

Submission by Angola on behalf of the Least Developed Countries Group – ‘surgical insertions’ to co-chairs’ non-paper (v. 5 October 2015): ARTICLE 11: FACILITATING IMPLEMENTATION AND COMPLIANCE

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1. A [process] [compliance mechanism] is hereby established to facilitate implementation of [and promote compliance with] the provisions of this Agreement. The [process] [mechanism] shall be facilitative, non-punitive, non-adversarial and non-judicial.

1. bis. The composition of the Compliance Mechanism shall be based on equitable geographical representation, and to include representation of least developed countries and small island developing States. The body shall comprise 12 members. Decisions of the Compliance Committee shall be made by consensus where possible and, as a last resort, by a two-thirds majority;

1 ter. The Compliance Mechanism shall consist of two separate branches – an enforcement branch for developed country Parties and a facilitative branch for developing country Parties. The Compliance Mechanism may establish technical panels to assist them in their task;

1. quat. The role of the enforcement branch is to review compliance with commitments made by developed country Parties and those developing country Parties that have made economy wide quantified emission reduction commitments, with respect to their commitments on mitigation and support as established under this agreement.

1. quin. The enforcement branch may recommend actions that a developed country Party should take to ensure it fulfills its commitments under this agreement

1 sex. The role of the facilitative branch is to review the implementation of the national determined mitigation commitment made by developing countries and to assist in them in finding ways to incentivise their efforts to meet these commitments.

1. sept. The Compliance Mechanism shall report annually to the CMA and shall operate under modalities and procedures agreed by the CMA at its first session.