

**Informal consultations on the first session of the Conference of the Parties  
serving as the meeting of the Parties to the Paris Agreement (CMA 1)  
and on item 4 of the agenda of COP 22**

**Draft decisions for CMA 1 and COP 22**

**Proposal by the President**

**18 November 2016 at 02:30 hours**

CMA 1 agenda item 3 “Matters relating to the implementation of the Paris Agreement” and COP 22 agenda item 4 “Preparations for the entry into force of the Paris Agreement and CMA 1” have been central to our discussions here in Marrakesh. Under these items, groups and Parties have considered key matters for advancing the work on the implementation of the Paris Agreement. I have launched open-ended informal consultations with all groups and Parties on these two items, chaired by Ambassador Aziz Mekouar, guided by the principles of transparency, inclusiveness and openness.

Groups and Parties have engaged in intensive consultations and bilateral meetings. At the open-ended informal consultations held on Wednesday, 16 November and Thursday, 17 November 2016, groups and Parties shared their views on the draft decisions for CMA 1 and COP 22 proposed by the President.

I propose the draft decisions for CMA 1 and COP 22 (attached hereto), which are intended to promote consensus and timely conclusion of our work. These are made available at the invitation of Parties, are based on extensive consultations, and take into account the full range of views expressed by groups and Parties. The proposal builds on the previous iterations of the texts, but seeks to streamline them and to establish the balance that we all seek. I have included explanatory notes (on page 2).

I invite all groups and Parties to discuss this proposal in their groups and with other groups. Informal consultations will be reconvened on Friday, 18 November at 11 a.m. to further explain the proposal and hear views of groups and Parties on it.

I am confident that your continued support and flexibility will lead us to a successful outcome in Marrakesh.

### *Explanatory Notes*

I would like to explain the approach taken in this proposal for the two draft decisions on some of the key issues that Parties have discussed.

- With regard to the timing and format of resuming the session, it is proposed that a joint meeting of the CMA and the COP will be convened in 2017 to review progress in implementation of the work programme, and to maintain momentum and ensure that work is on track towards the completion of the work programme by 2018. The proposal combines both perspectives as to which body shall review this progress (i.e. the COP or the CMA).
- With respect to the Adaptation Fund it is proposed that the Fund should serve the Paris Agreement, subject to the arrangements and modalities that need to be clarified. This proposal is made in view of strong calls from a number of Parties for early decisions on this matter.
- Regarding additional matters relating to the implementation of the Paris Agreement, it is my view, after listening carefully to all Parties, that it would not be possible to reach consensus at this session. The proposed COP decision requests the APA to continue its consideration of additional matters and asks it to forward the outcome in 2017. This approach would allow Parties more time, combined with a clear timeframe and process for reaching an outcome.
- Other parts of the draft decisions have remained largely unchanged.

# DRAFT TEXT

## CMA 1

### Agenda item 3: Matters relating to the implementation of the Paris Agreement

Version of 18 November 2016 at 2:30 hours

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#### Proposal by the President

##### Draft decision 1/CMA.1

#### Matters relating to the implementation of the Paris Agreement

*The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement,*

*Recalling* the Paris Agreement, adopted under the Convention,

*Also recalling* decision 1/CP.21,

*Underscoring* the importance of inclusiveness, transparency and openness in the completion of the work programme under the Paris Agreement,

*Stressing* the urgency for completion of the work programme under the Paris Agreement resulting from the relevant requests contained in section III of decision 1/CP.21 in order to accelerate its implementation,

*Recognizing* the need for a meaningful and successful outcome of the work related to the implementation of the Paris Agreement,

#### **I. Entry into force and signature of the Paris Agreement**

1. *Welcomes* the entry into force of the Paris Agreement on 4 November 2016;
2. *Also welcomes* the signature of the Paris Agreement by almost all Parties to the Convention;
3. *Congratulates* Parties to the Convention that have ratified, accepted or approved the Paris Agreement and *invites* those that have not done so to deposit their instruments of ratification, acceptance, approval or accession, where appropriate, with the Depositary as soon as possible;

#### **II. Completion of the work programme under the Paris Agreement**

4. *Expresses* its appreciation to the Conference of the Parties for overseeing the implementation of the work programme under the Paris Agreement in accordance with the arrangements contained in decision 1/CP.21;
5. *Invites* the Conference of the Parties to continue to oversee the implementation of the work programme under the Paris Agreement in accordance with the arrangements contained in decision 1/CP. 21, and to accelerate work and forward the outcomes at the latest to the resumed first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement to be convened in conjunction with the twenty-fourth session Conference of the Parties (2018) for its consideration and adoption;

6. *Also invites* the Conference of the Parties to request the Subsidiary Body for Scientific and Technological Advice, the Subsidiary Body for Implementation, the Ad Hoc Working Group on the Paris Agreement and the constituted bodies under the Convention to accelerate their work on the work programme resulting from the relevant requests contained in section III of decision 1/CP.21, and to forward the outcomes to the Conference of the Parties at its twenty-fourth session (2018) at the latest;

7. *Decides* to convene, at its resumed first session, a joint meeting with the Conference of the Parties, at its twenty-third session (2017), to review progress and the outcomes on the implementation of the work programme under the Paris Agreement;

### **III. Adaptation Fund**

8. *Decides* that the Adaptation Fund should serve the Paris Agreement, subject to decisions to be taken at the resumed first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement to be convened in conjunction with the twenty-fourth session Conference of the Parties (2018), and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, that address the governance and institutional arrangements, safeguards and operating modalities of the Adaptation Fund, and take into account the need to ensure the international financial architecture for adaptation finance operates efficiently.

# DRAFT TEXT

## COP 22

### Agenda item 4: Preparations for entry into force of the Paris Agreement and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement

Version of 18 November 2016 at 02:30 hours

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#### Proposal by the President

##### Draft decision 1/CP.22

#### Preparations for the entry into force of the Paris Agreement and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement

*The Conference of the Parties,*

*Recalling* the Paris Agreement, adopted under the Convention,

*Also recalling* decision 1/CP.21,

*Underscoring* the importance of inclusiveness, transparency and openness in the completion of the work programme resulting from the relevant requests contained in decision 1/CP.21,

*Stressing* the urgency for the completion of the work programme under the Paris Agreement resulting from the relevant requests contained in section III of decision 1/CP.21 in order to accelerate its implementation,

*Recognizing* the need for a meaningful and successful outcome of the work related to the implementation of the Paris Agreement,

#### **I. Entry into force and signature of the Paris Agreement**

1. *Welcomes* the entry into force of the Paris Agreement on 4 November 2016;
2. *Also welcomes* the signature of the Paris Agreement by almost all Parties to the Convention;
3. *Congratulates* Parties that have ratified, accepted or approved the Paris Agreement and *invites* those that have not done so to deposit their instruments of ratification, acceptance, approval or accession, where appropriate, with the Depositary as soon as possible;
4. *Expresses* its appreciation to the Secretary-General of the United Nations for convening the historic high-level signing ceremony for the Paris Agreement on 22 April 2016, on which occasion 175 Parties signed the Paris Agreement and 15 Parties deposited their instruments of ratification, acceptance or approval with the Depositary;
5. *Also expresses* its appreciation to the Secretary-General of the United Nations for convening the special high-level event on ratification of the Paris Agreement on 21 September 2016, on which occasion 31 Parties deposited their instruments of ratification, acceptance or approval with the Depositary;

#### **II. Completion of the work programme under the Paris Agreement**

6. *Takes note* of the reports of the subsidiary bodies, the operating entities of the Financial Mechanism and the constituted bodies on progress in the implementation of the work

programme resulting from the relevant requests contained in decision 1/CP.21 in accordance with their respective mandates;

7. *Also takes note* of the invitation from the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session to continue to oversee the implementation of the work programme under the Paris Agreement in accordance with the arrangements contained in decision 1/CP.21;

8. *Takes note* of the consideration by the Ad Hoc Working Group on the Paris Agreement of further guidance in relation to the adaptation communication, including, inter alia, as a component of nationally determined contributions, referred to in Article 7, paragraphs 10 and 11, of the Paris Agreement;

9. *Also takes note* of the consideration by the Subsidiary Body for Implementation of the development of modalities and procedures for the operation and use of a public registry referred to in Article 7, paragraph 12, of the Paris Agreement;

10. *Requests* the Subsidiary Body for Scientific and Technological Advice, the Subsidiary Body for Implementation, the Ad Hoc Working Group on the Paris Agreement and the constituted bodies under the Convention to accelerate their work on the work programme resulting from the relevant requests contained in section III of decision 1/CP.21, and to forward the outcomes to the Conference of the Parties at its twenty-fourth session (2018) at the latest;

11. *Decides* to convene, at its twenty-third session (2017), a joint meeting with the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, at its resumed first session, to review progress and the outcomes on the implementation of the work programme under the Paris Agreement;

12. *Also decides* to conclude the work programme under the Paris Agreement as soon as possible and to forward the outcomes, at the latest, to the resumed first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement to be convened in conjunction with the twenty-fourth session of the Conference of the Parties, for its consideration and adoption;

### **III. Additional matters relating to the implementation of the Paris Agreement**

13. *Requests* the Ad Hoc Working Group on the Paris Agreement to continue its consideration of additional matters relating to the implementation of the Paris Agreement and the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, with a view to forwarding the outcome to the resumed first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement to be convened in conjunction with the twenty-third session of the Conference of the Parties, for its consideration and adoption;

### **IV. Adaptation Fund**

14. *Requests* the Ad Hoc Working Group on the Paris Agreement in its consideration of the necessary preparatory work on the Adaptation Fund to address the governance and institutional arrangements, safeguards and operating modalities for the Adaptation Fund to serve the Paris Agreement, and take into account the need to ensure the international financial architecture for adaptation finance operates efficiently;

15. *Invites* Parties to submit, by 31 March 2017, their views on the governance and institutional arrangements, safeguards and operating modalities for the Adaptation Fund to serve the Paris Agreement;

### **V. Additional matters**

16. *Congratulates* Parties that have accepted the Doha Amendment to the Kyoto Protocol;

17. *Underscores* the urgent need for the entry into force of the Doha Amendment and *invites* those that have not done so to deposit their instruments of acceptance with the Depositary as soon as possible;
18. *Requests* the President of the Conference of the Parties at its twenty-second session, in collaboration with the incoming President of the Conference of the Parties at its twenty-third session, to undertake inclusive and transparent consultations with Parties on the organization of the facilitative dialogue referred to in decision 1/CP.21, paragraph 20, on the margins of the sessions of the subsidiary bodies to be convened in May 2017, and to report back to the Conference of the Parties at its twenty-third session;
19. *Commends* the high-level champions and *welcomes* the Marrakesh Partnership for Global Climate Action;<sup>1</sup>
20. *Takes note* of resolutions<sup>2</sup> adopted at the thirty-ninth session of the Assembly of the International Civil Aviation Organization on 6 October 2016;
21. *Welcomes* the adoption of the Kigali Amendment by the Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, at its twenty-eighth meeting;
22. *Takes note* of the estimated budgetary implications of the Partnership referred to in paragraphs 19 above and *requests* that the actions called for therein be undertaken subject to the availability of financial resources.

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<sup>1</sup> Available at <[http://unfccc.int/paris\\_agreement/items/9951.php](http://unfccc.int/paris_agreement/items/9951.php)>.

<sup>2</sup> Resolution A39-2 on climate change entitled “Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change” and resolution A39-3 on global market-based measure scheme entitled “Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme”.