

## Working document

### [Section C - General/objective]

Version of 4 September 2015 at 10:30

#### *Main observations:*

- Parties expressed their appreciation to the Co-Facilitators for the tool which was presented as in input to the meeting, which was considered as a useful framework for further consideration of the issues raised by Parties.
- Parties considered that the tool captured the list of key issues raised by Parties. A number of changes were suggested to the presentation of the issues ensure consistency between the tables and with previous decisions of the COP. However, divergent views were expressed on the Co-Facilitators' indicative allocation of issues between the draft Agreement and draft Decision, in particular with regard to issues related to gender and human rights, pursuit of low-emission and climate-resilient economies, and recognition of linkages between types of action and between action and support.
- The Co-Facilitators undertook to update the tool to reflect these observations regarding consistency. This revision is contained in the tables below. However, due to the divergent views on the placement of these issues, the Co-Facilitators have not updated the placement from the original tool. Inputs received from Parties have been compiled by the secretariat and are available on the UNFCCC [website](#).
- Those Parties that expressed a preference for Option II of the tool expressed concern that further discussion of this option may overlap with ongoing discussion on the preamble. The Co-Facilitators noted these overlaps and to keep the relevant Co-Facilitators informed of the issue. In the light of these concerns, most discussion focused on Option I of the tool.

#### Specific discussion on Objective

#### *Main observations:*

- Many Parties considered that it would be preferable to refer to Article 2 of the Convention without reproducing it in full or translating it in specific contexts. Some Parties requested specific reference to sustainable development, poverty eradication and food security.
- Many Parties considered that the objective should include a reference to the limitation of temperature increase, with some noting in addition that such a reference must respect the context of that aim.
- Some Parties emphasized that the objective must establish a purpose for action and describe a pathway towards the achievement of that purpose. Other Parties added that this must acknowledge the linkages between areas of action and between action and support. Some Parties emphasized the need for the objective to underline the importance of action and transmit a transformational vision for action to address climate change.
- Some Parties expressed concerns that the extended list of issues proposed to be addressed in the objective could result in an overly complex provision overlapping with other operative provisions and that this may lead to competing interpretations during the period of implementation.

#### Discussion on Principles

#### *Main observations:*

- Many Parties indicated the need to reference equity and CBDR&RC, the special circumstances of the particularly vulnerable, human rights and gender, and the integrity of Mother Earth. Some Parties indicated

that ambition and progression of action were overarching principles and apply to all action under the draft Agreement, rather than to mitigation only, as currently reflected in the Co-Chairs' Tool.

- One Party queried the rationale for referencing human rights in the context of the draft Agreement and suggested that the draft Agreement be gender responsive.
- A group of Parties highlighted the principle of cost-effectiveness. Another group of Parties highlighted the principle of intergenerational equity. One Party suggested making reference to climate justice.
- Many Parties noted that the discussion on principles overlapped with earlier discussions on the preamble and considered that, while many of the principles could be referred to in the draft Agreement, the preamble would be the most appropriate location.

#### Discussion on General Obligations

##### *Main observations:*

- Parties noted that the issue of general obligations may need to be considered in the context of the obligations of Parties arising in other sections of the text.
- Parties expressed concern at references to non-State actors in the preambular or operative content of the draft Agreement between State Parties.

##### *Further observations and notes of the Co-Facilitators:*

- The Co-Facilitators noted that objectives are also contained in other sections of the Tool and that the evolution of these discussions may have an impact on the development of any overall objective.

**Co-Facilitators' Tool****Overview of narratives***Option I***Objective:**

- Full, effective and sustained implementation of the Convention
- Reference to Article 2 of the Convention
- Reference to the long-term limit to increase in global temperature
- Rules based
- Achieving net-zero emissions and climate resilience
- Linkages between mitigation, adaptation and loss and damage
- Linkages between action and support

**Principles:**

- Equity and CBDR/RC, in light of different national circumstances
- Special circumstances of the particularly vulnerable
- Gender, human rights and the integrity of Mother Earth

**General Provisions:**

- Individual efforts/Obligations
- Engagement of non-State actors

**Option I (operative provisions)***Elements of a negotiating text for draft Agreement***Objective:**

[The objective of this Agreement is to further enhance the full, effective and sustained implementation of the Convention in order to achieve its objective as set out in its Article 2 and to facilitate sustainable development consistent with holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels]

**Principles:**

[Actions to implement this Agreement shall be guided by Article 3 of the Convention and the following:

1. Equity and common but differentiated responsibilities and respective capabilities, in light of different national circumstances;
2. The special circumstances and specific needs of Parties particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS;]

**Individual efforts:** [*Option I*: All Parties

*Option II***Preamble:**

- Article 2 of the Convention
- Low emission, climate resilient
- Linkages between mitigation, adaptation and loss and damage
- Engagement of non-State actors

*Elements of a negotiating text for COP draft Decision/preamble*

*Aiming* to strengthen the multilateral rules-based regime,

*Encouraging* the pursuit of [low greenhouse gas, climate-resilient economies and societies][net-zero greenhouse gas emissions and maintaining and increasing resilience to the adverse effects of climate change],

*Acknowledges* that there is an integral relationship between the level of mitigation action and the extent of the efforts that will be required to adapt to climate change and address loss and damage;

*Acknowledges* the relationship between realizing the highest level of ambition and the mobilization of adequate resources and provision of support;

[*Agrees* that the implementation of the Agreement shall be guided by respect for:

- a. The protection, promotion and fulfilment of human rights for all;
- b. Gender [equality][responsiveness] and the full and equal participation of women in all climate actions and decision-making processes;
- c. The integrity of Mother Earth; ]

[shall][should][other] prepare, maintain, communicate and implement [commitments] [contributions] in accordance with the provisions of this Agreement; such [commitments] [contributions] are to be considered, [formalized] [finalized] and reviewed in accordance the relevant provisions.

**Option 2:** All developed country Parties shall prepare, communicate, implement and enhance commitments on mitigation and provision of finance, technology and capacity-building support to developing country Parties.

Developing country Parties will prepare, communicate and implement enhanced actions on mitigation and adaptation, in the context of sustainable development, premised on an enhanced provision of finance, technology and capacity-building support by [developed country Parties] [Parties included in annex Y].

**Option 3:** Parties [shall][should][other] enhance their actions and contributions in accordance with Article 4 of the Convention.]

*[Encourages][Invites]* all actors, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples, to scale up their actions and provide further opportunities for Parties to reduce emissions and/or to decrease vulnerability and build resilience to the adverse effects of climate change;

### **Option II (preambular provisions)**

*Elements of a negotiating text for draft Agreement*

*Elements of a negotiating text for COP draft Decision/preamble*

#### **Preamble**

*Guided by* the objective of the Convention as set out in its Article 2,

*Reaffirming* the importance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels,

*Aiming* to strengthen the multilateral rules-based regime,

*Encouraging* the pursuit of [low greenhouse gas, climate-resilient economies and societies][net-zero greenhouse gas emissions and maintaining and increasing resilience to the adverse effects of climate change],

*Acknowledging* the integral relationship between the level of mitigation action and the extent of the efforts that will be required to adapt to climate change and address loss and damage,