

TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 12.4 (b) and (c): Rules of Procedure and functions of the CMA

Decision paragraph 105: Development of draft rules of procedure of the CMA

Text:

12.4. 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) **Option 1:** Adopt its own rules of procedure at its first session;
Option 2: The rules of procedure of the Conference of the Parties shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the CMA;
- (c) **Option 1:** Exercise such other functions as may be required for the implementation of this Agreement.
Option 2: Exercise the following functions:
 - (i) [Periodically examine the obligations of the Parties to the Agreement;]
 - (ii) [Promote and facilitate the exchange of information;]
 - (iii) [Facilitate the coordination of measures adopted by Parties to address climate change and its effects taking into account the differing circumstances, responsibilities and capabilities of the Parties and their respective commitments].

105. **Option 1:** Requests the IPC to develop the draft rules of procedure of the CMA, including procedures for decision-making and voting by Parties to the Agreement, in accordance with Article 12, paragraph 4, of the Agreement, with a view to the IPC making recommendations on this matter to the CMA at its first session;
Option 2: No text

2. Task

Find solutions and clean text.

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 15: Bodies and institutional arrangements to serve the Agreement

Text:

- 15.1. 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]].
- 15.2. 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].

2. Task

Find solutions and clean text

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 17: Further requirements and decision-making rights

Text:

Option I:

- 17.1. [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.]
- 17.2. [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]

2. Task

Find solutions and clean text

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 18, paras. 1 and 2: Entry into force

Text:

- 18.1. This Agreement shall enter into force on the thirtieth day after the date on which at least [X] number of Parties to the Convention [and] [or] on which Parties to the Convention accounting for [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]*
- 18.2. [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 Intergovernmental Panel on Climate Change in its Fifth Assessment Report][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].]

2. Task

Find solutions and clean text

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 19, paras. 2 and 3: Amendments (Adjustment of NMDC)

Text:

- 19.1. The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.
- 19.2. [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.]
- 19.3. [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.]

2. Task

Find solutions and clean text.

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 20, para 2: Annexes

Text:

20.2. 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].

2. Task

Find solutions and clean text.

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 22, paras 3 and 4: Voting

Text:

- 22.3. [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.]
- 22.4. [For the purpose of this Article, ‘Parties present and voting’ means Parties present and casting an affirmative or negative vote.]

2. Task

Find solutions and clean text.

3. Working mode

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 24: Reservations

Text:

24.2 No reservations may be made to this Agreement. [Placeholder for further text on reservation]

2. Task

Find solutions and clean text.

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TASK SHEET ON FINAL CLAUSES

1. Article and topic:

Art 25, paragraph 2: Withdrawal

Text:

25.2. 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.

2. Task

Find solutions and clean text.

3. Working mode

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