

*The following proposal has been submitted to reflect discussions by an interested group of Parties with a view to present clearer options for discussions under the spin off group on articles 3, 3bis and 3ter. It represents a work in progress, does not represent agreement on any individual provisions and is without prejudice to any Parties' individual positions*

**First communication** (streamlined from 3.2, 3.6 bis)

***Option 1:***

Each Party's first nationally determined mitigation [commitment][contribution] is that listed in Annex [x] to the Agreement<sup>1</sup>

***Option 2:***

Each Party shall communicate its first nationally determined mitigation [commitment][contribution] no later than upon [ratification or acceptance of] [joining] this agreement.

***Option 3:***

No provision on first communication in Agreement [For Decision text]

**Subsequent communications** *Merged proposal from (3.6 inc. elements of 3.2 bis, 3.4, 3.4 bis, 7, 3.6bis):*

***Option 1: communication to 5 year time period***

*Every 5 years, harmonised NDC*

Each Party shall [[communicate its [successive] [new]] [update its] nationally determined mitigation [commitment][contribution] by [year x] [2020] [2021] and every five years thereafter, on a [synchronised][common] basis, [or resubmit an existing nationally determined mitigation [commitment][contribution]], [for the subsequent 5 year timeframe], taking into account the outcomes of the global stocktaking referred to in Article [x].

*Submit INDC*

All Parties shall submit [intended] [proposed] nationally determined mitigation [commitments] [contributions] [12 [-18] months prior to] [well before] [finalisation [inscriptions]

*Finalise NDC*

[[with a view to [inscription in [Annex] x<sup>2</sup>][finalization] [at least 3 months prior to] [well before] the CMA at which nationally determined mitigation commitments will be collectively updated]];

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<sup>1</sup> Some Parties would like to reflect the need for NDMCs to be captured in an Annex to the Agreement at COP 21 in Paris. Links to housing issue and Article 3.2

<sup>2</sup> Housing issue dealt with separately

\* placeholder for an option regarding an “indicative” or “intended” subsequent contribution for [5] years after the year of the submitted contribution.

***Option 2: communication before the end of the period of implementation***

Successive nationally determined mitigation [contributions] [commitments] [other] [shall] [will] be communicated by Parties after completion of the current implementation cycle

**Consultative period/ex ante** (including parts of 3.2 bis, 4 and 4bis, 3.10)

*Option 1:*

[In the 12 [-18] month period referred to in paragraph x] [The CMA shall facilitate [conduct]] [All Parties shall participate in] a [preparatory] process to [facilitate] [enhance] the clarity, transparency and understanding of the [intended] [proposed] nationally determined mitigation [contributions][commitments], including their aggregate effect in the light of the long-term temperature goal in Article 2 of this agreement, including through the production of an aggregate synthesis report. The [preparatory] process shall be conducted in accordance with modalities and procedures to be adopted by the CMA at its first session

*Option 2:*

No provision on consultative period/ex ante

*Option 3*

Placement: Deal with this issue in Article 9

**Common timeframe in future** (previous 6 option 1b, quater)

*Option 1:*

A common timeframe for Parties’ nationally determined mitigation commitments from 2030 onward shall be decided by the CMA at its first session

*Option 2:*

No provision for common timeframe

*Option 3:*

Differentiated timeframes for developed and developing countries to be decided by the CMA at its first session

**Adjustments at any time** *(previous 3.4 ter and 3.6 ter)*

A Party may, at any time, submit an update to its nationally determined mitigation commitment that represents a progression in ambition beyond its previous efforts [in accordance with the simplified adjustment procedure referred to in Article X]

*[Alternative options also reflected in draft Decision]*

**Additional notes on related provisions:**

*\* 3.4: This restructuring does not deal with the accompanying information requirements, as currently outlined in 3.4. After stripping out the timings elements, the paragraph would read:*

In communicating their [proposed] [intended] nationally determined mitigation [commitments][contributions], Parties shall provide the information necessary for clarity, transparency and understanding, in accordance with [decision 1/CP.21 ][1/CP.20 ] [and any subsequent decisions by the CMA.] [Article 12 of the Convention and the relevant arrangement for reporting information adopted by the COP including those resulting from the Bali Action Plan and the information listed in decision 1/CP.20.]

*\*Existing 3.10 bis: This restructuring does not include suggestion for placement on para 3.10 bis. But the proponents would request that it is retained in the text.*

*\*This note does not deal with housing*