

## Section K. [Facilitating implementation and compliance]<sup>1</sup>

Version of 10 June 2015 at 22:50

### Output of facilitated meeting

#### *Observations:*

- Parties requested the facilitators to refine their consolidation of Parties' inputs to ensure its usefulness as a tool for producing further streamlined texts. Alternatively, it was acknowledged that the streamlined and consolidated text of 8 June 2015 could serve as a good basis for further discussions at the next session of the ADP.
- There was agreement that the section should be concise, with further details to be contained in a COP decision to be adopted at or after COP 21. Elements identified as belonging to the Agreement include text on the establishment of compliance arrangements. Additionally, some Parties indicated that a definition of the purpose, guiding principles, basic features and structure of the mechanism could also be included in the Agreement. Detailed modalities would be more appropriate for a decision of the COP or the governing body of the Agreement, with a COP decision ensuring that arrangements would be in place upon entry into force of the Agreement.
- Several Parties spoke to the need for compliance arrangements to be facilitative, non-punitive and non-adversarial. It was also noted that core legal obligations in the Agreement may require compliance arrangements to go beyond serving a facilitative function.
- Some Parties expressed interest in exploring the multilateral consultative process under Article 13 of the Convention as a possible starting point for discussions on one option for arrangements on compliance and implementation.
- Different views on the relationship between differentiation and arrangements relating to facilitation of implementation and compliance were expressed. Some Parties expressed the view that any differentiation should flow from other sections of the Agreement, while others saw differentiation as being part of the structure of the section. Some Parties provided their views on the relationship between the facilitative nature of a compliance mechanism and differentiation.

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<sup>1</sup> Sections and paragraphs refer to those in document FCCC/ADP/2015/1.