Parties in need of support, including] [of Parties in need of support]** countries with economies in transition], including at the national, subnational and local levels. Capacity-building should be guided by lessons learned, including those from capacity building activities under the Convention, and should be an effective, iterative process that is participatory, cross-cutting and gender-responsive.
****[CMA shall at its first session establish criteria, rules and procedures for determining Parties in need of support. *{issue to be dealt under the decision section}*]**
3. Developed country Parties [shall][should] enhance support for actions for capacity-building in developing countries [and other Parties in need of support]. [Other Parties in a position to do so] are also encouraged to provide support for actions for capacity-building in developing countries. All Parties [are encouraged to cooperate] [should cooperate] to enhance the capacity of developing country Parties [in need of support] to implement this Agreement.
4. **Option 1:** 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.
Option 2: All Parties should regularly prepare and communicate actions or measures on capacity-building in order to enhance the capacity of developing country Parties in need of support to implement this Agreement, including through regional, bilateral and multilateral approaches. Developing country Parties shall regularly communicate progress made on implementing any capacity-building plans, policies, actions or measures, including the impact and estimated results of support received for capacity-building.
Option 3: No text *{issue to be dealt with in the Article on transparency}*
5. **Option 1:** The provision of capacity-building, including under this Agreement, shall be enhanced through, inter alia, effective institutional arrangements. Existing institutional arrangements shall therefore be enhanced, as appropriate, to improve the provision of capacity-building. In order to further enhance and coordinate capacity-building in accordance with this Agreement, an international capacity-building mechanism is hereby established to serve the Agreement.
Option 2: Institutional arrangements related to capacity-building serving this Agreement should enhance the effectiveness of capacity building efforts.
Option 3: Institutional arrangements related to capacity-building serving the Agreement should enhance the [provision and][effectiveness] of capacity-building efforts [and new programmes should be implemented in order to improve the provision of capacity-building][and new institutional arrangements should be explored in order to improve the provision of capacity-building]. [A new institution should be established] [Institutional arrangements under the Convention shall be enhanced and complemented as appropriate] to improve the provision of capacity-building to serve the Agreement.
Option 4: The agreement shall ensure effective institutions to enhance the implementation of capacity-building activities. Existing institutions shall enhance their work and, to ensure proper coordination among these institutions, a new institution is hereby established.

Article 8bis

Parties shall cooperate in taking measures, as appropriate, to enhance climate change education, training, public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement.

Article 9 *(TRANSPARENCY)*

1. **Option 1:** A robust transparency framework covering both action and support, differentiated between developed and developing countries, building on the arrangements under the Convention, related decisions of the COP and mechanisms established by the Cancun Agreements (decision 1/CP.16), applicable to all Parties, and providing flexibility to developing countries is hereby established.

Option 2: A unified and robust transparency system, covering both action and support, with built-in flexibility to take into account Parties' differing capacities, and applicable to all Parties is hereby established.

Option 3: A robust, tiered transparency framework covering both action and support, applicable to all Parties, based on self-differentiation with no backsliding and on national capabilities and intended nationally determined contributions, and that builds on and enhances existing arrangements under the Convention and decision 1/CP.16 is hereby established.

Option 4: Building on existing arrangements under the Convention, a transparency framework for action and support that takes into account Parties different capacities and is applicable to all Parties is hereby established.

1 bis. The transparency framework shall provide flexibility in the implementation of the provisions of this Article to developing country Parties in the light of their capabilities/capacities [and support received]. The modalities, procedures and guidelines referred to in paragraph 6 of this Article shall reflect such flexibility.

{A suggestion made that it is possible to merge 9.2 and 9.3 under one chapeau}

2. The purpose of the system for transparency of action is to:

Option 1:

- (a) Provide a clear understanding of the emissions and removals of individual Parties;
- (b) Facilitate understanding of global aggregate net emissions [in the light of the global temperature goal][in the light of *{refer to the objective of the stocktake under Article 10}*][under Article 10];
- (c) Ensure clarity and tracking of progress made in implementing and achieving individual Parties' respective [contributions] [commitments] [other] under Article 3;
- (d) [Share information, lessons learned and good practice on adaptation, including on][Provide a clear understanding of] progress made in implementing individual Parties' actions¹⁶ under Article 4[, and other regional and global actions on adaptation in the light of the global temperature goal];
- [(e) Promote comparability among developed country Parties.] *{The proponents of this language feel that it could be moved to another more appropriate part of Article 9.}*

Option 2:

Provide a clear understanding of climate change actions in the light of the objective as set by Article 2 of the Convention and consistent with the principles and commitments of Articles 3 and 4 of the Convention.

3. The purpose of the system for transparency of support is to:

- (a) Provide a clear understanding of the support provided and received [as relevant] by individual Parties [as well as needs of developing country Parties] [and assist Parties in identifying gaps in support provided and received], without placing an undue burden on SIDS and LDCs;
- (b) Provide[, to the extent possible,] a full overview of aggregate support provided and [mobilized] [in the light of *{refer to the objective of the stocktake under Article 10}*][under Article 10];
- (c) Ensure [clarity and tracking][measurement, reporting and verification] of progress made by developed country Parties in providing support in accordance with Articles 6, 7 and 8;
- (d) Ensure clarity and tracking of support needed and received by developing country Parties in accordance with Articles 6, 7 and 8;
- (e) Ensure that there shall be no double counting of financial resources provided [and ensure the environmental integrity of this Agreement]. *{While the first concept is relevant here, the second bracketed concept does not relate to this section on support, and could be moved elsewhere.}*

{Further discussion is needed on: the relationship between the system and existing arrangements; the nature of flexibility; and the potential role of 'nationally determined'.}

4. **Option 1:** Each Party[, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives, and circumstances,] [shall][should][other] provide transparent, complete, consistent, comparable, and accurate information in accordance with guidelines [referred to in paragraph 6 of this Article] [developed by the CMA] on:

¹⁶ The term "actions" will be readjusted to align with the term that Parties agree under Article 4.

Option 2: Each Party [shall][should][other], [regularly] [biennially] provide transparent, complete, consistent, comparable and accurate information in accordance with guidelines [referred to in paragraph 6 below] [developed by the CMA] on:

- (a) Its national inventory of anthropogenic emissions by sources and removals by sinks of greenhouse gases, [using common metrics and] comparable methodologies as agreed on by the [CMA][COP];
- (b) [Projected estimated emissions and removals;]
- (c) Progress made in implementing and achieving [nationally determined] mitigation [contribution][commitment][other] *{precise language will be consistent with Article 3}*;
- (d) [Vulnerability to] climate change impacts and [adaptation][actions taken] to build resilience and reduce vulnerability [and progress on implementing any adaptation action under Article 4, paragraph 7] *{Precise language will be consistent with Article 4}*;
- (e) Support provided and received, as relevant *{Precise language will be consistent with Article 6, 7 and 8}*;
- (f) Specific information requirements under Articles 6, 7 and 8, [on efforts to improve domestic enabling environments, and on the use, impact and estimated results of support for [mitigation] actions] *{Precise language will be consistent with Article 6, 7 and 8}*.

{Paragraphs 4 and 5 of this Article should be considered together as Parties have different views on the logic, implication and structure of these two paragraphs}

Option 1: (paragraph 5)

5. The information provided by each Party shall be subjected to at least biennially an international technical expert review. The review process shall provide a thorough, objective and comprehensive technical assessment of the implementation by a Party of the requirements of the Agreement. The international technical expert review shall be carried out by an expert review team following guidance adopted by the CMA at its first session.

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 achieve its obligations under this Agreement, as well as the extent to which the Party's reporting is in line with the guidelines referred to in paragraph 6 of this Article.

The report shall identify any issues related to compliance.

Option 2: (paragraph 5)

5. The information required under this Article shall be subject to a technical expert review in accordance with common guidelines and procedures adopted by the CMA. The review will consider the consistency of the information with the guidelines adopted by the CMA, the Party's implementation and achievement of its nationally determined mitigation [commitment][contribution], and identify any areas for improvement in reporting. For Parties with least capacity, the expert review may also identify capacity-building needs. The technical expert review shall be carried out by an expert review team. The expert review team shall produce a report for publication by the secretariat and consideration by the CMA.

Each Party shall undergo a multilateral and facilitative examination of the implementation of its [nationally determined mitigation] [contribution][commitment][other].

Option 3: (paragraphs 5 and 5bis)

5. Building on the existing measurement, reporting and verification 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 to the Convention shall ensure the 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 mandated to the Standing Committee on Finance by the COP to assist the COP in exercising its functions with respect to the measurement, reporting and verification of support provided to developing country Parties;

- (d) Drawing on the work of the SBSTA on methodologies for the reporting of financial information.
6. The CMA shall, at its first session, [building on [the arrangements related to transparency]][lessons learned] under the Convention and elaborating on the provisions in this Article,] adopt [common] modalities, procedures and guidelines, as appropriate, for the transparency of action and support. *{Placeholder to revisit this para pending outcomes of discussion on accounting}*
 7. The transparency system shall be guided by the principles and provisions of the Convention, recognizing the special circumstances of the least developed countries and small island developing States, and be implemented in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and shall provide flexibility and avoid placing an undue burden on developing countries/ Parties and the secretariat. *{under discussion in tandem with 99 Option 1}*
 8. Support shall be provided to developing countries for the implementation of this Article[, including and the fulfilment of the obligations therein].
 9. [Developed country Parties] [shall][should][other] provide support to developing country Parties in the implementation of this Article.] *{to be revised pending global solution}*
 10. Support shall also be provided for the building of transparency-related capacity of developing countries on a continuous basis.
 11. 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

Article 10 *(GLOBAL STOCKTAKE)*

1. The CMA shall periodically take stock of the implementation of this Agreement [in accordance with Article 4, paragraph 2(d), Article 7, paragraph 2(e), and Article 10, paragraph 2(a), of the Convention,] to assess [overall] [aggregate][collective] progress towards achieving the [[ultimate] [objective of the] Convention] [the long-term goal established in this Agreement] [and] the purpose of this Agreement in a comprehensive and facilitative manner, [including identifying means of further advancing such objectives within this Agreement] [and to inform the process referred to in Article 3, paragraph 8, and Article 4, paragraph 6][Article 6].
2. The stocktaking shall consider [overall] [aggregate][collective] implementation in relation to mitigation, adaptation and the means of implementation, taking into account the different specificities of each issue [and] [Parties' differentiated responsibilities and commitments][different national circumstances] [and equity].
3. The stocktaking shall consider information from, inter alia, [the mechanisms of the Convention and this Agreement], [information on the implementation of individual and collective efforts under the Agreement], including [on assessments of the 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 best available science]; the best available science, [including reports of the IPCC]; and information from other relevant international processes [other information decided by the CMA].
4. The CMA shall undertake its first global stocktake in [2023][2024] [after the review of accelerating pre-2020 implementation and the review of the adequacy of post-2020 finance support by developed country Parties,] and [every five years thereafter] [at regular intervals to be decided by the CMA.]
5. [The extent to which developing country Parties can participate in the global stocktake will depend on the provision of financial resources.]

Article 11 *(FACILITATING IMPLEMENTATION AND COMPLIANCE)*

Option I: (paragraphs 1 to 7)

1. A [mechanism][committee] [with differentiation between developed and developing country Parties][applicable to all Parties] to promote [compliance with] and facilitate implementation [of the provisions of this Agreement] is hereby established.
2. The objective of the [mechanism][Committee] referred to in paragraph 1 of this Article is to:
 - Option 1:** Promote and facilitate [and incentivize] effective implementation of [and compliance with] [Articles 3] [, 4, 6, 7, 8] and [9] of this Agreement
 - Option 2:** Promote compliance by developed country Parties and to facilitate implementation by developing country Parties through provision of adequate financial resources and transfer of technology
 - Option 3:** Address cases of non-compliance by developed country Parties, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance and facilitate implementation by developing country Parties

3. **Option 1:** The [Committee][mechanism] shall be expert-based, [facilitative] in nature and shall act in a manner that is transparent, non-punitive, non-adversarial and non-judicial. [It shall pay particular attention to the respective national capabilities and circumstances of Parties.]
- Option 2:** For developing country Parties, the nature should be facilitative, non-punitive, non-adversarial and non-judicial.
4. It shall consist of:
- Option 1:** [X] members serving in their individual capacity, nominated by Parties and elected by the CMA, with due consideration for equitable geographical representation based on the five regional groups of the United Nations, ensuring the representation of SIDS. The members shall be elected at the first session of the CMA.
- The Committee shall make every effort to adopt its decisions by consensus. If all efforts to reach 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 2:**
- (a) An enforcement branch for developed country Parties and a facilitative branch for developing country Parties. The Compliance Mechanism may establish technical panels to assist those branches in their tasks;
 - (b) The role of the enforcement branch is to review compliance with commitments made by developed country Parties and [the role of the facilitative branch is to facilitate the implementation by developing country Parties of enhanced action on mitigation, adaptation, and transparency of action in a facilitative, non-punitive and non-adversarial way] [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];
 - (c) The enforcement branch may recommend actions that a developed country Party should take to ensure it fulfills its commitments under this Agreement;
 - (d) The role of the facilitative branch is to review the implementation of the nationally determined mitigation commitments made by developing country Parties and to assist them in finding ways to incentivize their efforts to meet these commitments.
- Option 3:** A compliance branch and an implementation branch [, each with equitable and balanced representation of Parties]. Members of the Committee shall have competence in a field relevant to this Agreement and shall collectively reflect an appropriate balance of expertise.
- Option 4:** A compliance mechanism to address cases of non-compliance with the commitments of developed country Parties on mitigation, adaptation, provision of finance, technology development and transfer, capacity-building, and transparency of action and support;
- A facilitative mechanism to facilitate implementation by developing country Parties for enhanced action on mitigation, adaptation and transparency of action.
5. **Option 1:** 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];
 - (c) Information derived from Annex [X] with regard to a situation where a Party fails to communicate and inscribe its NDMC[;
 - (d) Requests from the CMA].
- Option 2:** No text on triggers
6. **Option 1:** Where it has determined that a Party is not in compliance, [the Compliance Branch] shall apply the following consequences, taking into account the cause, type, degree and frequency of the non-compliance of that Party and paying attention to its national capabilities and circumstances as appropriate:
- (a) Declaration of non-compliance;
 - (b) Request for the development of a compliance action plan.
- Option 2:** The measures to be adopted by the CMA 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]].
- Option 3:** No text on consequences
7. The [mechanism][Committee] shall report annually to the CMA [and shall operate under modalities and procedures agreed by the CMA at its first session]. [It shall elaborate its rules of procedure, which shall be subject to approval by the second session of the CMA.]

Option II:

An International Tribunal of Climate Justice is hereby established to address cases of non-compliance with the commitments of developed country Parties on mitigation, adaptation, provision of finance, technology development and transfer, 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.

Option III:

No reference to facilitating implementation and compliance (no Article 11)

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 the 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) Exercise such other functions as may be required for the implementation of this Agreement.
5. The rules of procedure of the Conference of the Parties and 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 [and mechanisms] established by or under the Convention, in addition to those subsidiary bodies and institutional arrangements explicitly referred to in this Agreement, [shall] [may] serve this Agreement [unless otherwise decided by the CMA] [[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 [including the functions to be exercised by such bodies and institutional arrangements] [including for members of such bodies and institutional arrangements nominated by Parties to the Convention that are not Parties to this Agreement] [to the extent that these bodies and institutional arrangements serve this Agreement].

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 from 22 April 2016 to 21 April 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)*

Option I:

1. [A Party to the Convention shall [submit] [communicate] to the secretariat when it deposits its instrument of ratification, acceptance, approval or accession a nationally determined [mitigation] [contribution] [commitment] [in accordance with Article 2bis] in order to become Party to the Agreement. [The nationally determined [mitigation] [contribution] [commitment] shall be legally binding on that Party upon entry into force of this Agreement for that Party.]
2. [A Party shall have a current [mitigation] [contribution] [commitment] [in accordance with Article 2bis] in order for it to participate in decision-making under this Agreement.]

Option II:

No further requirement needed

Article 18 *(ENTRY INTO FORCE)*

1. This Agreement shall enter into force on the thirtieth day after the date on which at least [50][55][100] Parties to the Convention [and] [or] on which Parties to the Convention accounting for [60][X] per cent of total [net] global greenhouse gas emissions in [[date][1990][2000][2010][2012]] have deposited their instruments of ratification, acceptance, approval or accession [whichever occurs first, coming into effect not earlier than 1 January 2020][.], with such Parties to the Convention accounting for X per cent of total [net] global greenhouse gas emissions [in [date] [1990][2000][2010][2012]] [but not earlier than 1 January 2020].] [*placeholder for starting and ending date of the Agreement*]

2. [For the purposes of paragraph 1 of this Article, "total global [net] greenhouse gas emissions" [of such Parties] means the [total global [net anthropogenic] greenhouse gas emissions [and removals] as estimated by the data set used by the Intergovernmental Panel on Climate Change in its Fifth Assessment Report for analysis of emissions trends][most up-to-date amount communicated on or before the date of adoption of this Agreement by the Parties to the Convention either in their national communications submitted in accordance with Article 12 of the Convention or in their biennial reports or biennial update reports submitted in accordance with decision 1/CP.16 of the Conference of the Parties].]
3. For each State or regional economic integration organization that ratifies, accepts or approves this Agreement or accedes thereto after the condition[s] set out in paragraph 1 of this Article for entry into force [has] [have] been fulfilled, 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)

1. The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.
2. [Notwithstanding paragraph 1 of this Article, a Party may propose an adjustment [[to] [enhance] the efforts expressed by its [mitigation commitment] inscribed in] Annex [A or B] [or] [X] to this Agreement. A proposal for such an adjustment shall be communicated to the Parties by the secretariat at least three months before the session of the CMA at which it is proposed for adoption.]
3. [An adjustment proposed by a Party [to enhance] the efforts expressed by its [mitigation commitment] inscribed in Annex [A or B] [or] [X] to this Agreement shall be considered adopted by the CMA unless more than three fourths of the Parties present and voting object to its adoption. The adopted adjustment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties, and it shall enter into force on 1 January of the year following the communication by the Depositary. Such adjustments shall be binding upon Parties.]

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[, except in respect of the annex containing nationally determined mitigation commitments].

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 Article 15, paragraph 3, of the Convention, 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.]

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. *[Placeholder for further text on reservation]*

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][the then current mitigation commitment of that Party, the Party having discharged all of its duties connected to this commitment], 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.

[Placeholder for annexes]]

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 relevant* decisions of the Conference of the Parties including 2/CP.18, 1/CP.19 and 1/CP.20,

Pp3 *Welcoming* the outcome of “Transforming our world: the 2030 Agenda for Sustainable Development,” in particular its goal 13, and the outcome of the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,

Pp4 *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, *also 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,

Pp5 *Also 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, the 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 the creation of decent work and quality jobs, in accordance with nationally defined development priorities and strategies,

I. ADOPTION OF THE [PARIS AGREEMENT] [PARIS IMPLEMENTING AGREEMENT UNDER THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE]

1. *[Decides to adopt the [Paris Implementing][Agreement] [Paris legal instrument for enhanced action] [in the context of Article 17 of] [under] the United Nations Framework Convention on Climate Change [pursuant to Article 7], hereinafter referred to as the Agreement, contained in the annex;]*
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to have it open for signature in New York, the United States of America, from 22 April 2016 to 21 April 2017;
3. *Invites* the Secretary-General to convene a high-level signature ceremony for the Agreement on 22 April 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 all of the provisions of the Agreement pending its entry into force, and *requests* Parties to provide notification of any such provisional application to the Depositary;
6. *Notes* that the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) in accordance with decision 1/CP.17, paragraph 4, has been completed, and *decides* to rename it as the Ad hoc working group on the Paris outcomes (APO);
7. *Further decides* that the APO shall 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 the Agreement (CMA);
8. *Also decides* to oversee the implementation of the work programme resulting from the relevant requests contained in this decision in a balanced manner, on, inter alia, mitigation, adaptation, finance, technology development and transfer, capacity-building, and transparency of action and support, to facilitate the entry into force of the Agreement and that the APO complete its work by 2020;
9. *Requests* the APO to report regularly to the COP on the progress of its work;
10. *Decides* that the APO shall hold its sessions starting in 2016 in conjunction with the sessions of the Convention subsidiary bodies and shall prepare draft decisions to be recommended through the COP to the CMA for consideration and adoption at its first session;

II. INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

11. *Welcomes* the intended nationally determined contributions (INDCs) that have been communicated by Parties in accordance with decision 1/CP.19, paragraph 2(b);
12. *Reiterates* its invitation to all Parties that have not yet 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 the INDCs;

13. [Calls on each developed country Party to communicate to the secretariat its INDC on the provision of finance, technology and capacity-building support, including in particular the financial targets and road map for the period 2021–2030, as soon as possible and well in advance of COP 22 (by the first quarter of 2016 by those developed country Parties ready to do so), in a manner that facilitates the clarity, transparency and understanding of the INDCs on the provision of support;]
14. [Requests the secretariat to continue to publish the INDCs communicated by Parties on the UNFCCC website[, in particular those on finance, technology and capacity-building support communicated by developed country Parties referred to in paragraph 13 above];]
15. Reiterates its call to developed country Parties [and Parties with economies in transition in a position to do so], 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;
16. **Option 1:** [Requests the SBI to clarify in a facilitative, non-intrusive and consultative manner the information provided by Parties when communicating their INDCs, which shall report on progress made to the [ADP][COP] [at its X session][in 2017];]
Option 2: No text
17. Takes note of the synthesis report on the aggregate effect of INDCs communicated by Parties by 1 October 2015, contained in document FCCC/CP/2015/7;
- 17 bis. [Notes with concern that the estimated aggregate greenhouse gas emission levels resulting from the INDCs in 2025 and 2030 do not fall within least-cost 2°C scenarios, and that much greater emission reduction efforts than those associated with the INDCs will be required in the period after 2025 and 2030 to hold the temperature rise to below 2°C or 1.5°C above pre-industrial levels;]
- 17 ter. [Also notes, in this context, the adaptation needs expressed by developing countries in their INDCs];
18. Requests the secretariat to update the synthesis report referred to in paragraph 17 above so as to cover [all the information in] the INDCs communicated by Parties [pursuant to 1/CP20] by 4 April 2016 [in particular those on finance, technology and capacity-building support communicated by developed country Parties referred to in paragraph 13 above] and to make it available by 2 May 2016 [and to provide information on the fairness and ambition of the INDCs];

Option I (paragraphs 19-19quinquies):

19. [Invites] [Strongly urges] all Parties to consider enhancing the ambition of their mitigation efforts [and adaptation 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] [, and requests Parties to ensure that there is no backsliding from the level of mitigation effort presented in their intended nationally determined contributions when submitting their nationally determined mitigation commitment];
- 19bis. Notes that a developing country Party may adjust its INDC when severely affected by an extreme natural event or force majeure, or when adequate finance, technology development and transfer, or capacity-building support is not available;
- 19ter. Decides that the level of effort represented by each Party's nationally determined commitment shall be at least equal to that communicated through its intended nationally determined commitment;
- 19quater. Invites developed country Parties to take the lead by enhancing the ambition of their commitments on mitigation and the provision of finance, technology development and transfer, and capacity-building support in their INDCs;
- 19quinquies. Notes that the enhancement of the INDCs of developing country Parties is premised upon the adequacy of the finance, technology transfer, and capacity-building support provided by developed country Parties;

Option II: No text

20. **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] in relation to progress towards the long-term goal referred to in Article 3, paragraph 1, of the Agreement and to inform the preparation of INDCs pursuant to Article 3, paragraph 8, of the Agreement;]
Option 2: No such facilitative dialogue prior to 2020;
Option 3: [Placeholder on provision for updating commitments before entry into force of the Paris Agreement];

21. *Requests* the Intergovernmental Panel on Climate Change (IPCC) to provide a special report [in 2018] [in 2019] on the impacts of global warming of 1.5 °C above pre-industrial levels and the global greenhouse gas emission pathways required to achieve the long-term temperature goal;

III. DECISIONS TO GIVE EFFECT TO THE AGREEMENT

GENERAL

22. *Welcomes* the efforts of all actors to address and respond to climate change, including those of civil society, the private sector, financial institutions, cities and other subnational authorities;
23. [*Invites* the actors referred to in paragraph 22 above to scale up their efforts and support actions to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change;]
24. [*Also invites* the actors referred to in paragraph 22 above to demonstrate their continued efforts to address climate change via the Non-State Actor Zone for Climate Action;¹⁷]
- 24bis *Recognizes* the knowledge, technologies and efforts made by local communities and indigenous peoples to address and respond to climate change;

MITIGATION

{Timing}

- (a) {*First communication option for decision*¹⁸}:

Option I

1. **Option 1:** Affirms that if a Party that has communicated its first INDC before joining the agreement, the INDC communicated will be automatically recognized as its [undertaking][NDMC*][INDC] under this agreement, unless otherwise decided by the Party concerned; and that if a Party that has not communicated its first INDC before joining the agreement, the INDC may be communicated by that Party at any time after joining the agreement.
- 1bis. **Option 2:** Each Party [shall][should] communicate its first [NDMC*][INDC] no later than upon [ratification or acceptance of] [joining] the agreement.

Option II

No provision on first communication in agreement and/or decision

{Features}

Option 1:

2. [Decides][Notes] that [Parties] [will][should][may] [developed countries will and others strive to] [developed countries will] communicate [NDMC*][INDC]s that:
- [Are quantified or quantifiable [or qualitative];]
 - [Are unconditional, at least in part] [, with developing countries able to communicate additional levels of mitigation action able to be implemented with support;] [noting that developing countries' [NDMC*][INDC]s may be expressed as an unconditional target and a conditional target based on the provision of finance and/or technology transfer and/or capacity-building;]
 - [Consider maximizing adaptation co-benefits, and may include contributions in the form of co-benefits resulting from the Party's adaptation contributions and economic diversification plans;]
 - [Strive to include all key categories of anthropogenic emissions and removals;]
 - [Continue to include any sources, sink or activity that has been previously included, or explain any exclusion in that regard][and its impact][on the achievement of its [NDMC*][INDC]]
 - [Ensure that the NDMC is based on real and verifiable information, and that baselines are transparently defined;]
 - [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.].]
 - [Take into account the outcomes of the global stocktake and the process to facilitate implementation as set out in Articles 10 and 11, respectively;]
 - [To the extent that it uses baselines, base these on real and verifiable data;]

¹⁷ Available at <<http://climateaction.unfccc.int>>.

¹⁸ No decision as to whether {first communication} should be placed in agreement or decision has been taken.

- j) [Take into account the relevant outcomes of the global stocktake and the process to facilitate implementation as set out in Articles 10 and 11, respectively;]

2bis.[Notes that Parties' [NDMC*][INDC]s may:

- a) [Prioritize actions that are immediately implementable, scalable and results oriented, including REDD-plus;]
 b)[Use a joint mitigation and adaptation approach for the integral and sustainable management of forests as an alternative policy approach to results-based payments.]]

Option 2:

No text

3. **Option 1:** [*Decides* that Parties shall [submit][communicate] their first [NDMC*][INDC] in accordance with Article 3 of the Agreement;]

Option 2: [Develop modalities to implement the distribution of a global carbon budget based on climate justice, considering historical responsibilities, ecological footprint, capabilities, state of development and population;]

4. [*Decides* that Parties shall, when pursuing all mitigation actions, ensure that they are consistent with all relevant obligations, ensure the integrity and resilience of natural ecosystems and respect customary and sustainable land-use systems;]

5. *Also decides* that the information to be provided by Parties when communicating their first [and each successive or resubmitted] nationally determined mitigation [contribution][commitment][other] [shall][may] include, inter alia[, the information listed in decision 1/CP.20, paragraph 14]:

- [(a) Quantifiable information on the reference point (including, as appropriate for the type of [NDMC*][INDC], a base year);
- (b) Time frames and/or periods for implementation;
- (c) Pools, gases and key categories of emissions by sources and removals by sinks included in the [NDMC*][INDC];
- (d) Assumptions, metrics, methodological approaches and key data sources, including those for projected baselines, if any, and estimating and accounting for anthropogenic greenhouse gas emissions and removals;
- (e) If the Party intends to cooperate internationally on mitigation outcomes, a description of the intended use and how it intends to avoid double counting;
- (f) How the Party considers that its intended nationally determined contribution is fair and ambitious, in the light of its national circumstances;
- (g) How the INDC contributes towards achieving the objective of the Convention as set out in its Article 2;]
- [(h) The base year or baseline of the commitment;
- (i) Its deviation from the base year or baseline expressed as a percentage change;
- (j) The coverage of the commitment, including the anthropogenic greenhouse gas emissions and removals by sinks and greenhouse gases not controlled by the Montreal Protocol that are included;
- (k) An estimate of the anthropogenic emissions by sources and removals by sinks of greenhouse gases not controlled by the Montreal Protocol for the base year or baseline;
- (l) An identification of where the Party intends to employ land- or activity-based accounting for the anthropogenic land use, land-use change and forestry categories or activities included in its commitment and the reference value for use in accounting for those categories or activities;
- (m) The intended use of internationally transferred mitigation outcomes and projected impacts on the Party's nationally determined mitigation commitment;
- (n) An explanation of how the Party's wider commitment is considered to be a fair and ambitious contribution to the below 2°C objective;]

6. **Option 1:** *Acknowledges* that Parties may adjust the submission of their first [NDMC*][INDC] to make it consistent with the rules and guidance for accounting for anthropogenic greenhouse gas emissions and removals pursuant to Article 3, paragraph 10 of the Agreement[, consistent with Article 3, paragraph 7, of the Agreement][, subject to the requirement that Parties ensure that there is no backsliding in the level of mitigation effort];

Option 2: No text for adjustment, land use and accounting;

7. *Requests* the [SBI] to develop modalities and procedures for the operation and use of the registry referred to in Article 3, paragraph 9, 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;

8. *Also requests* the secretariat to make available an interim registry in the first half of 2016 for the recording of [NDMC*][INDC] submitted in accordance with Article 3 of the Agreement, pending the adoption by the CMA of the modalities and procedures referred to in paragraph 29 above;
9. *Recommends* that the CMA [consider][decide upon], at its first session, with regard to Article 3, paragraph 6, of the Agreement, [whether] any additional information [shall][to] be included by Parties when communicating their [NDMC*][INDC] [and what information shall be included by Parties when communicating their adaptation [contribution][commitment][other]];
10. *Requests* the IPC to [consider the information presented by Parties in the communication of their first [NDMC*][INDC] and how to increase the clarity, transparency and understanding thereof in order to] make a recommendation to the CMA regarding paragraph 31 above;
11. [*Requests* the IPC to facilitate the enhancement of the clarity, transparency and understanding of the successive or [revisited][recommunicated] intended nationally determined mitigation contributions communicated by Parties well before their finalization by providing Parties the opportunity to consider them through:
 - (a) A facilitative dialogue that promotes clarity, transparency and understanding;
 - (b) An updated synthesis report on the aggregate effect of the nationally determined mitigation contributions before their finalization;]
12. [*Decides* that each Party shall communicate a successive or [revisited][recommunicated] intended nationally determined contribution well before [the session of the CMA in 2021];]
13. *Decides*, in relation to Parties, including regional economic integration organizations, implementing their [NDMC*][INDC] jointly under Article 3, paragraph 15, of the Agreement, that:
 - (a) Parties, including regional economic integration organizations, that have reached an agreement to implement their [NDMC*][INDC] jointly shall notify the secretariat of the terms of such an agreement on the date of the deposit of their instruments of ratification, acceptance or approval of the Agreement, or accession thereto;
 - (b) The secretariat shall inform Parties to the Agreement [and Parties to the Convention] of the terms of the agreement to implement jointly referred to in paragraph 35(a) above;
 - (c) Any alteration to the composition of the Parties, including regional economic integration organizations, implementing jointly shall not affect any then current [NDMC*][INDC] and shall become applicable for the purpose of the Agreement to the next [NDMC*][INDC] submitted by that organization, by Parties implementing jointly with Parties that have become members of that organization, or by Parties implementing jointly;
14. [*Also decides* that the IPC shall develop, for consideration and adoption by the CMA at its first session, principles and guidelines for all actions in the land sector that:
 - (a) Ensure the integrity and resilience of natural ecosystems;
 - (b) Respect customary and sustainable land-use systems and the security of indigenous peoples' and local communities' land tenure;
 - (c) Are undertaken in an equitable, transparent and participatory manner;
 - (d) Ensure food security;
 - (e) Are consistent with all relevant international obligations;]
15. **Option 1:** [[Recognizing the importance of environmental integrity, transparency, accuracy, completeness, comparability, consistency and avoiding double counting,] *Also decides* [that the rules and guidance for the accounting [of action and support] referred to in Article 3, paragraph 10[, and Article 9, paragraph 4,] of the Agreement, for consideration and adoption by the CMA at its first session, should ensure that]:
 - (a) [Each Party shall] [Parties] ensure methodological consistency [between the communication of [NDMC*][INDC] and the implementation thereof][throughout each implementation term and when tracking progress towards the achievement thereof];
 - (b) [Each Party shall] [Parties] include an explanation for the exclusion [its/their] [NDMC*][INDC] of any key categories of emissions or removals and strive to include them over time;
 - (c) Parties shall, once a source, sink or activity is accounted for in a [NDMC*][INDC], continue to include it or provide an explanation of why it has been excluded [and an assessment of the impact that such exclusion has on its fulfillment of [NDMC*][INDC]];
 - (d) [Each Party shall]:

- (i) to the extent that they use its baselines, maintain them unchanged during implementation, except for technical corrections;
 - (ii) to the extent that they use its projected baselines, reflect the emissions and removals that would be expected without additional action];
- (e) Parties use common metrics and methodologies adopted by the Intergovernmental Panel on Climate Change for the estimation of greenhouse gas emissions and removals;
 - (f) [Each Party shall account for both anthropogenic emissions and removals and may exclude non-anthropogenic and legacy effects;] [*move (a)-(d) to Agreement*]
 - (g) [Internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation [contribution][commitment][other] [will avoid double counting and] are supplemental to domestic action;]
 - (h) [The use of internationally transferred mitigation outcomes is on the basis of an equivalent adjustment by both the transferring Party and the acquiring Party;]
 - (i) [The use of realistic and meaningful reference values, based on historical and actual data or projections consistent with long-term trends in historical emissions, builds, where appropriate, on approaches established under the Convention and its instruments; in case of any change to reference values, Parties shall provide an explanation of the change;]

Option 2: [No provision on international transfer of mitigation outcomes.][No text.]

17. *Recognizes* that existing methodologies and approaches with regard to accounting established under the Convention for REDD-plus shall be suitable for assessing the fulfilment of [NDMC*][INDC] in accordance with Article 3, paragraph 10, of the Agreement; (*the insertion of 38 will require the deletion of 42*)
18. **Option 1:** [*Requests* the SBSTA to develop [additional] methodologies and approaches[, where needed and appropriate,] with regard to accounting in accordance with Article 3, paragraph 10, of the Agreement [and paragraph 37 above], for consideration by the [IPC][CMA] at its [[X]][second] session;]
- Option 2:** No text.
19. [*Requests* the SBSTA to elaborate accounting guidance for Parties that engage in international transfers of mitigation outcomes to avoid double counting of effort, and guidance that would enable such Parties to demonstrate that mitigation outcomes are real, permanent, additional and verified, for consideration by the IPC at its [X] session and adoption by the CMA at its first session;]
20. [*Requests* the SBSTA to develop methodologies and approaches with regard to accounting in accordance with Article 3, paragraph 10, of the Agreement and paragraph 37 above, for consideration by the IPC at its [X] session in 2016; such guidance shall not apply retrospectively to Parties' NDMCs;]
21. **Option 1:** [*Also requests* the IPC to elaborate the methodologies and approaches [, where needed and appropriate,] for accounting referred to in paragraph 39 above, taking into account the methodologies and approaches developed by the SBSTA, with a view to the [IPC][CMA] making recommendations thereon to the CMA at its first session;]
- Option 2:** No text
22. *Requests* the SBSTA
 - (a) Pursuant to decision 1/CP.17, to review the guidelines for international assessment and review in 2016, together with the guidelines for biennial reports, and in 2017 to review the guidelines for international consultation and analysis, together with the guidelines for biennial update reports, and to report on progress made and to recommend any revisions to the guidelines for adoption by the COP at its twenty-third session (November 2017);
 - (b) Informed by the process referred to in paragraph 43(a) above and any further guidance provided by the COP, to develop a common framework for transparency of action and support, building on and further improving existing processes, including those for [NDMC*][INDC], adaptation components of INDCs and undertakings on adaptation, and the provision of support provided and received, as well as means of assessment against the long-term goal for mitigation, the global goal for adaptation and the aggregate scale of finance, with a view to recommending a decision to the COP at its twenty-fifth session (November 2019);
23. *Requests* the SBSTA, pursuant to decision 1/CP.18 and building on the work on methodologies for finance, to develop accounting for the provision of support over time, enhancing the common tabular format for biennial reports and the methodology for reporting by developed countries on support provided and enhancing the reporting by developing countries[, including those Parties whose special circumstances are recognized by the

COP] on support received, taking into account the imperative to avoid double and multiple counting, as well as means of assessment against the aggregate goal for finance provided by developed countries, with a view to recommending a decision to the COP at its twenty-fifth session (November 2019);

24. **[Option 1: *[Provision on response measures.]*]** *[Decides to establish a cooperative mechanism by the COP at its [X] session to address the specific needs and concerns of developing country Parties[, including those Parties whose special circumstances are recognized by the COP], arising from the impacts of the implementation of response measures, by building on the work of the forum to develop a specific work programme to be undertaken by the mechanism that shall be implemented, with a view to recommending specific tools, actions and programmes to address the impacts and the implementation gaps in order to avoid and minimize adverse effects on developing country Parties[, including those Parties whose special circumstances are recognized by the COP]. [Unilateral measures shall not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade]. [Parties strengthen existing arrangements by establishing a cooperative mechanism (platform) under the Convention to manage the transition to low greenhouse gas emission pathways, which would identify and then measure the impacts and which would use existing tools as much as possible and further develop tools to address identified gaps and ensure their operationalization. The governing body shall develop and adopt modalities for a permanent forum under the SBSTA]].*

[Option 2: No provision on response measures.]

Option I: (paragraphs 25 and 25bis)

25. *[[Recommends that the CMA, at its first session, consider establishing a] [A multi-window] mechanism [is hereby established] to support [low-emission development pathways][sustainable development], to be available to assist Parties in fulfilling their [NDMC*][INDC] which 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) *[Meet and] 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;*
- (c) *[Fully respect the mitigation contributions of participating Parties to ensure that global mitigation effort is not undermined];*

- 25bis Requests the SBSTA to elaborate modalities and procedures for the mechanism [for sustainable development] referred to in paragraph 46 above, and to report to the [IPC][CMA] 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 [fully respect the nationally determined commitment of the host Party and that] may be used to meet [NDMC*][INDC] 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 the participating Parties, a net [decrease] [contribution to mitigation over and above the current NDCs of the Parties participating] [or avoidance of emissions] [as well as a net increase in removals corresponding to a net carbon stock increase];*
- (c) *[Build][Acknowledge] [on] [experience from] the [lessons learned from implementation of the] [flexible] mechanism[s] [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 (CMP)][and work undertaken in the context of the review of those mechanisms] [already established under the Convention];](delete, move to Agreement as modified)*
- (d) *[Use appropriate baselines that may be based on programmatic or sectoral approaches;]*

Option II: (paragraphs 25 and 25bis)

25. *[Recommends that the CMA, at its first session, consider establishing 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*][INDC], including, in a balanced manner, mitigation, adaptation, provision of finance, technology transfer and capacity-building, which 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 and adaptation ambition and the provision 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 mitigation and adaptation action 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;
- 25bis *Requests* the SBSTA to elaborate modalities and procedures for the mechanism for sustainable development referred to in paragraph 46 above, and to 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 achievement of real, permanent, additional and verified mitigation and adaptation outcomes to meet conditional [NDMC*][INDC] consistent with the rules of the COP;]

Option III: No text on this mechanism

ADAPTATION

47. *[Decides* that the activities referred to in Article 4, paragraph 6, 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[, local communities] 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 (LDCs), small island developing States (SIDS) 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:** [Facilitate access to financial, technological and capacity-building support for adaptation action, without being a prerequisite;]
48. *[Requests* the [SBSTA][Adaptation Committee (AC)][Least Developed Countries Expert Group (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;]
49. *[Requests* the [SBI][AC][Standing Committee on Finance (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 on the global average temperature increase referred to in Article 2 of the Agreement, and to make recommendations for adoption by the Conference of the Parties at its [X] session;]
50. *[Requests* the [AC][SBSTA][SCF][LEG] to develop methodologies and approaches for recognizing the adaptation efforts of developing countries to respond to climate change;]
51. *[Requests* the operating entities of the Financial Mechanism of the Convention and developed country Parties to provide financial support for undertaking the adaptation needs assessments referred to in paragraph 48 above;]
52. *[Requests* the AC 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, to prepare recommendation for consideration at the twenty-third session of the COP, and to identify improvements in the articulation of those arrangements in order to respond effectively to the needs of Parties, for consideration by the COP and the IPC at their twenty-third 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 the adverse effects of climate change, including the LDCs, SIDS and Africa with:

- (i) National adaptation planning;
- (ii) Identifying gaps in capacities and knowledge in the light of projected impacts;
- (iii) Developing strategies to address projected impacts;]

53. *[Decides that the AC shall report annually to the CMA on priority areas of concern for regions;]*
54. **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][CMP][CMA] at its [second][first] session;*
Option 2: *No text (linked to Article 4, paragraph 9 of the Agreement).*
55. *[Requests the GCF to establish programmes for expedited support for the LDCs for the formulation of NAPs as defined in decisions 1/CP.16 and 5/CP.17 and the subsequent implementation of policies, projects and programmes identified by them;]*
56. **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 54 above;]*
Option 2: *No text (linked to Article 4, paragraph 9 of the Agreement)*
57. *[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][X] session;]*
58. *[Establishes a technical and knowledge platform under [the AC, building on] the Nairobi work programme on impacts, vulnerability and adaptation to 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, paragraphs 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 gaps in adaptation knowledge;
 - (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, and Article 4, paragraph 1, of the Agreement];
 - (g) [Enhance regional cooperation to foster adaptation actions;]
59. *[Requests the AC to operationalize the technical and knowledge platform referred to in paragraph 58 above [and, where possible, to build on existing work and processes to strengthen coherence];]*
60. *[Requests the SBI and the SBSTA to review, by 2016, the institutional arrangements for adaptation under the Convention, encompassing the Cancun Adaptation Framework, the AC, the Nairobi work programme and the LEG, to enhance the coherence and effectiveness of their work in the light of Article 4 of the Agreement;]*
61. *Invites all relevant United Nations institutions and international, regional and national financial institutions to provide information to Parties through the secretariat on how their [development assistance][climate finance] programmes and finance incorporate climate proofing and climate-resilience measures;*
62. *[Requests Parties to strengthen regional cooperation on adaptation where appropriate and, where necessary, to establish regional centres and networks, in particular in developing countries, with support from developed country Parties as previously agreed to in decision 1/CP.16, paragraph 13;]*
63. *Requests the [IPC][COP][AC][LEG] to prepare a recommendation[, including modalities for streamlining and simplifying existing adaptation reporting instruments and mechanisms], for the [CMA] [CMP] regarding Article 4, paragraph 7, of the Agreement;*
64. *[Also requests the IPC to prepare a recommendation for the CMA regarding Article 4, paragraph 10, of the Agreement;]*

LOSS AND DAMAGE

[Option 1: (paragraphs 65-65septies)]

65. *Recalls* decisions 2/CP.19 and 2/CP.20 on the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts;
- 65bis. *Invites* all Parties to reduce the risk of and address loss and damage associated with the adverse effects of climate change;
- 65ter. *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;
- 65quater. *Decides* that the Warsaw International Mechanism will, following its review in 2016, continue to serve as the mechanism for loss and damage;
- 65quinquies. *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;
- 65sexies. *Also requests* the Executive Committee to establish, as part of its work plan, a clearing house for risk transfer that serves as a repository for information on insurance and 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;
- 65septies. *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 levels;]

[Option 2: (paragraphs 65-65quinquies)]

65. *Encourages* Parties to develop early warning systems and risk management plans for both extreme events and slow onset events and to 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 the Parties;
- 65bis. *Agrees* that, as part of its work, the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts shall develop guidelines for a comprehensive approach to climate risk management;
- 65ter. *Establishes* a financial technical panel under the Warsaw International Mechanism, which shall explore approaches for:
- (a) Establishing regional and subregional pools to support regional and subregional risk transfer schemes;
 - (b) Providing support for microfinance initiatives;
 - (c) Exploring finance for slow onset events;
- 65quater. *Decides* to develop interim modalities and procedures for the operation of a climate change displacement coordination facility, which shall:
- (a) Assist in developing arrangements for emergency relief;
 - (b) Assist in providing organized migration and planned relocation;
- 65quinquies. *Establishes* under the Warsaw International Mechanism a clearing house for risk transfer, which shall:
- (a) Provide a repository for information on insurance and risk transfer;
 - (b) Assist Parties in developing risk management strategies and finding the best insurance schemes;
 - (c) Facilitate financial support for rehabilitation;]

FINANCE

47. [In the implementation of the Agreement, financial resources provided by developed country Parties and other Parties included in Annex II to the Convention to developing countries should enhance the implementation of their policies, strategies, regulations and action plans and their climate change actions with respect to both mitigation and adaptation to contribute to the achievement of the [objective][purpose] of the 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.]
48. [*Decides* to establish a process for the consideration of new and [alternative][additional] 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;]
49. [*Decides* to consider ways to enhance the effectiveness of climate finance;]
50. [*Decides* that the significant share of new multilateral funding for climate change actions should flow through the Financial Mechanism of the Convention and the Funds established under the Convention and its Protocol;]
{Placement proposal: to be discussed under COP agenda item on long-term climate finance/in the Agreement}
51. [*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;]
58. [*Decides* to support developing country Parties, including through the provision of financial resources, to determine and report on their financing needs and country programming priorities for the post-2020 period;]
59. [*Further decides* to establish a process to review the reports of developing countries in light of efforts to scale up financial support to developing countries in accordance with Article 11.3 (d);]

60. Option 1

[*Decides* that in accordance with Article 6 paragraph 11 of the Agreement [and decision 3/CP.19][developed country Parties and other Parties in annex II][Parties], shall communicate biennially on [the provision and mobilization of financial resources] [their efforts] and include, inter alia, the following as appropriate:][*Placeholder for text on flexibility*]

- (a) [Information to increase clarity on the expected levels of climate finance mobilized from different sources;]
- (b) Information on their policies, programmes and priorities;
- (c) Information on actions and plans to mobilize additional finance
- (d) [Information on actions to enhance enabling environments in order to mobilize and attract climate finance from a variety of sources;]
- (e) Information on investment plans to implement nationally determined contributions, including financing needs to implement an enhanced level of ambition;
- (f) [Information on efforts to integrate climate consideration including resilience into their international and domestic development strategies;
- (g) Information on mobilization of domestic resources;
- (h) Information on efforts to reduce international support for high emission and maladaptive investments]
- (i) [Information on adequacy of the support provided]]

Option 2

[*Decides* that the CMA shall facilitate the communication of the information referred to in Article 6 paragraph 10 of the Agreement, to improve transparency, consistency, comparability, completeness and accuracy, taking into account the periodic assessment by the Standing Committee on Finance;]

61. [*Decides* to support developing country Parties, including through the provision of financial resources, to determine and report on their financing needs and country programming priorities for the post-2020 period;]
62. [*Further decides* to establish a process to review the reports of developing countries in light of efforts to scale up financial support to developing countries in accordance with Article 11.3 (d);]
63. [*No provision on market mechanism*]
64. [*Placeholder for language on thematic funding, including technology development and transfer, capacity-building, REDD+, JMA, financing for forests, Article 6 of the Convention*]

65. *[Urges developed country Parties to increase the mobilization of financial resources for climate actions of developing countries to USD 70 billion in 2016, USD 85 billion in 2018, and leading to achieving the existing commitment of USD 100 billion in 2020;] {Placement proposal: to be discussed under COP agenda item on long-term climate finance}*
66. *[Developed country Parties commit to mobilize at least USD XX billion in finance for adaptation by 2018, whilst striving to achieve greater balance in finance for mitigation and adaptation, on a grant basis as well as to develop new and additional sources of finance for adaptation, including the Adaptation Fund.] {Placement proposal: to be discussed under COP agenda item on long-term climate finance}*
67. *[Decides that adequate, predictable and sustainable financial resources for the implementation of REDD+ activities, including for results-based payments, shall be provided by Parties pursuing the coordination of support to, inter alia, public and private sources, including the Green Climate Fund in accordance with relevant decisions by the COP;]*
68. *[Ensure that the provision of financial resources, development and transfer of technology and capacity-building for enhanced climate actions, including for loss and damage, shall be measured, reported and verified through modalities established under the Convention by the relevant subsidiary bodies of the Convention. Such modalities shall ensure that there shall be no double counting of financial resources provided and ensuring the environmental integrity of this agreement.] {Note: substantive discussions with regard to transparency are taking place with regard to Article 9 of the Agreement}*
69. *[Measurement, reporting and verification of financial resources, including for meeting costs of adaptation, transfer of technology and capacity-building shall be provided in accordance with Articles 4.3, 4.4 and 4.5, 4.8, and 4.9, in implementation of Article 4.7 of the Convention, as well as financing provided through the Warsaw Mechanism for Loss and Damage.] {Note: substantive discussions with regard to transparency are taking place with regard to Article 9 of the Agreement}*
70. *[[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 [and the Adaptation Fund] shall serve the Agreement.][Reaffirms that the Green Climate Fund (GCF) and the Global Environmental Facility (GEF) shall serve the Agreement as the operating entities of the Financial Mechanism. The Least Developed Country Fund and the Special Climate Change Fund administered by the GEF will continue to serve the agreement.] [The CMA has the authority to modify this list.]] {Substantive overlap with Article 6 paragraph 18 in the agreement section}*
71. *[The CMA shall provide guidance on the policies, programme priorities, and eligibility criteria for the Financial Mechanism related to this Agreement. The CMA should consider the special circumstances of LDCs, SIDS, and African States when providing this guidance. [A developing country Party in need of support is eligible to receive support from the operating entities of the Financial Mechanism if it has communicated an NDMC under Article 3 and has submitted timely reports under Article 9.]] {Substantive overlap with Article 6 paragraph 18 in the agreement section}*
72. *[Placeholder referring to Article 6 paragraph 19 of Agreement text]*

TECHNOLOGY DEVELOPMENT AND TRANSFER

84. *[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 alignment of TNAs more closely with bankable finance projects and] improving TNAs to result in implementable projects;*
 - (c) The synergy between the TNA process and other arrangements related to the implementation of mitigation and adaption actions, as appropriate;*
 - (d) 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 the light of any relevant decision of COP 21 on strengthening the TNA process.*
85. *[Requests the Technology Executive Committee (TEC) to elaborate the means of strengthening the TNA process referred to in paragraph 84 above, taking into account ongoing work relating to this matter, for consideration and adoption by the COP at its twenty-third session;]*

86. [The Technology Mechanism of the Convention, including the TEC and the Climate Technology Centre and Network (CTCN), shall be [strengthened][augmented] in order to effectively anchor technology development through a 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 the TEC and the CTCN along with its other linkages, for example Financial Mechanism and national focal points, with respect to effectively anchoring technology development and transfer in order to recommend and undertake appropriate measures;]
- 86bis. *[Decides that the Technology Mechanism [shall][should] serve the Agreement.]*
87. **Option 1:** *[Encourages] [Parties][Developed country Parties][Parties included in Annex X to the Agreement] [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 the capacity to build country ownership and innovation, integrating a gender perspective and involving and strengthening the potential of citizens and communities;
Option (b)(i): Arrangements shall be established to address intellectual property rights (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)(ii): 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, paragraph 5, of the Convention, developed country Parties shall provide financial resources to address barriers created by 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 charge in order to enhance their actions to address climate change;
Option (b): No text
- Option 2:** [Developed country Parties][Parties included in Annex X to the Agreement] [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 to the Agreement];
 - (b) [Leverage enhanced support from the private sector for technology development and transfer to [developing country Parties][Parties not included in Annex X to the Agreement]] [Promote access to public-sector technology and promote technology 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 to the Agreement];
88. **Option 1:** *Requests the [IPC] to develop recommendations regarding the technology framework referred to in Article 7, paragraph 3, 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 that framework and the framework for meaningful and effective actions [to enhance the implementation of Article 4, paragraph 5, of the Convention,] 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 [Technology Mechanism under the 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 under Article 7, paragraph 3, of the Agreement, taking into consideration that it shall, inter alia]:*
- (a) *Facilitate the undertaking and updating of TNAs in [developing country Parties][and other Parties in need of support, including countries with economies in transition];*
 - (b) *Facilitate various options for enabling developing countries [and other Parties in need of support, including countries with economies in transition]' 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 [and other Parties in need of support, including countries with economies in transition] [and urging Parties to communicate to the secretariat in their INDC on the provision of the technology in a manner that facilitates clarity and understanding of the provision of support] [and anchoring dedicated nodal research, development and demonstration facility on technology development and transfer];
- (f) [Mobilize resources to deliver the support] [[Facilitate] enhance financing and technical support for the implementation of the outcomes of the TNAs of developing countries [and other Parties in need of support, including countries with economies in transition]];
- (g) Address barriers to and create appropriate enabling environments for technology development and transfer;

Option 3: Requests the SBs to elaborate upon the technology framework referred to in Article 7, paragraph 2, of the Agreement.

89. **Option 1:** Decides that the TEC and the CTCN [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 the Agreement, taking into account the specific needs of [developing countries][Parties not included in Annex X to the Agreement] 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;

90. [Decides that [the 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 results of the assessment;]

CAPACITY-BUILDING

Option 1: (paragraph 91)

91. Requests the SBI to act on the outcome of the third review of the Framework for capacity-building in developing countries, including ensuring appropriate institutional arrangements related to the implementation of Article [8] of the [Agreement], and to submit a proposal for consideration by the COP at its twenty-second session;

Option 2: (paragraphs 91-91quater)

91. Decides to launch a [two-year] work programme to enhance the implementation of the Framework for capacity-building in developing countries;

91bis. [Also decides that the work programme should:

- (a) Facilitate the effective implementation of the capacity-building actions of developing countries at the national and regional levels, in particular addressing their INDCs;
- (b) Promote coherence between existing institutions established under the Convention that deliver capacity-building activities;
- (c) Assess the effectiveness of the delivery of capacity-building support by ensuring the following:
 - (i) Compilation of information from relevant sources, including from the comprehensive reviews and the outcomes of the Durban Forum on capacity-building;
 - (ii) Analysis of information pertaining to capacity-building to identify, inter alia, gaps and needs and other relevant trends communicated by Parties;
 - (iii) Development and dissemination of tools and methodologies for the enhanced delivery of capacity-building;
 - (iv) Development of tools for the monitoring, reporting and verification of capacity-building;
- (d) Collaborate closely with other multilateral and international organizations involved in capacity-building;
- (e) Report on the monitoring, reporting and verification of support received for capacity-building against needs;

- (f) Facilitate the efforts of developing country Parties to elaborate plans and strategies for achieving climate resilience and sustainable development trajectories in accordance with their national priorities and legislation;
- (g) [Implement the capacity-building measures recommended by the decision on workstream 2 during the pre-2020 period;]

91ter. Further decides that the work programme should address, inter alia:

- (a) Gaps and needs, current and emerging, in the delivery of capacity-building [in developing countries with support from developed countries,] [respecting human rights and with a gender-responsive approach,] in particular at the national level;
- (b) Ways and means to enhance coordination and coherence in the provision of capacity-building [of developing countries regarding their implementation of mitigation and adaptation actions,] including within existing institutional arrangements;
- (c) [Ways to further enhance the monitoring of the effectiveness of capacity-building support in developing countries through the development of indicators;]

91quater. Requests the SBI to [develop recommendations concerning] [report annually on the progress of] the work programme referred to in paragraphs 91, 91bis, and 91ter above [for consideration by the COP at its twenty-third session] [to the IPC and the CMA];

Option 1: (paragraph 92)

92. Requests the [IPC] [SBI] to prepare a recommendation for the CMA on the enhancement and intensification of the work of the institutional arrangements on capacity-building;

Option 2: (paragraph 92)

92. Requests the [IPC] [SBI] to develop modalities and procedures for the capacity-building mechanism established by Article 8, paragraph 5, of the Agreement;

Option 3: (paragraphs 92 and 92bis) {International Mechanism for Capacity Building under the Convention and the Agreement}

92. The International Mechanism for Capacity-Building is the institutional arrangement for capacity-building under the Convention, the Kyoto Protocol and the Agreement and constitutes the Durban Forum, the capacity-building portal and the proposed Capacity-building Coordination Committee (proposed in decision X/CP.21). The mechanism is established under the Capacity Building Frameworks (decisions 2/CP.7 and 3/CP.7) to address capacity-building needs and gaps in developing countries and countries with economies in transition as they implement the Convention, the Kyoto Protocol and the Agreement;

92bis. In fulfilling its role in a comprehensive, integrated and coherent manner, the International Mechanism for Capacity-Building shall:

- (a) Enhance knowledge on and understanding of technical and management approaches to addressing capacity-building needs and gaps in developing countries and countries with economies in transition by facilitating and promoting: (a) action to address gaps in the understanding of and expertise on approaches to addressing capacity-building associated with the implementation of the Convention, its Kyoto Protocol and the Agreement; (b) the collection, sharing, management and utilization of relevant data and information; and (c) the translation into implementable actions of the synthesis of best practices, challenges, experiences and lessons learned drawn and developed by the secretariat from the Durban Forum and any data and information from the Capacity-Building Portal;
- (b) Strengthen dialogue, coordination, coherence and synergies among relevant stakeholders;
- (c) Provide leadership and coordination and, as and where appropriate, oversight of the assessment and implementation of approaches to addressing capacity-building needs and gaps in developing countries and countries with economies in transition associated with the implementation of the Convention, its Kyoto Protocol and the Agreement;
- (d) Foster dialogue, coordination, coherence and synergies among all relevant stakeholders, institutions, bodies, processes and initiatives outside of the Convention, with a view to promoting cooperation and collaboration across relevant work and activities at the subnational, national, regional and international levels;
- (e) Enhance action and support, including in relation to adaptation, mitigation, finance and technology, to address capacity-building under the Convention, the Kyoto Protocol and the Agreement;
- (f) Provide information and recommendations on addressing capacity-building implementation needs and gaps in developing countries and countries with economies in transition for consideration by the

- Conference of the Parties when providing relevant guidance to the Financial Mechanism of the Convention and its operating entities under the Convention, its Kyoto Protocol and the Agreement;
- (g) Facilitate the mobilization and securing of expertise, and the enhancement of support, including in relation to adaptation, mitigation, finance and technology, to strengthen existing approaches and, where necessary, facilitate the development and implementation of additional approaches to addressing capacity-building under the Convention, its Kyoto Protocol and the Agreement;
 - (h) Strengthen, consolidate and enhance the sharing of relevant information, knowledge, experience and good practices, at the local, national, regional and international levels, taking into account, as appropriate, traditional knowledge and practices and gender-disaggregated data and information;
 - (i) Complement, draw upon the work of and involve, as appropriate, existing bodies and expert groups under the Convention, the Kyoto Protocol and the Agreement, as well as relevant organizations and expert bodies outside of the Convention, at the subnational, national and international levels;
 - (j) Promote synergies and strengthen engagement with subnational, national, regional and international organizations, centres and networks in order to enhance the implementation of capacity-building actions on mitigation, adaptation, technology and finance in developing countries and countries with economies in transition;
 - (k) Consider data and information communicated by countries and other partners on the monitoring and review of capacity-building at the subnational, national, regional and international levels in relation to mitigation, adaptation, technology transfer, support provided and received, possible needs and gaps and other relevant information;
 - (l) Assess and provide recommendations on further actions that may be required to lift constraints on and fill gaps in capacity-building at the subnational, national, regional and international levels, particularly in developing countries and countries with economies in transition.]
93. Calls upon all Parties to ensure that education, training and public awareness, as reflected in Article 6 of the Convention and in Article 8.bis of the Agreement are adequately considered in their contribution to capacity building;
94. Requests the CMA to explore ways of enhancing the implementation of training, public awareness, public participation and public access to information so as to enhance actions under this Agreement, at its first session;

TRANSPARENCY OF ACTION AND SUPPORT

{Replaces 95 - 98}

- X1. *Decides to establish the Capacity-Building Initiative for Transparency in order to build institutional and technical capacity, both pre- and post-2020. This initiative will support developing country Parties, upon request, in meeting [enhanced] transparency requirements as defined in Article 9 [paragraph X] of the Agreement in a timely manner.*
- X2. *This initiative will aim to:*
- a. Strengthen national institutions for transparency-related activities in line with national priorities;
 - b. Provide relevant tools, training and assistance in meeting the provisions stipulated in Article 9 of the Agreement;
 - c. Assist in the improvement of transparency over time.
- X3. *Requests the operating entities of the Financial Mechanism of the Convention to support the establishment and operation of the Initiative. In particular, urges and requests the Global Environment Facility to make arrangements to support the establishment and operation of this initiative as a priority reporting related need, including through voluntary contributions to support developing countries in GEF-6 and future replenishment cycles, to complement existing support under the GEF.*

Option 1: (paragraphs 99 and 99bis) {under discussion– to resume on 3 December 2015}

99. Requests the IPC/SBSTA to develop recommendations for modalities, procedures and guidelines in accordance with Article 9[, paragraph 6,] of the Agreement, and to define the year of their first and subsequent review and update, as appropriate, at regular intervals, for adoption at the first session of the CMA/by the COP by 2018, taking 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;
 - (d) The facilitative, non-intrusive nature of review;

- (e) The need to ensure that there is no backsliding;
- (f) The need to ensure that there is no double counting;
- (g) The need to ensure environmental integrity.]

xx There shall be a transition period of [XX] years for developing country Parties.

99 bis. *Also requests* the IPC, when developing modalities, procedures and guidelines in accordance with paragraph 99 above, to consider, inter alia, the application of technical corrections in the review of greenhouse gas inventories provided in accordance with Article 9, paragraph 4(a), of the Agreement;

Option 2: (paragraph 99)

99. *Requests* the SBSTA to develop recommendations for modalities, procedures and guidelines in accordance with Article 9, paragraph 6, of the Agreement, and to define the year of their first and subsequent review and update, as appropriate, at regular intervals, for adoption at the first session of the CMA, taking into account, inter alia:

- (a) The ability of each Party to elect one or more aspects of the flexibility to be specified in the guidance to be adopted by the CMA on the basis of the Party's capacity, such as level of detail of reporting, frequency and scope, provided that the Party revisits the flexibility regularly;
- (b) The importance of facilitating improved reporting and transparency over time;
- (c) The need to avoid undue burden and duplication;
- (d) The facilitative, non-intrusive nature of review;

Option 1: (paragraphs 100-100quater)

100. *Further requests* that the progress of work under the work programme referred to in paragraph 99 above be reported to future sessions of the Conference of the Parties and this work be concluded no later than in 2018;

100bis. *Decides* that Parties' first biennial communications shall be submitted in 2022;

100ter. *Decides* that the review of reporting shall commence three months after the submission of the biennial communications;

100quater. *Decides* that the measurement, reporting and verification system established by decisions 1/CP.16 and 2/CP.17 shall be superseded by the common system of transparency of action and support, immediately following the submission of the final biennial reports and biennial update reports;

Option 3: (paragraphs 100 and 100bis)

100. *Decides* to continue and to further strengthen the mandate of multilateral assessment for the provision of financial resources, technology development and transfer, and capacity-building to developing countries during the international assessment and review process for developed country Parties, in order to ensure that commitments and the provision of such support by developed country Parties and other developed Parties included in Annex II to the Convention are implemented, verified through a robust verification system and meet the needs expressed and identified by developing country Parties, recalling the mandate contained in decision 2/CP.17, paragraph 26, on revising the modalities and procedures for international assessment and review no later than in 2016;

100bis. *Also decides* that developed country Parties and other developed Parties included in Annex II to the Convention shall report on the provision of financial resources, technology development and transfer, and capacity-building to developing countries, in line with the common methodologies adopted by the COP as mandated by decision 2/CP.17, paragraph 19;

Option 4: (paragraph 100)

100. *Also requests* and the SBSTA to develop recommendations for modalities, procedures, rules and guidelines for a common framework for transparency of action and support in accordance with Article 9, paragraphs 2, 3, 4 and 6, of the Agreement, taking into account the need for flexibility in the light of capability, for consideration and adoption by the CMA at its first session, on:

- (a) Transparency of action:
 - (i) Parties ensure methodological consistency between the communication of nationally determined mitigation [contributions][commitments][other] and their implementation;
 - (ii) Parties include an explanation of key categories of emissions and removals excluded from their nationally determined mitigation [contribution][commitment][other] and strive to include them over time;
 - (iii) 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;
 - (iv) Parties use common metrics and methodologies adopted by the Intergovernmental Panel on Climate Change for the estimation of greenhouse gas emissions and removals;

- (v) [Internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation [contribution][commitment][other] are supplemental to domestic action;]
 - (vi) Parties report on progress in the implementation of their national adaptation plans to the UNFCCC every two years and collectively exchange information and share lesson learned in the implementation of adaptation, including in the SBSTA, and by promoting, coordinating and strengthening adaptation knowledge platforms, centres and networks;
 - (vii) Parties improve the methodologies used for reporting information on their adaptation [contributions][commitments][actions] or undertakings, their assessment of climate change impacts, their quantification of and information on vulnerability, and their quantification of impacts, actions taken to build resilience and reduce vulnerability, and investments required, and for contributing information to the global stocktake, as set out in Article 10 of the Agreement; *{still considering transparency in relation to adaptation and its support further}*
- (b) Transparency of support:
- (i) Support provided, enhancing delivery of support for both adaptation and mitigation through, inter alia, the common tabular formats for reporting support, and taking into account the SBSTA agenda item on methodologies for reporting on finance, domestic measurement and international verification, and enhancing the reporting by developing countries on support received, including the use, impact and estimated results thereof;
 - (ii) Enhanced domestic monitoring, reporting and verification systems for action and support;
 - (iii) Developing an international system of accounting designed to avoid double or multiple counting of support across countries and donors;
 - (iv) Information to enable the tracking of progress against the aggregate goal for finance, set out in Article 6, paragraph 8, of the Agreement, and the global stocktake set out in Article 10 of the Agreement, and the broader transformation of financial flows;
 - (v) Drawing on the biennial assessments undertaken by the SCF;

GLOBAL STOCKTAKE

101. **Option 1:** *Decides* that the stocktaking referred to in Article 10 of the Agreement shall be designed to:
- (a) Take into account [the updated synthesis report on the aggregate progress made towards the below 2 °C objective and the long-term goal specified in Article 3, paragraph 1, of the Agreement] [the information on the implementation of the individual and collective efforts under the Agreement];
 - (b) Consider the aggregate effect of the nationally determined contributions communicated by Parties for subsequent commitment periods;
 - (c) Consider the state of adaptation efforts in the light of mitigation trajectories;
 - (d) Take into account the state of adaptation experiences, efforts and priorities;
 - (e) Consider the adequacy of the mobilization and provision of means of implementation;
 - (f) Be informed by the reports of the IPCC;
 - (g) Take into consideration [relevant input from the monitoring, reporting and verification process] [the lessons learned from the 2013–2015 review];
 - (h) Take into consideration options for forward planning of Parties' NDCs;
 - (i) Take into account the financial needs of developing countries to participate in the stocktake;
 - (j) Take into account input from non-State actors, relevant international organizations and international cooperative initiatives;
 - (k) Take into account information from the technical examination of opportunities to enhance practical action;
 - (l) Other;
- recognizing that modalities may differ across elements.

Option 2: No text

102. **Option 1:** *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][first] session;

Option 2: No text

103. **Option 1:** *Also requests* the IPC to develop modalities for the stocktaking referred to in Article 10, paragraph 1, of the Agreement and to make recommendations to the CMA for consideration and adoption at its first session; the IPC should be guided by paragraph 101 above and Article 10, paragraph 1, of the Agreement, take into account the advice of the SBSTA referred to in paragraph 102 above and consider the following when developing the modalities:
- (a) The arrangements for the stocktaking, including the institutional arrangements and the relationship with other processes and procedures under the Agreement and the Convention;
 - (b) The operational processes and procedures, including relevant time frames;
 - (c) The manner in which the stocktake process shall serve as input to the high-level sessions established under Article 4, paragraph 10 of the Agreement;
 - (d) The form and nature of the outcomes of the stocktaking[, taking into account the nature of the process as described in Article 10, paragraph 1, of the Agreement];
- Option 2:** *Also requests* the IPC to develop modalities for the stocktaking referred to in Article 10, paragraph 1, of the Agreement and to make recommendations to the CMA for consideration and adoption at its first session;

FACILITATING IMPLEMENTATION AND COMPLIANCE

104. *Requests* the [IPC][ADP][COP][SBI] to develop the [additional] modalities and procedures for the [effective operation of the Committee][mechanism][International Climate Justice Tribunal] 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;

IV. [WORKSTREAM 2]

[[A. Preamble]

- Pp1 *Recalling* decisions [1/CP.16], 1/CP.17, 2/CP.18, 1/CP.19 and 1/CP.20,
- Pp2 [*Also recalling* that workstream 2 of the Ad Hoc Working Group on the Durban Platform for Enhanced Action is under the Convention and its principles and provisions, including the principle of equity and common but differentiated responsibilities and respective capabilities and Articles 2, 3 and 4 of the Convention,]
- Pp3 [*Stressing* the urgency of accelerating the implementation of the Convention and its Kyoto Protocol in order to enhance pre-2020 ambition, in particular through accelerating the implementation of decision 1/CP.19, paragraphs 3 and 4, and decision 1/CP.20, paragraphs 17 and 18,]
- Pp4 *Noting* with grave concern the significant gap between the aggregate effect of Parties' mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 [and aggregate emission pathways] consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels,
- Pp5 *Recognizing* the importance of regional and international cooperation for enhancing the implementation of the Convention and mobilizing ambitious climate action by all,
- Pp6 [*Emphasizing* that enhanced pre-2020 ambition can lay a solid basis for enhanced post-2020 ambition,]
- Pp7 [*Emphasizing* that enhanced action and international cooperation on adaptation is urgently required to enable and support the implementation of adaptation actions aimed at reducing vulnerability and building resilience in developing country Parties, [recognizing the special status of the least developed countries and small island developing States].]
- Pp8 [*Reaffirming* that policies and measures of developed country Parties to increase pre-2020 ambition should be consistent with the principles and provisions of Articles 3 and 4 of the Convention and should be comprehensive, covering all relevant sources, sinks and reservoirs of greenhouse gases and adaptation, as well as finance, technology development and transfer, including cost-effective technologies and capacity-building, in accordance with the historical responsibilities of developed countries and different socioeconomic contexts and the degree of development of developed and developing country Parties,]
- Pp9 [*Acknowledging* the legitimate need of developing country Parties to achieve sustained economic growth and eradicate poverty so as to be able to cope with climate change,]
- Pp10 *Emphasizing* the enduring benefits of ambitious and early action, including major reductions in the cost of future mitigation and adaptation efforts,
- Pp11 [*Reiterating* the need to scale up quick-start opportunities that are [cost-effective and] widely applicable, [such as reducing emissions from deforestation and forest degradation; the role of conservation, sustainable

management of forests, and enhancement of forest carbon stocks in developing countries; the joint mitigation and adaptation mechanism for the integral and sustainable management of forests; and renewable energy].]

^{Pp12} *Noting with concern* the conclusion of the forty-second session of the Subsidiary Body for Implementation that many developing country Parties have not yet submitted their first biennial update reports;

[B. Mitigation]

1. *Resolves* to ensure the highest possible mitigation efforts in the pre-2020 period, including by:
 - (a) Urging all Parties to the Kyoto Protocol that have not already done so to ratify and implement the Doha Amendment to the Kyoto Protocol[, if they wish to do so];
 - (b) Urging [all] [developed country] Parties that have not already done so to make and implement a mitigation pledge under the Cancun Agreements;
 - (c) Reiterating its resolve as set out in decision 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 by all Parties under the Convention;
 - (d) Inviting developing country Parties that have not submitted their first biennial update reports to do so as soon as possible;
 - (e) [Urging all Parties to participate fully and in a timely manner in agreed measurement, reporting and verification processes in order to demonstrate progress in their implementation of mitigation measures and, for those with a pledge under the Cancun Agreements, progress in implementing this pledge in full];
2. [*Encourages* Parties to promote the voluntary cancellation, by Parties and non-Party stakeholders alike, of [emission units issued under the Kyoto Protocol (i.e.] certified emission reductions, [emission reductions units], [assigned amount units and removal units]) that meet the standard of delivering real, permanent, additional and verified [mitigation outcomes] [reduction of emissions]]];
3. [*Urges* [all][developed country] [host and purchasing] Parties to transparently report on [internationally transferred mitigation outcomes, [including emission reduction units issued under the Kyoto Protocol] [used to meet international pledges in order to promote environmental integrity and avoid the double counting of mitigation outcomes]]];
4. [*Recognizes*] [*Acknowledges*] the [enduring value of early mitigation action] [social and economic value of voluntary mitigation actions] and [their] [its] co-benefits for adaptation, health and sustainable development;
5. *Resolves* to strengthen, in the period 2016–2020, the existing technical examination process on mitigation as defined in decision 1/CP.19, paragraph 5(a) and decision 1/CP.20, paragraph 19, taking into account the latest scientific knowledge, including by:
 - (a) [Requesting the appointment of co-facilitators to guide this process;]
 - (b) Encouraging Parties, Convention bodies, [international organizations and non-Party stakeholders] to engage actively and effectively in this process, to share their experiences and suggestions, including from regional events, and to cooperate in facilitating the implementation of policies, practices and actions identified during this process in accordance with national sustainable development priorities;
 - (c) Striving to improve access to, and participation in, this process by [relevant experts] [developing country Party experts, international organizations,] non-Party experts;
 - (d) 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 and enhance their efforts to facilitate and support Parties in scaling up the implementation of policies, practices and actions identified during this process;
 - (ii) Provide regular updates during the technical expert meetings on the progress made in facilitating the implementation of policies, practices and actions previously identified during this process;
 - (iii) Include information on their activities under this paragraph in their joint annual report to the Conference of the Parties;
 - (e) Encouraging Parties to make effective use of the Climate Technology Centre and Network to obtain support in the development of economically, environmentally and socially viable project proposals in the high mitigation potential areas identified in this process;
6. *Requests* the secretariat, [in consultation with the co-facilitators referred to in paragraph 5(a) above], to organize the process referred to in paragraph 5 above and disseminate its results, including by:
 - (a) Organizing in consultation with the Technology Executive Committee and relevant expert organizations, regular technical expert meetings focusing on specific policies, practices and actions representing best practice and with the potential to be scalable and replicable,.[.] [in cooperation and coordination with representatives of relevant Convention bodies, in particular the Green Climate Fund, the Global

Environment Facility, the Technology Executive Committee and the Climate Technology Centre and Network;]

- (b) Updating on an annual basis, following the meetings referred to in paragraph 6(a) above and in time to serve as input to the summary for policymakers referred to in paragraph 6(c) below, a technical paper on the mitigation benefits and co-benefits of policies, practices and actions to enhance mitigation ambition, as well as on options to support the implementation of these, [information which should be made available in a user-friendly online format];
 - (c) Preparing[, under the guidance of the champions referred to in paragraph 25 below,]a summary for policymakers, with information on specific policies, practices and actions representing best practice and with the potential to be scalable and replicable, and on options to support the implementation of these, as well as on relevant collaborative initiatives and publishing the summary at least two months in advance of each session of the Conference of the Parties as input for the high-level events referred to in paragraph 24 below;
7. *Decides* that the process referred to in paragraph 5 above should be continued jointly under the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice and take place on an ongoing basis until 2020;
8. *Also decides* to conduct, in 2017 an assessment of the process referred to in paragraph 5 above so as to improve its effectiveness;

[C. Support]

[9. *Resolves* to enhance the provision of urgent and adequate finance, technology and capacity-building by developed country Parties in order to enhance the level of ambition of pre-2020 action by Parties, and in this regard *strongly urges* developed country Parties to scale up their level of financial support to achieve the goal of providing jointly USD 100billion annually by 2020 for mitigation and adaptation, and significantly increasing adaptation finance from current levels and to further provide appropriate transfer of technology and capacity-building.]

[D. Accelerated implementation]

Option 1: (paragraph 16-16bis)

16.

Decides to launch an accelerated implementation process starting in 2016 continuing until 2020 to give effect to decision 1/CP.19, paragraphs 3 and 4 by, *inter alia*:

- a) Assessing the progress of the implementation of Decision 1/CP.19, paragraph 4;
- b) Assessing the adequacy of financial, technological and capacity-building support to enable increased mitigation ambition by developing country Parties in accordance with paragraphs 3, 4(e) and 4(f) of 1/CP.19;
- c) Developing and implementing measures to identify and address the adaptation and means of implementation gaps in the pre-2020 period;
- d) Developing ways and means to address the implementation gaps identified in the above paragraphs in accordance with the principals and provisions of the Convention;
- e) Sharing experiences, assessing the adequacy, and addressing economic diversification as well as the adverse social and economic impacts of response measures on developing country Parties;

Requests the Secretariat to organize the process referred to in paragraph [X] above and disseminate its results.

Decides that the process referred to in paragraph [x] above should be conducted under the Subsidiary Body for Implementation and take place annually until 2020.

Option 2: (paragraph 16)

16. *Decides* to conduct a facilitative dialogue in conjunction with the twenty third session of the Conference of the Parties in 2017 with a view to identifying ways to enhance the ambition of mitigation efforts by all Parties, including identifying relevant opportunities to enhance the provision and mobilization of support and enabling environments.

Option 3: (paragraph 16)

16. No text

[E. Non-Party stakeholder engagement]

- 17. *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;
- 18. [*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 mitigation and/or adaptation opportunities for Parties, including climate actions registered in the Non-State Actor Zone for Climate Action (NAZCA) platform;]
19. *Invites* non-Party stakeholders to demonstrate their climate actions through mechanisms such as the NAZCA platform;
 20. *Encourages* Parties to work closely with non-Party stakeholders, including [civil society, the private sector, financial institutions, cities and other subnational authorities, [local communities and indigenous peoples], and [women] to catalyze efforts to strengthen mitigation action and welcomes the efforts of non-Party stakeholders to scale up their climate [change] actions and provide further mitigation and adaptation opportunities of Parties, including those climate actions communicated to the NAZCA platform.] [mentioned in paragraph 18 above,];
 21. *Also encourages* non-Party stakeholders to increase their engagement in the process referred to in paragraph 5 above [processes referred to in paragraphs 5 above and [29 of options 1 and 1alt] below];
 22. [Welcomes with appreciation the Declaration of the World People’s Conference on Climate Change and the Defense of Life held in Tiquipaya, Bolivia, from 10 to 12 October 2015;]
 23. [Establishes a platform for supporting and strengthening the knowledge, practices and technologies of indigenous peoples and local communities, including those for adaptation to and mitigation of climate change in a holistic and integrated manner;]

[F. High-level dialogue/events]

24. *Agrees* to convene, in furtherance of decision 1/CP.20 paragraph 21, building on the Lima Paris Action Agenda [X/CP.21 paragraph XX] and in conjunction with each session of the Conference of the Parties from 2016 to 2020, a high-level event that:
 - (a) Further strengthens high-level engagement on the implementation of policy options and actions arising from the process referred to in paragraph 5 above [processes referred to in paragraphs 5 above and 29 (option 1 below, building on the relevant reports and summaries for policymakers referred to in paragraph 6(c) above [and 29quater (c) (option 1) below];
 - (b) Provides an opportunity for announcing new or strengthened efforts, voluntary initiatives and coalitions, including policies, practices and actions arising from the process referred to in paragraph 5 above [processes referred to in paragraphs 5 above and 29 option 1 below and presented in the summaries for policymakers referred to in paragraph 6(c) above [and 29quater (c) (option 1) below];
 - (c) Takes stock of related progress and new or strengthened efforts, voluntary initiatives and coalitions;
 - (d) Exchanges experiences with and best practices on climate action by non-Party stakeholders[, including indigenous peoples’ [and local] knowledge and technologies on mitigation and adaptation];
 - (e) Provides meaningful and regular opportunities for the effective engagement of Parties, international organizations, international cooperative initiatives and non-Party stakeholders;
25. *Decides* that two high-level champions shall be appointed to facilitate, through strengthened high-level engagement in the 2016–2020 period, the successful execution of existing efforts and the scaling-up and launching of new or strengthened efforts, voluntary initiatives and coalitions, 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 referred to in paragraph 24 above;
 - (b) Engaging with interested Parties and non-Party stakeholders, including to further the voluntary initiatives of the Lima Paris Action Agenda;
 - (c) Providing guidance to the secretariat on the organization of technical expert meetings referred to in paragraph 6(a) above [paragraph 6(a) above and paragraph 29 quater (a) (option 1) below];
26. *Also decides* that the high-level champions referred to in paragraph 25 above should serve for a term of two years, with their terms overlapping for a full year to ensure continuity, such that:
 - (a) The President of the twenty-first session of the Conference of the Parties should appoint one champion, who should serve from the date of the appointment until the last day of the twenty-second session of the Conference of the Parties;
 - (b) The President of the twenty-second session of the Conference of the Parties should appoint one champion, who should serve from the date of the appointment until the last day of the twenty-third session of the Conference of the Parties;
 - (c) Thereafter, each subsequent President should appoint one champion who should serve for two years and succeed the previously appointed champion whose two-year term has ended;
27. *Invites* all interested Parties and relevant organizations to provide support for the work of the champions referred to in paragraph 25 above;

[G. Adaptation]**Option 1:**

1. Decides to launch a technical examination process on adaptation [under the Subsidiary Body for Implementation and SBSTA, beginning in early 2016 and continuing through 2020, in consultation with relevant bodies, including, inter alia, the Adaptation Committee, the Least Developed Countries Expert Group, the Standing Committee on Finance, the Consultative Group of Experts on Non-Annex I National Communications, the Climate Technology Centre and Network and the Technology Executive Committee, and with consideration of activities under the Nairobi work programme, to] [in the period 2016-2020 with the view to identifying opportunities for strengthening resilience, reducing vulnerabilities and enhancing the understanding an implementation of adaptation actions on the ground, including by]:
 - a. [Identify gaps in implementation;]
 - b. [Facilitating the] Share[ing of] good practices, experiences and lessons learned;
 - c. [Enhance adaptation action;]
 - d. [identifying options to strengthen enabling environments and enhance the provision of] [Enable] support, including finance, technology [transfer and development] and capacity building.
2. [Decides that the technical examination process on adaptation will, *inter alia*:]
 - a. Identify actions that could significantly enhance the implementation of adaptation action including those actions which could enhance economic diversification and have mitigation co-benefits;
 - b. [Examine gaps relating to institutions, knowledge, technology development and transfer, capacity and finance;]
 - c. [Assess the adequacy of support for adaptation, including finance, technology development and transfer and capacity building;
 - d. [Request SBSTA 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.]
3. Also decides the technical examination process on adaptation will take into account:
 - a. [taking into account the] Lessons learned from the technical examination process on mitigation referred to in paragraph x above;
 - b. [identifying ways to encourage and] [The need to] enhance cooperative action on adaptation;
4. *Requests* the [secretariat] [Adaptation Committee] to facilitate the technical examination process on adaptation and to [engage with and explore ways to take into account, synergise with and build on without duplicating work of other existing arrangements for adaptation-related work programmes, bodies and institutions under the Convention, including the modalities and functions of the Least developed country expert group, the Nairobi Work Programme, the Technology Executive Committee and the Standing Committee on Finance, as appropriate:
 - a. Organize regular technical expert meetings focusing on [scalable and replicable] [specific] policies, [and] strategies and actions [on the finance, technology development and transfer and capacity building support needed by developing country Parties;]
 - b. [Prepare a yearly synthesis report on the progress of the technical examination process;]
 - c. Prepare [[on an annual basis following the meetings] [for each meeting] referred to in paragraph 3a above and in time to serve as input to the summary for policymakers referred to in paragraph x below], a technical paper on opportunities to enhance adaptation action [and support, including gaps in means of implementation;] [following the process undertaken referred to in paragraph (a) above in time to serve as an input to the summary for policy makers referred to in paragraph (d) below; and
 - d. Prepare a summary for policymakers and publish it well in advance of [each] session of the Conference of the Parties[.] [as input for the high-level events referred to in paragraph 4 below];
5. [Invites the President of the COP to convene, in conjunction with each session of the Conference of the Parties, a high level event aimed at further strengthening high level engagement on adaptation;
6. *Also decides* to conduct, in 2018, an assessment of the process referred to in paragraph 1 above with the aim of improving its effectiveness.]

Option 2: (paragraph 29)

29. *Encourages* Convention bodies to take note of the lessons learned from the process referred to in paragraph 5 above and replicate applicable processes where they contribute to the purposes of those bodies;

Option 2 alt.

29. Requests the Adaptation Committee, in collaboration with the Least Developed Countries Expert Group, Consultative Group of Experts on National Communications from Parties not included in Annex I of the Convention, the Standing Committee on Finance, the Technology Executive Committee and the Nairobi Programme on impacts vulnerability and adaptation, to consider the process, modalities outputs and outcomes of the technical examination process and to, if appropriate, incorporate the lessons learned and good practices from the technical examination process into their workplans.
30. *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.]

V. ADMINISTRATIVE AND BUDGETARY MATTERS

136. *Takes note* of the requirement for additional resources for the implementation of the relevant actions referred to in this decision;
 137. *Emphasizes* the urgency of making additional resources available for the implementation of the relevant actions, including the actions referred to in this decision, and the implementation of the work programme referred to in paragraphs 8 above;
 138. *Urges* Parties to make voluntary contributions for the timely implementation of this decision, noting the estimated budget requirement for 2016 of USD [X];
 139. *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.]
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