

SUGGESTION FROM THE EUROPEAN UNION TO ASSIST THE CO-CHAIRS & CO-FACILITATORS TO CONSOLIDATE THE GENEVA TEXT - SECTION K

Geneva Text	EU proposal for streamlining
<p>194. [Option 1 (chapeau)]: In order to assist Parties in implementing their commitments / contributions and/or to address compliance issues in a manner that is expert-based, non-confrontational and non-judicial:</p> <p>Option 2 (chapeau): In order to facilitate, promote and enforce compliance with commitments under this agreement:</p> <p>Option 3 (chapeau): A compliance system that is preventative and cooperative is hereby established to facilitate the implementation of commitments under this agreement:</p> <p>Option 4: (chapeau): The Compliance Committee shall have two branches, namely an enforcement branch and a facilitative branch:</p>	<p>In order to [assist Parties in implementing their commitment/contributions] [and/or to address] [facilitate, promote and enforce] compliance [issues] [with commitments under this agreement] [in a manner that is expert-based, non-confrontational and non-judicial]</p>
<p>Option 1: The governing body shall adopt procedures and/or mechanisms;</p> <p>Option 2: The governing body shall, at its first session, approve appropriate and effective procedures and mechanisms to facilitate the implementation and enforcement of the provisions of this agreement, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance, building on experience under the Convention and its instruments;</p> <p>Option 3: The governing body shall adopt procedures and/or mechanisms, including the strengthening of transparency arrangements in support of implementation and compliance;</p> <p>Option 4: The governing body shall adopt appropriate and effective procedures to promote compliance;</p>	<p>The governing body shall, [at its first session,] [adopt] [approve] [appropriate] and [effective] procedures [and/or mechanisms] [including the strengthening of transparency arrangements] to [support] [facilitate] the implementation and [compliance] [enforcement of the provisions of this agreement, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance, building on experience under the Convention and its instruments.]</p>
<p>Option 5: A compliance mechanism or committee / implementation committee / a standing body responsible for promoting implementation and compliance and assessing Parties' performance is established;</p> <p>Option 6: The compliance committee is</p>	<p>[A compliance] [mechanism] [or] committee/implementation committee/a standing body [responsible for promoting implementation and compliance and assessing Parties performance] is established. [The composition of the compliance</p>

<p>hereby established. The composition of the compliance committee shall be based on equitable geographical representation, ensuring representation of small island developing States. The body shall comprise [X] members. Decisions of the compliance committee shall be made by consensus where possible and, as a last resort, by a [two-thirds/three-fourths] majority;</p>	<p>committee shall be based on equitable geographical representation, ensuring representation of small island developing States. The body shall comprise [X] members.]</p>
<p><u>Option 8</u> [...] Measures and/or consequences: - Option (a): Facilitative measures only; - Option (b): Facilitative measures and sanctions for recurring non-compliance; - Option (c): Facilitative measures and sanctions; - Option (d): Facilitative measures for [non-Annex I Parties][Parties not included in annex X] and sanctions for Annex I Parties [Parties included in annex X]; [...] - Option (f): Facilitative and other adequate measures; [...]</p>	<p>Facilitative measures [only] [for non-Annex I parties][Parties not included in Annex X] [and] [sanctions] [for recurring non-compliance] [for Annex I Parties] [Parties included in annex X][other adequate measures]</p>