

Submission by Norway

Proposal for a Compliance and Implementation Mechanism (CIM)

1. A mechanism to promote compliance and facilitate implementation [, including a Committee as a standing subsidiary body under the governing body], **is hereby established.**

2. The mechanism shall be facilitative, non-adversarial and non-punitive in nature [and shall pay attention to the respective national capabilities and circumstances of Parties].

3. The Committee shall function through a plenary and two branches, namely a compliance and an implementation forum [, each with equitable and balanced representation of Parties]. The members of the Committee shall have competence in a field relevant to this agreement and reflect an appropriate balance of expertise.

4. The Committee may/shall address issues of non-compliance and implementation on the basis of:

(a) Written submissions from any Party or a group of Parties with respect to its own or other Parties' compliance or implementation of mitigation efforts;

(b) Reports by Parties in accordance with Article x;

(c) Requests from the governing body;

(d) Reports from Technical Expert (Review) teams.

5. The Compliance Branch shall examine, determine and address issues of non-compliance. Where it has determined that a Party is not in compliance, it shall apply the following consequences, taking into account the cause, type, degree and frequency of the non-compliance of that Party:

(a) Declaration of non-compliance; and

(b) Request of the development of a compliance action plan.

6. The Implementation Forum shall address issues of implementation of a Party's mitigation efforts [as set out in that Party's nationally determined C/C/A] in consultation with the Party concerned and recommend appropriate assistance in relation to difficulties encountered in the course of implementation by:

(a) Clarifying and resolving questions,

(b) Providing recommendation, as appropriate, to the Party concerned. The recommendations of the Committee shall be sent to the Party or Parties concerned for its, or their, consideration.

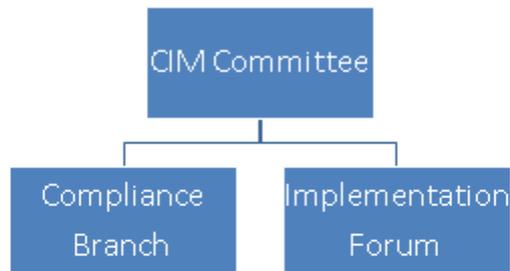
7. A Party shall not withdraw from this agreement during non-compliance procedures with respect to its own compliance.

8. The Governing Body shall, at its first session, adopt further modalities and procedures for the mechanism.

9. The mechanism shall be separate from, and without prejudice to, Article 14 of the Convention.

Explanation: At a minimum, the bold text should become part of the legally-binding agreement.

Compliance and Implementation Mechanism (CIM)



Competences:

Examine, determine and address cases of non-compliance with the legally-binding obligations under the agreement

Consequences:

- Declaration of non-compliance
- Request for compliance action plan

Competences:

- Address issues of implementation of a Party's CCAs
- Provide appropriate assistance in relation to implementation difficulties

Consequences:

- Clarifying and resolving questions
- Providing recommendations