

Inputs to Spin-off group on Article 9 on transparency of action and support, and related decision paragraphs

A revised textual proposal consolidating all the outputs of the work of the spin-off group on Article 9 on transparency of action and support, and related decision paragraphs

Article 9 *(TRANSPARENCY)*

1. **Option 1:** A robust transparency framework covering both action and support, differentiated between developed and developing countries, building on the arrangements under the Convention, related COP decisions and mechanisms established by Cancun agreements (decision 1/CP.16), applicable to all Parties, providing flexibility to developing countries Parties is hereby established.
Option 2: A unified and robust transparency system, covering both action and support, with built in flexibility to take into account Parties' differing capacities, and applicable to all Parties is hereby established.
Option 3: A robust, tiered transparency framework covering both action and support, applicable to all Parties, based on self-differentiation with no backsliding, national capabilities and INDCs, that builds on and enhances existing arrangements under the convention and Decision 1/CP. 16, is hereby established.
Option 4: Building on existing Convention arrangements, a transparency framework for action and support, that takes into account Parties different capacity and applicable to all Parties, is hereby established.
{Merge 9.2 and 9.3 under one chapeau}
2. The purpose of the system for transparency of action is to:
Option 1:
 - (a) Provide a clear understanding of the emissions and removals of individual Parties;
 - (b) Facilitate understanding of global aggregate net emissions [in the light of the global temperature goal][in the light of *{refer to the objective of the stocktake under Article 10}*][under Article 10];
 - (c) Ensure clarity and tracking of progress made in implementing and achieving individual Parties' respective [contributions] [commitments] [other] under Article 3;
 - (d) [Share information, lessons learned and good practice on adaptation, including on][Provide a clear understanding of] progress made in implementing individual Parties' actions¹ under Article 4[, and other regional and global actions on adaptation in the light of the global temperature goal];
 - [(e) Promote comparability among developed country Parties.] *{The proponents of this language feel that it could be moved to another more appropriate part of Article 9.}***Option 2:**

Provide a clear understanding of climate change actions in the light of the objective as set by Article 2 of the Convention and consistent with the principles and commitments of Articles 3 and 4 of the Convention.
3. The purpose of the system for transparency of support is to:
 - (a) Provide a clear understanding of the support provided and received by individual Parties [as well as needs of developing country Parties] [and assist Parties in identifying gaps in support provided and received], without placing an undue burden on SIDS and LDCs;

¹ The term "actions" will be readjusted to align with the term that Parties agree under Article 4.

- (b) Provide[, to the extent possible,] a full overview of aggregate support provided and [mobilized] [in the light of *{refer to the objective of the stocktake under Article 10}*][under Article 10];
- (c) Ensure clarity and tracking of progress made by developed country Parties in providing support in accordance with Articles 6, 7 and 8;
- (d) Ensure clarity and tracking of support needed and received by developing country Parties in accordance with Articles 6, 7 and 8;
- (e) Ensure that there shall be no double counting of financial resources provided [and ensure environmental integrity of this agreement]. *{While the first concept is relevant here, the second bracketed concept does not relate to this section on support, and could be moved elsewhere.}*

4.

5.

Option I:

- 6. [The CMA shall at its first session, building on lessons learned [and elaborating on the provisions above], adopt [common] modalities, procedures and guidelines, [to elaborate on the provisions above] [as appropriate, for promoting environmental integrity] [for the reporting and review of the information as set out in paragraph 4]. It shall take into account, inter alia:
 - (a) The need for flexibility in the light of capability;
 - (b) The importance of facilitating improved reporting and transparency over time;
 - (c) The need to avoid undue burden and duplication, taking into account the particular situation of small States Parties with limited administrative capacities;
 - (d) The facilitative, non-intrusive nature of review;
 - (e) The need to ensure no backsliding;
 - (f) The need to ensure no double counting;
 - (g) The need to ensure environmental integrity.]

Option II:

- 6. The CMA shall at its first session, building on lessons learned from reporting under the Convention and elaborating on the provisions above, adopt common modalities, procedures and guidelines, as appropriate, for transparency of action and support.
- 6bis. The transparency system shall be guided by the Principles and provisions of the Convention and be conducted in facilitative, non-intrusive, non-punitive, respectful of national sovereignty, provide flexibility and avoid undue burden to developing countries.
- 6ter. The rules and guidance related to accounting [that are set forth in decision 1/CP.21,] [including with respect to [land use], will apply along with any subsequent decisions by the CMA.
- 6quarter. The secretariat shall maintain [in a public registry] Parties' nationally determined [contributions][commitments] other] [and use such information to assess the aggregate effect of the [contributions][commitments] and progress towards implementation of the Convention.]
- 6quinquies. [The CMA shall facilitate the enhancement of the clarity, transparency and understanding of the nationally determined [contributions] communicated by Parties.]
- 7. [The CMA shall cooperate with the Conference of the Parties to avoid overlap and duplication.] *{Proposed to move this to Article 12 (CMA)}*
- 8. [Developing country Parties shall [[receive]][be eligible for] support to [assist in the implementation of][implement] this Article][implement this Article consistent with their capacities and the level of support provided].

- 8bis. [Developed country Parties][shall][should][other]provide support to developing country Parties in the implementation of this Article.]
- 8ter. Developed country Parties, the operating entities of the financial mechanism and any other organizations in a position to do so shall allocate financial resources for the building of transparency-related capacity of developing country Parties in need, on a continuous basis.
9. [The CMA shall periodically review its decisions and update them, as appropriate [and at least once every 5 years].]
{Proposal to move this to the section on the transparency of action and support in the draft decision}

Decision paragraphs related to Article 9 [\(TRANSPARENCY\)](#)

58. [*Requests* the operating entities of the Financial Mechanism of the Convention to allocate financial resources for the building of transparency-related capacity of developing country Parties in need, on a continuous basis;] {move to the Agreement}
- 58 bis. *Requests* the Standing Committee on Finance, when preparing guidance for the operating entities of the Financial Mechanism of the COP to include a proposal on how the Financial Mechanism could provide financial resources for the building and / or strengthening the transparency-related capacity of developing countries in need, respecting country-driven priorities and responding to the relevant provisions of Article 9 and Decision x/CP.21. With the view to foster country ownership, transparency-related capacity building shall be designed to:
- (a) Assist in establishing or strengthening existing national institutions for transparency-related activities, in accordance with national circumstances;
 - (b) Provide relevant training and assistance in meeting the provisions stipulated in Article 9 of the agreement;
 - (c) Assist the improvement of transparency over time.
- 58 ter. *Also requests* the IPC when developing modalities, procedures and guidelines in para 59, to consider inter alia the application of technical corrections in the review of greenhouse gas inventories provided in accordance with Article 9 paragraph 4.a.
59. **Option 1:** *Also requests* the [IPC][SBSTA] to develop recommendations for modalities, procedures and guidelines in accordance with Article 9, [paragraph 6,], of the Agreement for adoption [at the first session of the CMA.] [by the COP by 2018];
- Option 2:** *Also requests* the SBSTA to develop recommendations for modalities, procedures and guidelines in accordance with Article 9, paragraph 6, of the Agreement for adoption at the first session of the CMA. It shall take into account, inter alia:
- (a) The ability for each Party to elect one or more aspects of the flexibility to be specified in the guidance to be adopted by the CMA on the basis of the Party's capacity, such as level of detail of reporting, frequency, and scope, provided that the Party revisits the flexibility regularly.
 - (b) The importance of facilitating improved reporting and transparency over time;
 - (c) The need to avoid undue burden and duplication;
 - (d) The facilitative, non-intrusive nature of review.

Option I:

- 59bis. *Further requests* that the work programme in paragraph 59 will report to future sessions of the Conference of the Parties on the progress of its work, and will conclude its work no later than 2018;
- 59ter. *Decides* that Parties' first biennial communications shall be submitted in 2022.
- 59quarter. *Decides* that the review of reporting shall commence three months following the submission of biennial communications.
- 59quinquies. *Decides* that the measurement, reporting and verification system established in 1/CP.16, and 2/CP.17 shall be superseded by the common system of transparency of action and support, immediately following submission of the final biennial reports and biennial update reports.

Option II:

- 59bis. *Decides* to hereby establish a work programme for transparency readiness under the Subsidiary Body for Implementation to assist developing country Parties in preparing for implementation of Article 9 of the Agreement, which would include the following:
- (a) Identifying capacity building needs, taking into account lessons learned from the existing arrangements under the Convention; and
 - (b) Providing support, on an ongoing basis, to enable developing country Parties to effectively participate in the transparency system.
- 59ter. *Requests* the Subsidiary Body for Implementation to agree on activities to be undertaken under the above-mentioned work programme by its forty-fifth session.

59quarter. *Also requests* the Subsidiary Body for Implementation to provide a report to each session of the Conference of the Parties with a view to seeking guidance for further actions.

Option III:

59bis. *Decides* to continue and further strengthen the mandate of multilateral assessment for provision of financial resources, technology development and transfer, and capacity-building to developing countries during the International Assessment and Review process for developed country Parties, to ensure that commitments and the provision of such support by developed country Parties and other developed Parties included in Annex II are implemented, verified through a robust verification system, and meet the needs expressed and identified by developing country Parties, recalling the mandate from paragraph 26, Decision 2/CP.17, on revising the modalities and procedures of International Assessment and Review no later than 2016.

59ter. *Further decides* that Developed country Parties and other developed Parties included in Annex II shall report on provision of financial resources, technology development and transfer, and capacity-building to developing countries, in line with the common methodologies adopted by the COP as mandated by paragraph 19, Decision 2/CP.17.