

## **Technical suggestions for a clearer J section\***

Version 9 June at 21.00

***\*This guide is presented by the co-facilitators in response to the parties call for a tool to better allow the discussion of the J section. It holds no official standing. The paragraphs refer to the numbering as in the streamlined and consolidated text, 4 June, 14:00 hrs.***

- **Observations**

- ***The structure/sequencing in this paper is only to facilitate discussion and does not prejudge any outcomes on this section.***
- ***Some Parties see duration of the agreement as an overarching issue. Some Parties held the view that this issue impacts on the need for a cycle in the agreement while others maintained that even an agreement of limited duration would require some processes related to review due to the potential for Parties to apply differing timeframes for commitments/contributions/actions.***
- ***Scope – Parties indicated that the processes established in section J would be better served by being established directly for mitigation in section D, noting that it would be necessary to explore related provisions in other sections, such as adaptation. Other Parties noted, that it would be important to have a comprehensive section J that encompasses commitments/contributions/actions in all sections D, E, F, G and H.***
- ***Parties exchanged views regarding the appropriate timing of the stock-take/aggregate review and discussed the possibility to allow for a “prompt start” as part of the interim arrangements.***
- ***Some Parties identified a need to make a clearer separation between the process undertaken pre-2020 related to commitments/contributions/actions, which will need to be addressed by a COP decision, and the proposals to establish sequential processes, which would need to be included in the agreement.***
- ***Some Parties noted that elements which apply to first communications, such as information requirements, would apply to subsequent communications. It was further noted by some Parties that any processes related to the first communication should take account of the development of accounting rules as part of the interim arrangements.***
- ***Parties considered proposals for enhancing the description of the flow of the provisions related to ex-ante consideration which may include; establishment, purpose, timeframe, outcome, modalities, revisions. Some Parties considered that both the ex-ante process and the strategic review contained these elements and may need to be considered together. Other Parties viewed these processes as being distinct phases.***
- ***In rearranging the section, some Parties called for a ‘timeline’ approach while other Parties called for a ‘topic based’ approach.***

### ***J. [[Time frames and process related to commitments/contributions / Other matters related to implementation and ambition]\****

***\*Some Parties consider that it is premature to discuss this section.***

#### **OPTION I**

172. ***[Option 1]***: The scope of the commitments / contributions / actions will:

***Option (a)***: Be nationally determined;

***Option (b)***: Be defined by the provisions of this agreement;

***Option (c)***: Include mitigation, adaptation, finance, technology and capacity-building, and transparency of action and support;

**Option (d):** Include mitigation, recognizing that commitments on adaptation, finance, technology and capacity-building, and transparency of action and support are subject to separate provisions of this agreement;

**Option (e):** Include mitigation only.

**Option 2:** Implementation and ambition are related to:

a. Mitigation, adaptation, finance, technology and capacity-building;

b. For [developed country Parties][Parties included in annex X] : mitigation and finance, technology and capacity-building support to [developing country Parties][Parties not included in annex X] for their mitigation and adaptation actions;

c. For [developing country Parties][Parties not included in annex X]: mitigation and/or adaptation.] (173)

162. [The starting date for the implementation of this agreement to be 1 January 2020 / 31 December 2020 / 1 January 2021; and the end date of this agreement to be 2030 / 2040 / 2050 / 2100 / durable forever.] (163)

166. [The agreement is for the enhanced action to implement the Convention during the period from 1 January 2021 to 31 December 2030. The COP / governing body will consider to launch a process before 2030 to adopt a further arrangement for the post-2030 enhanced action to implement the UNFCCC, including an amendment to this agreement.](167)

- *Observation: Some Parties noted that paragraphs 162 and 166 could be included in section L*

**167 Option 2 (chapeau)<sup>1</sup>:** The time frame of commitments / actions is as follows:

**Option (a):** Every five years for all Parties;

**Option (b):** Commitments shall be inscribed every five years, beginning in 2015. All Parties shall communicate proposed commitments in the 12 to 18 months prior to their inscription. The commitments will cover a five-year period, ending 10 years after the inscription year. Parties may also propose an indicative commitment covering a further five-year period, which can be confirmed or enhanced five years later, when formally inscribed (2020);

**Option (c):** Every five years, indicating the commitment / contribution / action for the subsequent five-year period as well as an indicative commitment / contribution / action for the following five-year period;

**Option (d):**Every five years for [developed country Parties][Parties included in annex X] [only] [and every 10 years for [developing country Parties][Parties not included in annex X]];

**Option (e):** Every five years for the upcoming period and an indication for the following period only for mitigation: annual or biennial time frame for means of implementation in line with national budgets; different time frame for adaptation;

**Option (f):** By 2030 / 2025 for all Parties;

**Option (g):** By 2025 and/or 2030 for all [developed country Parties][Parties included in annex X] only, and with the diversity of end dates for [developing country Parties][Parties not included in annex X];

**Option (h):** Every 10 / x years, with a midterm review;

**Option (i):** For a period to be determined by the governing body;

**Option (j):** The mitigation component of each contribution pursuant to section D shall include a five-year contribution term and a five-year consecutive indicative term;

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<sup>1</sup> Paragraph 167 has been split, option 1 refers to communication while option 2 is about commitment period / time frame.

**Option (k):** By 2025 and 2030 for all developed country Parties only, and with the diversity of end dates for developing country Parties subject to the provision of finance, technology and capacity-building support by developed country Parties]. (168)

163. [Each Party shall communicate its nationally determined contribution pursuant to sections D, E, F, G and H no later than upon ratification, acceptance or approval of this agreement.] (164)

169. **Option (a):** Parties to communicate their proposed commitments / contributions / actions at least 12 months prior to their formalization / finalization, but not earlier than 18 months prior to that.

**Option (b):** Developed country Parties that only communicate their commitments for 2025 shall communicate no later than in 20xx their commitments for 2030; developed country Parties that only communicate their commitments for 2030 shall communicate no later than 20xx their commitments for 2025 / plan, policies and measures on the implementation of their commitments from 2026 to 2030; Developing country Parties will communicate their post-2020 enhanced action no later than 20xx / when new, additional and adequate finance, technology and capacity-building support are available. ] (170)

173. **Option 1:** When communicating their contributions, Parties to provide up-front information, along with their proposed commitments / contributions / actions that:

**Option (a):** Facilitates the clarity, transparency and understanding of those commitments / contributions / actions, on the basis of the relevant arrangements for reporting information resulting from the Bali Action Plan (as detailed in decision x/CP.x);

**Option (b):** Facilitates the clarity, transparency and understanding of those commitments / contributions / actions (as detailed in decision x/CP.x) [, including a description of why it considers its commitment is an ambitious and fair contribution to reaching the below 2 °C objective in accordance with provisions agreed by the COP].

**Option 2:** When communicating their commitments and actions, developed and developing country Parties should provide information in accordance with Article 12 of the Convention. The information should be further elaborated on the basis of the relevant arrangements for reporting information adopted at the previous sessions of the COP, including those resulting from the Bali Action Plan (as detailed in decisions 21/CP.19, 24/CP.19, 18/CP.19, 19/CP.18, 12/CP.18, 1/CP.18, 2/CP.17, 5/CP.17, 1/CP.16, 13/CP.9, 17/CP.8, 4/CP.5) and decision 1/CP.20.

**Option 3:** Facilitates the clarity, transparency and understanding of those contributions, to include:

- a. Reference point (including, as appropriate, a base year);
- b. Time frames and/or periods for implementation;
- c. Scope and coverage;
- d. The percentage of national emissions covered and overall quantified emission reductions anticipated;
- e. To the extent the land sector is included, a specification of how it will account for all significant lands, activities, pools and gases;
- f. If it intends to use market mechanisms, a description of the intended use (including source and type) and how it intends to avoid double counting;
- g. For any emission projection, 'business as usual' projection or intensity target a description of assumptions and methodological approaches (including key data sources);
- h. How the Party considers that its intended nationally determined contribution is fair and ambitious.]

The [governing body] may modify the above list through decisions adopted by consensus.

Parties are also invited to include information on their existing and/or anticipated laws and other measures that are relevant to implementation of their mitigation contributions at the domestic level. ] (174)

174.[Upon communication, commitments / contributions / actions to be made publicly available by the secretariat.] (175)

- *Observation: Some Parties noted that paragraphs 173 and 174 would apply to the first and subsequent communications.*

164. [Each Party shall update its nationally determined contribution pursuant to sections D, E, F, G and H in accordance with the provisions of this agreement and any related decisions.] (165)

168.[Each Party shall revise and update the mitigation component of its first nationally determined contribution no later than five years after the entry into force of this agreement by adjusting and/or confirming the consecutive five-year contribution term and communicating a new consecutive five-year indicative term, taking into account the aggregate consideration process referred to in paragraph 175 below.] (169)

170. [Each Party shall thereafter revise and update the mitigation component of its subsequent nationally determined contributions no later than [12] months before the end of each five-year contribution term by adjusting and/or confirming the next five-year contribution term and communicating a new consecutive five-year indicative term, taking into account the aggregate consideration process referred to in paragraph 175 below.] (171)

**167. Option 1 (chapeau)**<sup>2</sup>[Pursuant to Article 2 of the Convention,] [in accordance with the provisions of the Convention and in the light of its Article 4,] [all] Parties to periodically communicate or update their proposed commitments / contributions[, with developing country Parties doing so within the context of the basis of the provision of support. Such periodic communications shall take into account national circumstances and factors that affect the national determination of climate actions, such as public policy planning and execution cycles and domestic legislative requirements]: (168)

**Option (a):** Every five years for all Parties;

**Option (b):** Commitments shall be inscribed every five years, beginning in 2015. All Parties shall communicate proposed commitments in the 12 to 18 months prior to their inscription. The commitments will cover a five-year period, ending 10 years after the inscription year. Parties may also propose an indicative commitment covering a further five-year period, which can be confirmed or enhanced five years later, when formally inscribed (2020);

**Option (c):** Every five years, indicating the commitment / contribution / action for the subsequent five-year period as well as an indicative commitment / contribution / action for the following five-year period;

**Option (d):**Every five years for [developed country Parties][Parties included in annex X] [only] [and every 10 years for [developing country Parties][Parties not included in annex X]];

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<sup>2</sup> Paragraph 167 has been split, option 1 refers to communication while option 2 is about commitment period / time frame.

**Option (e):** Every five years for the upcoming period and an indication for the following period only for mitigation: annual or biennial time frame for means of implementation in line with national budgets; different time frame for adaptation;

**Option (f):** By 2030 / 2025 for all Parties;

**Option (g):** By 2025 and/or 2030 for all [developed country Parties][Parties included in annex X] only, and with the diversity of end dates for [developing country Parties][Parties not included in annex X];

**Option (h):** Every 10 / x years, with a midterm review;

**Option (i):** For a period to be determined by the governing body;

**Option (j):** The mitigation component of each contribution pursuant to section D shall include a five-year contribution term and a five-year consecutive indicative term;

**Option (k):** By 2025 and 2030 for all developed country Parties only, and with the diversity of end dates for developing country Parties subject to the provision of finance, technology and capacity-building support by developed country Parties]. (168)

- *Observation: the sub-options in paragraph 167 are duplicated here since they apply to both chapeaux options of paragraph 167.*

165. [Updated mitigation commitments must represent a progression from previous mitigation commitments in terms of ambition and scope.] (166)

178.[Updated mitigation commitments shall be adopted at least [X] months before the expiration of the previous commitment by way of a simplified amendment procedure, as elaborated in section L.] (179)

171.[Proposed mitigation commitments shall be communicated at least (x) months before the expiration of the existing commitment.] (172)

181.[Decisions taken pursuant to [reference to provisions addressing decisions of the COP on the transparency framework] shall apply in respect of nationally determined commitments to be communicated for subsequent commitment periods. Such decisions shall not apply retroactively.] (182)

179.[**Option 1:** Parties may, at any time, make upward adjustments to their commitments / contributions / actions by means of a simplified procedure:

**Option (a):** By way of communication to the secretariat or the depositary;

**Option (b):** By way of an amendment to the respective annex and in the context of the procedures referred to in section L below;

**Option (c):** The governing body shall adopt modalities of the simplified procedure / Any modalities to be adopted by the governing body.

**Option 2:** Developed country Parties may, at any time, make upward adjustments to their commitments / contributions / actions by means of a procedure to be adopted by the COP / governing body.

The upward adjustments to the commitments of developing country Parties are premised on adequacy of finance, technology transfer and capacity-building support by developed country Parties.] (180)

180.[ **Option 1:** A Party [to be allowed to] [may] exceptionally adjust its [proposed / provisional] commitment / contribution, [in line with modalities developed by the governing body,] subject to certain conditions, including: if subsequent rules differ substantially from the Party's assumptions[, or force majeure] [, as specified in the information to be provided pursuant to the reference to the provision addressing accompanying information], [provided that there is no backsliding].

**Option 2:** A [developing country Party][Party not included in annex X] may adjust its contribution when severely affected by an extreme natural event.

**Option 3:** A developing country Party may adjust its enhanced action when severely affected by an extreme natural event, force majeure, or when adequate finance, technology transfer and capacity-building support is not available.

**Option 4:** No other adjustments allowed. (181)

182. [The provisions of [the section in which mitigation is addressed] shall not apply in cases of force majeure.] (183)

177. [The commitments / contributions / actions communicated by Parties to be:

**Option 1:** Inscribed in a single annex to this agreement;

**Option 2:** Inscribed in annexes to this agreement:

Option (a): Annex A for quantified emission reduction commitments and annex B for emission limitation commitments and strategies;

Option (b): Annex A: a table of heading numbers of quantified emission reduction commitments of [developed country Parties][Parties included in annex X]; and annex B: a compilation of communications of enhanced mitigation actions by [developing country Parties][Parties not included in annex X].

**Option 3:** Inscribed in attachments to this agreement:

i. Attachment A for [developed country Parties’][Parties included in annex X] emission reduction commitments;

ii. Attachment B for [developed country Parties’][Parties included in annex X] finance, technology and capacity-building commitments;

iii. Attachment C for [developing country Parties’][Parties not included in annex X] enhanced actions [both domestic resources as well as support requirements].

**Option 4:** Adopted by a decision of the governing body;

**Option 5:** Adopted by three decisions of the COP, for developed country Parties’ emission reduction commitments, developed country Parties’ commitments on finance, technology and capacity-building support and developing country Parties’ enhanced actions respectively;

**Option 6:** Contained in national schedules, to be communicated to the secretariat. The secretariat shall make all national schedules publicly available;

**Option 7:** Contained in national schedules with two formats, for developed and developing country Parties respectively, to be communicated to the secretariat;

**Option 8:** Inscribed in a country contribution document, with a provision in the agreement creating an obligation for each Party to communicate and implement their contribution;

**Option 9:** Inscribed in two country contribution documents, for developed and developing country Parties respectively;

**Option 10:** Recorded in an online registry of national mitigation targets, which is to form an integral part of this agreement;

**Option 11:** Recorded in an online registry of emission reduction targets of developed country Parties, an online registry of commitments on finance, technology transfer and capacity-building support of developed country Parties and an online registry of enhanced actions on mitigation and adaptation by developing country Parties.] (178)

161. [All Parties shall maintain a mitigation commitment at all times by periodically updating in accordance with this section.] (162)

183.[Parties shall have a current mitigation commitment in order to participate in decision-making under this agreement.] (184)

- *Observation: Parties noted that paragraphs 161 and 183 could be included in section D.*

175. (176)

**Option 1:** No ex ante consideration process / no arrangements for further facilitating transparency and clarity [/ no consultative process / period].

**Option 2:** After their communication, commitments / contributions / actions will be subject to an ex ante consideration process / further facilitation of transparency and clarity / a consultative period/process in order to:

**Option (a):**

- a. Facilitate understanding of the level of ambition and [equity] [fairness] of the commitments / contributions [and the long-term temperature goal] in the context of [a Party's long-term low-emission development pathway] [shared vision resulting from the Bali Action Plan and equitable access to sustainable development];
- b. Assess the adequacy and [equity] [fairness] [of the] [aggregated contributions] [overall effects] compared with science, [as part of the principle-based reference framework][, in accordance with the historical responsibilities, leadership and current capabilities of developed country Parties, and taking into account the special circumstances, barriers and priority of economic and social development and poverty eradication of developing country Parties];
- c. Assess the extent and availability of support from [Annex II Parties][Parties included in annex Y] to [nonAnnex I Parties][Parties not included in annex X], and, in that context, the potential additional ambition of [non-Annex I Parties][Parties not included in annex X];
- d. Assist countries that have not communicated their commitments / contributions;
- e. Facilitate understanding of the comparability of effort of the commitments / contributions / actions; and of the global aggregate commitment;
- f. Address / understand / determine / discuss deficits in the light of the ambition required / facilitate the analysis of national mitigation potential and address deficits in the light of the ambition required.

**Option (b):**

- a. Enhance the clarity, transparency and understanding of the aggregate effect of the communicated intended nationally determined contributions;
- b. Facilitate the efforts by Parties that have not communicated their intended nationally determined contributions up to that point.

**Option (c):**

- a. Facilitate the clarity of the comparability of the commitments of by [developed country Parties][Parties included in annex X], in accordance with their historical responsibilities, requirements of science and leadership in addressing climate change and the requirements of science;
- b. Facilitate understanding of the diversity, barriers and needs of the enhanced actions undertaken by [developing country Parties][Parties not included in annex X], bearing in mind their first and overriding priority of economic and social development and poverty eradication.

175.1.Parties' commitments / contributions / actions to be considered on the basis of [[a consultative process] [a principle-based reference framework to be established] to ensure clarity, transparency and understanding of the commitments / contributions [/actions]] [existing arrangements and processes under the Convention]; (176.1)

175.2. The ex ante consideration process / further facilitation of transparency and clarity / consultative period/ process is to:

**Option (a):**

- a. Be science-based and informed by the assessments of the IPCC, moving to assessment reports every five years (e.g. 2019, 2024, 2029);
- b. Be inclusive, consultative, facilitative, supportive, non-prescriptive, non-intrusive, and non-punitive.

**Option (b):**

- a. Be science-based and informed by the assessments of the IPCC, moving to assessment reports every five years (e.g. 2019, 2024, 2029);
- b. Be inclusive, consultative, facilitative, supportive, non-prescriptive, non-intrusive, and non-punitive;
- c. Be conducted in accordance with Article 4, paragraph 2(d), of the Convention;
- d. [Reflecting the differences in annex A and annex B][Reflect the differentiation between developed and developing country Parties];
- e. Be based on the existing experience from the clarification of the commitments of [developed country Parties][Parties included in annex X] and the understanding of the NAMAs of [developing country Parties][Parties not included in annex X]. (176.2)

175.3. The ex ante consideration process / further facilitation of transparency and clarity / consultative period/ process to take place:

**Option (a):** In the year in which the commitments / contributions / actions are communicated;

**Option (b):** In the year after the commitments / contributions / actions have been communicated;

**Option (c):** In the year prior to the inscription of the contribution in the agreement for mitigation and means of implementation / in the 12 months prior to the session at which the commitment would be inscribed;

**Option (d):** Each Party to go through a consultative period for four to six months after the submission of its intended nationally determined contribution;

**Option (e):** In 20xx for developed country Parties and later for developing country Parties;

**Option (f):** For developed country Parties, X months after the commitments are communicated / Y months prior to the inscription in the agreement for mitigation and provision of finance, technology and capacity-building. For developing country Parties, the starting time will depend on the provision of finance, technology and capacity-building support by developed country Parties. (176.3)

175.4. On the basis of the ex-ante consideration process / further facilitation of transparency and clarity / consultative period/process:

**Option (a):** Each Party to [consider the recommendations resulting from] [make a reflection on the outcome of] the process;

**Option (b):** Each Party to [revise][adjust] its commitment / contribution on a voluntary basis [upwards, through an adjustment procedure in accordance with decisions of the governing body];

**Option (c):** Parties will undertake top-down adjustments on the basis of a global carbon budget;

**Option (d):** Each Party to consider adjustments on the basis of historical responsibilities and equitable sharing of global atmospheric resources and carbon space in the context of imperatives of poverty eradication, universal energy access and sustainable development for developing countries. (176.4)



175.5. The governing body shall develop and adopt modalities and procedures for the ex ante consideration process / further facilitation of transparency and clarity / consultative period/process by its [X] session:

- a. [A web platform where Parties and other actors are able to pose questions and Parties are encouraged to answer the questions that they receive] [Two web platforms, for developed and developing country Parties respectively, where Parties and other actors are able to pose questions. Developed country Parties shall answer the questions that they receive within X months after the questions are received. Developing country Parties are encouraged to participate in the web platforms and answer the questions that they receive subject to the financial, technological and capacity-building support by developed countries];
- b. Consultations among Parties, including through [workshops and round tables][two sets of workshops/roundtables for developed and developing country Parties respectively];
- c. A joint Subsidiary Body for Implementation (SBI) / SBSTA programme to prepare recommendations for the COP [composed of two task forces, for developed and developing country Parties respectively];;
- d. A technical body / panel / task force to be established that undertakes analytical work, examines the adequacy and fairness of commitments / contributions and prepares recommendations; and/or on mitigation and means of implementation;
- e. Inputs to the process, including modalities for [the analysis, synthesis and/or compilation of the commitments / contributions][two compilations of the commitments, by developed and developing country Parties respectively.] (176.5)

175.6. **Option (a):** The governing body shall review, on a periodic basis, the modalities and procedures, with a view to ensuring adaptability, efficiency and effectiveness, taking into account the different characteristics of mitigation and means of implementation and the need to address them in a distinct manner over time;

**Option (b):** The purpose, modalities, procedures and guidelines of such ex ante consideration / further facilitation of transparency and clarity / consultative process/period shall be further elaborated and adopted by the COP / governing body in accordance with the principles and provisions of the Convention, on the basis of the relevant existing arrangements under the Convention and its Kyoto Protocol and addressing mitigation, adaptation and provision of finance, technology and capacity-building support by developed country Parties to developing country Parties in a balanced, comprehensive and holistic manner. (176.6)

**Option 3:** The aggregate consideration process will assess the progress towards the objective of the agreement, as stated in section C, as well as the adequacy, scale and predictability of the mobilization and provision of finance, technology development and transfer, and capacity-building to developing countries, taking into account the aggregate level of ambition as communicated through the nationally determined contributions.

175.1. No later than [12] months after entry into force of this agreement, the governing body shall start the consideration of the aggregate effect of the nationally determined contributions towards achieving the objective of the agreement, as stated in section C, with a view to informing Parties in adjusting their contributions towards enhancing ambition;

175.2. The aggregate consideration process shall be concluded no later than [24] months after its beginning and thereafter be conducted periodically every five years until the ultimate objective of the Convention has been met;

175.3. The aggregate consideration process shall be conducted consistent with science and on the basis of equity, with a view to providing recommendations and informing

Parties in adjusting their nationally determined contributions towards enhancing ambition, and be guided by:

- a. A technical paper from the secretariat on the aggregate effect of the mitigation component of the nationally determined contributions communicated and registered pursuant to sections D and J;
- b. A synthesis report on the aggregate level of mobilization and provision of finance, technology development and transfer, and capacity-building to developing countries, based on the registry referred to in section F and the information provided pursuant to section G;
- c. A synthesis report on adaptation actions and support, based on the registry referred to in section E;
- d. The most recent IPCC assessment report;
- e. Each Party's share in the global average temperature increase;
- f. The contribution of each Party to limiting the increase in global average temperature below 2 °C.

175.4. The COP shall, no later than at its twenty-third session, agree on modalities and procedures for the aggregate consideration process.

- *Observation: some Parties noted that this option 3 could be placed with paragraphs concerning strategic review of implementation.*

**Option 4:** After their communication, commitments / contributions by developed country Parties will be subject to an ex ante assessment process:

175.1. The purpose of the ex ante assessment of developed country Parties is to:

- a. Assess the adequacy of the individual and aggregated commitments on mitigation and provision of finance, technology transfer and capacity-building to developing country Parties compared with a collective emission reduction target and a collective public finance target, as well as a global technology development and transfer goal and a global capacity-building goal of all developed country Parties;
- b. Determine deficits in the light of the ambition required on mitigation and provision of finance, technology transfer and capacity-building support to developing country Parties;
- c. Analyse the potential of mitigation and provision of support and address deficits in the light of the ambition required for developed country Parties;
- d. Analyse the comparability of the commitments on mitigation and provision of support by developed country Parties.

175.2. The ex ante assessment of developed country Parties shall be:

- a. Based on a collective emission reduction target [X] of all developed country Parties for 2030 below the 1990 level in accordance with section D and a collective public finance target of [X] per cent of the gross domestic product per year of all developed country Parties by 2030 in accordance with section F, as well as a global technology development and transfer goal and a global capacity-building support goal in accordance with sections G and H;
- b. Informed by science and the historical responsibility of developed country Parties including their per capita historical cumulative emissions in relation to the global temperature increase;
- c. Conducted in accordance with Article 4, paragraph 2(d), of the Convention.

175.3. On the basis of the ex ante assessment, each developed country Party shall revisit, revise and increase its commitment on mitigation and provision of finance,

technology and capacity-building support, including by putting forward further targets, policies and measures.

176. Developing country Parties are invited to participate in a facilitative process before or after their communication of the enhanced actions:

176.1. The purpose of the facilitative process for developing country Parties is to understand and address the barriers to preparing, communicating and implementing the enhanced actions;

176.2. The facilitative process for developing country Parties should be:

- a. On a voluntary basis;
- b. Supportive, non-prescriptive, non-intrusive, non-punitive and respectful of national sovereignty of developing country Parties;
- c. Conducted in accordance with Article 4, paragraph 7, of the Convention.

176.3. After the facilitative process, developing country Parties are encouraged to communicate and implement their enhanced actions and consider further actions subject to the adequacy of finance, technology transfer and capacity-building support by developed country Parties.]

184. **Option 1**: The governing body shall regularly conduct a strategic review of implementation / aggregate ambition assessment;

**Option 2**: All Parties shall review their emission reduction commitments on a common five-year cycle;

**Option 3**: The COP / governing body shall regularly conduct a review of implementation in accordance with the principles of equity, common but differentiated responsibilities and respective capabilities. The purposes, modalities, procedures and guidelines of the review will be further elaborated and adopted by the COP / governing body on the basis of Article 4, paragraph 2(d), Article 7, paragraph 2(e), and Article 10, paragraph 2(a), of the Convention and drawing upon the lessons learned from previous review processes and ambition mechanisms under the Convention and its Kyoto Protocol, in order to ensure the effectiveness of the review.] (185)

185. [The purpose of the review / assessment / mechanism is to:

**Option 1**: Review the effect / ambition and the implementation of the individual commitments / contributions / actions of Parties as well as the aggregate effect / ambition of all Parties' commitments, in order to assess progress towards operationalizing the ultimate objective of the Convention, as set out in its Article 2, pursuant to paragraph 5 above;

**Option 2**: Review the implementation of the commitments of developed and developing country Parties respectively as well as the overall effects of the measures taken pursuant to the Convention in order to assess progress towards achieving the objective of the Convention as set out in its Article 2 and the shared vision resulting from the Bali Action Plan;

**Option 3**: Review the individual and collective ambition of the commitments by developed country Parties compared with a collective emission reduction target and a collective public finance target of all developed country Parties, by 2030, as well as with a global technology development and transfer goal and a global capacity-building goal; review the adequacy of these goals;

**Option 4**:

- a. Track the performance of the implementation of the post-2020 enhanced action;
- b. Review the adequacy of the long-term aspect in the light of the objective of the Convention;
- c. Review the overall progress towards achieving the objective of the Convention;
- d. Consider the historical responsibilities of Parties in relation to the global temperature increase;

- e. Increase the level of ambition;
- f. Assess the level of risk and the adaptation needs associated with the effectively achieved aggregate mitigation commitments or lack thereof.

**Option 5:** The purpose of the review is a forward-looking assessment of the ambition and fairness of individual and aggregate mitigation commitments [for the current period] in relation to the below 2 °C objective [and the longterm goal as defined in this agreement.] (186)

186. [The review / assessment / mechanism shall take place:

**Option 1:** Starting in [X] / after the agreement has come into effect, every one / two / four / five years;

**Option 2:** Starting in the year [20xx] and every year for developed country Parties; Starting in the year [20xx] and every two/four years for developing country Parties;

**Option 3:** Immediately following the publication of each IPCC assessment reports.] (187)

187. [The review / assessment / mechanism shall be:

**Option 1:** Applicable to [developed country Parties][Parties included in annex X];

**Option 2:** Applicable to all Parties;

**Option 3:** Applicable to all Parties, as follows:

- a. Implementation and ambition of emission reduction commitments of [developed country Parties][Parties included in annex X] ;
- b. Adequacy and progress of finance, technology and capacity-building support from [developed country Parties][Parties included in annex X] to [developing country Parties][Parties not included in annex X];
- c. Implementation and further enhanced mitigation and/or adaptation action by [developing country Parties]. [Parties not included in annex X].] (188)

191. **Option 1:** The [COP / ]governing body shall develop and adopt modalities for the review / assessment / mechanism by 2018, drawing on lessons learned from previous review processes under the Convention and its Kyoto Protocol in order to ensure the effectiveness of the review / assessment / mechanism;

**Option 2:** The modalities and organization of the work on the strategic review to be developed and adopted [by the COP / governing body] on the basis of and drawing upon lessons learned from previous review processes under the Convention and its Kyoto Protocol, including inter alia:

- a. The review referred to in Article 4, paragraph 2(d), of the Convention;
- b. The ambition mechanism under the Kyoto Protocol;
- c. IAR and ICA;
- d. The clarification of the quantified emission limitation and reduction commitments of [Annex I Parties] [Parties included in annex X] and the process of understanding the diversity of NAMAs by [non-Annex I Parties][Parties not included in annex X];
- e. The 2013–2015 review;
- f. The multilateral consultative process for the resolution of questions regarding the implementation of the Convention, as set out in its Article 13:

**Option (a):** Utilizing the existing IAR and ICA processes after further amending their mandates and guidance;

**Option (b):** Utilizing the existing 2013–2015 review after further improving the modalities and organization of the work.] (192)

188. [The review / assessment / mechanism should include:

- a. International revisit of the emission reduction commitments of [developed country Parties][Parties included in annex X];

- b. Multilateral consideration of [developed country Parties'] [Parties included in annex X] commitments on finance, technology and capacity-building support;
- c. Domestic reflection and international understanding of enhanced action on mitigation and/or adaptation undertaken by [developing country Parties] [Parties not included in annex X], in a manner that is nonpunitive, non-intrusive and respecting national sovereignties;
- d. A forum on lessons learned on innovation of sustainable development pathways among all Parties;
- e. Review the adequacy of mitigation commitments of all Parties;
- f. A 2020–2023 review and a 2027–2030 review subsequent to the 2013–2015 review.] (189)

189. [The review / assessment / mechanism to be consistent with science, on the basis of equity and sustainable development, and informed by:

**Option 1:**

- a. Each country's progress towards the achievement of its commitments / contributions, aggregated global emission trends and the aggregate progress towards attaining the global goals established under this agreement;
- b. Assessments undertaken pursuant to other provisions of this agreement of the adequacy and progress related to adaptation and finance, technology and capacity-building support;
- c. A process to facilitate the clarity, transparency and understanding of Parties' commitments / contributions, whereby the ambition and fairness of Parties' mitigation commitments can be considered in the light of the long-term temperature limit;
- d. The assessment reports of the IPCC;
- e. Information reported by Parties on the implementation of their commitments / contributions, as set out in section I below (Transparency of action and support);
- f. Information communicated by Parties on their future commitments / contributions, as set out in this section;
- g. A process of technical examination of mitigation potential, opportunities, co-benefits of mitigation action and policy options for enhancing mitigation ambition;
- h. Inputs from non-state actors, relevant international organizations and international cooperative initiatives.

**Option 2:**

- a. Each country's progress towards the achievement of its commitments / contributions, including information from the national communications, biennial reports, inventories and national inventory reports of [developed country Parties] [Parties included in annex X] , as well as from the review reports and the IAR process; and information from the national communications and BURs, as well as from the ICA process;
- b. Assessments undertaken pursuant to other provisions of this agreement of the adequacy and progress related to adaptation and finance, technology and capacity-building support by from [developed country Parties] [Parties included in annex X];
- c. Arrangements to facilitate the clarity, transparency and understanding of the commitments / contributions;
- d. The assessment reports of the IPCC;
- e. Assessment against an equity reference framework by a technical panel of experts;
- f. The report on the 2013–2015 review and subsequent reviews;

- g. Reports of all of the existing subsidiary bodies under the Convention and new institutional arrangements established by this agreement;
- h. A process of technical examination of mitigation potential, opportunities and policy options to enhance the level of ambition.] (190)

190.[On the basis of the review / assessment / mechanism:

**Option 1:** The governing body shall recommend adjustments to Parties' commitments in response to the findings of the review / action, in order to harness unrealized opportunities to mitigate and adapt to climate change and to mobilize the necessary financial support.

**Option 2:** The COP shall recommend further arrangements on implementing this agreement, on increasing the level of ambition from 2021 to 2030 and on enhancing the implementation of the Convention after 2030.

**Option 3 (chapeau):** Parties to take into account the recommendations arising from the review / assessment / mechanism in preparing their successive commitments / contributions / actions / Parties to increase their level of ambition after the review, including:

**Option 4 (chapeau):** Parties to accelerate the implementation of their respective commitments under the Convention, including:

**Option (a):**

- a. Adjusting existing commitments / contributions / actions upward or communicating more ambitious mitigation commitments / contributions related to climate change;
- b. Addressing barriers to and constraints on implementation related to the provision of finance, technology and capacity-building support.

**Option (b):**

- a. [Developed country Parties][Parties included in annex X] adjusting their existing commitments / contributions upward or communicating more ambitious mitigation commitments / contributions;
- b. [Developed country Parties][Parties included in annex X] adjusting their existing commitments / contributions upward or communicating more ambitious finance, technology and capacity-building commitments / contributions / policies / measures;
- c. Addressing barriers and constraints of [developing country Parties][Parties not included in annex X] to implementation related to the provision of finance, technology and capacity-building support, and considering further action on implementation by [developing country Parties][Parties included in annex X].] (192)

- *Observation: Some Parties noted a distinction between individual and aggregate review. If such a division made then paragraphs and clauses in paragraphs would need to be rearranged.*

192.[New institutional arrangements or strengthened institutional arrangements may be needed to serve this agreement.] (193)

## OPTION II

161. [There shall be a periodic review process of individual and aggregate commitments on mitigation, adaptation and support and both review of the implementation of existing commitments and a consideration of future firm and indicative commitments.

- a. The review process will begin with an assessment of the implementation of Parties' individual commitments on mitigation, adaptation and support;
  - b. This process shall review the adequacy of aggregate commitments at least x years before the end of the implementation period;
  - c. A technical panel of experts will undertake analytical work, examining inter alia the ambition and fairness of commitments on mitigation, adaptation and support, and prepare a report; (162)
  - d. The governing body shall consider the report and make recommendations including for the strengthening of future individual commitments in order to close the ambition gap;
  - e. Parties shall inscribe firm commitments for the next five-year implementation period and indicative commitments for a further five years responding to the recommendations by the governing body.]]
- *Observation: Section J has two options, the co-facilitator's suggestion is that option II could be moved to the section on review. During the facilitated meeting a delegation requested this option to remain separate.*