

# Non-paper

## Note by the Co-Chairs

5 October 2015

### A. DRAFT AGREEMENT

#### Article 2 (PURPOSE)

1. The purpose of this Agreement is to enhance the implementation of the objective of the Convention and strengthen and support the global response to the urgent threat of climate change by further addressing its causes and by further increasing resilience and the ability to adapt to its adverse impacts, with a view to promoting the global transformation to low-emission and climate-resilient societies and economies. ~~It reflects common but differentiated responsibilities and respective capabilities, in light of different national circumstances.~~
2. Parties recognize that deep cuts in global *net* greenhouse gas emissions are urgently required, with a view to reducing such emissions so as to hold the increase in the global average temperature [below 2 °C][below 2 or 1.5 °C] above pre-industrial levels, without prejudice to adjusting the global long-term temperature goal on the basis of the best available *and universally recognized* scientific knowledge.

#### Article 3 (MITIGATION)

1. Parties aim to reach by [X date] *as soon as possible* [a peaking of global greenhouse gas emissions *while taking into account that time-frame for peaking may vary for different countries*][zero net greenhouse gas emissions][a[n] X per cent reduction in global greenhouse gas emissions][global low-carbon transformation][global low-emission transformation][carbon neutrality][climate neutrality].
2. Each Party [shall][should][other] regularly communicate a nationally determined mitigation [contribution][commitment][other] that it [shall][should][other] implement *after the completion of its current implementation cycle*.
3. Each Party's nationally determined mitigation [contribution][commitment][other] [shall][should][other] *be inscribed in an Annex to the Agreement and* reflect a progression beyond its previous ~~efforts~~ *legal commitment/contribution*, noting that those Parties that have previously communicated economy-wide ~~efforts~~ *contributions*, should continue to do so in a manner that is progressively more ambitious and that all Parties should aim to do so over time. Each mitigation [contribution][commitment][other] [shall][should][other] reflect the Party's highest possible ambition, in light of its national circumstances, and:
  - (a) [Be quantified or quantifiable;]
  - (b) [Be unconditional, at least in part;]
  - (c) [Other].
4. Each Party, when communicating its nationally determined mitigation [contribution][commitment][other] [shall][should][other] provide the information necessary for clarity, transparency and understanding, in accordance with decision 1/CP.21 and any subsequent decisions by the CMA.
5. The rules and guidance related to accounting that are set forth in decision 1/CP.21, including with respect to land use *and forests* will apply along with any subsequent decisions by the CMA.
6. Successive nationally determined mitigation [contributions][commitments][other] will be communicated ~~every five years~~ *after the completion of its current implementation cycle*, ~~unless decided otherwise by the CMA.~~
7. The secretariat shall maintain in a public registry Parties' nationally determined mitigation [contributions][commitments][other].
8. Parties, including regional economic integration organizations and their member States, may jointly communicate and/or implement their nationally determined mitigation [contributions][commitments] [other] *detailing in its joint communication combined level of nationally determined mitigation [contributions][commitments] [other] and individual levels of nationally determined mitigation [contributions][commitments] [other] of each member State of that regional economic integration organization. If Parties acting jointly do so in the framework of, and together with, a regional economic integration*

*organization, any alteration in the composition of the organization after adoption of this Agreement shall not affect existing [contributions][commitments] [other] under this Agreement. Any alteration in the composition of the organization shall only apply for the purposes of those commitments under Article 3 that are adopted subsequent to that alteration. If Parties acting jointly to implement their nationally determined mitigation [contributions][commitments] [other] in the framework of, and together with, a regional economic integration organization which is itself a Party to this Agreement, each member State of that regional economic integration organization individually, and together with the regional economic integration organization shall, in the event of failure to achieve the total combined level of nationally determined mitigation [contributions][commitments] [other], be responsible for its level of nationally determined mitigation [contributions][commitments] [other] as communicated in accordance with this Article.* Parties may also cooperate in the implementation of mitigation activities.

9. Parties acknowledge the importance of economic diversification and cooperation to reduce the adverse impacts of the implementation of response measures [, ~~including through the institutional arrangements as defined in decision 1/CP.21~~].
10. ~~The CMA shall facilitate the enhancement of the clarity, transparency and understanding of the nationally determined mitigation contributions communicated by Parties.~~
11. Parties are invited to formulate and communicate longer-term low-emission development strategies in accordance with the modalities to be decided by the CMA at its first session.
12. Developing country Parties *and other Parties in need of support* are eligible for support in the implementation of this Article.
13. The implementation of the provisions of this Article should ~~reflect~~ **be subject to** national circumstances.

## **Article 5** *(LOSS AND DAMAGE)*

Parties acknowledge the importance of addressing loss and damage associated with climate change impacts and recognize the need for international cooperation and solidarity [~~including through the institutional arrangements as defined in [this Agreement][decision 1/CP.21]~~].

## **Article 6** *(FINANCE)*

1. Over time, all finance flows should promote the transformation to low-emission and climate resilient societies and economies.
2. [~~Developed country Parties should take the lead and~~][Developed country Parties and Parties *with economies in transition* in a position to do so] [shall][should][other] provide support to assist developing country Parties *and other Parties in need of support* with respect to both mitigation and adaptation.
3. [Developed country Parties][Developed country Parties and Parties *with economies in transition* in a position to do so] [shall][should][other] periodically communicate information on the ~~projected~~ **achieved** levels of public climate finance.
4. The Parties recognize the desirability of a wide variety of sources, public and private, bilateral and multilateral, including alternative sources, noting the need for a diversity of sources and instruments to fit recipients' changing economic circumstances.
5. ~~The mobilization of climate finance [shall][should][other] be scaled up [from USD 100 billion per year] from 2020.~~
6. Parties should strive to balance adaptation support relative to mitigation support, bearing in mind country-driven strategies, priorities and needs, including in relation to forests, technology transfer and capacity-building.
7. ~~Parties should strive to improve the predictability of finance flows.~~
8. Parties should strive to improve domestic enabling environments to attract low-emission, climate-resilient investment, noting that cooperative action and support may enhance such efforts.
9. The Parties [shall][should][other] take appropriate steps to:
  - (a) Prioritize the provision of grant-based and concessional finance to the poorest, most vulnerable and/or those with the least ability to mobilize other resources, including for adaptation;
  - (b) Integrate climate considerations, including resilience, into international development assistance;
  - ~~(c) Reduce international support for high emission and maladaptive investments;~~
  - (d) Explore options for simplifying procedures for accessing support, in particular for the LDCs and SIDS.

10. The Financial Mechanism established by Article 11 of the Convention, including its operating entities shall serve as the financial mechanism of this Agreement. The CMA shall decide on the operating entities' policies, programme priorities, and eligibility criteria related to this Agreement.
11. **The Standing Committee on Finance established under the Convention shall serve this Agreement.** ~~Its biennial assessment of climate finance flows shall utilize, inter alia, information drawn from relevant submissions from Parties.~~
12. ~~A High Level Segment on Climate Finance shall be held biennially, as part of the sessions of the CMA, to consider the biennial assessment of the Standing Committee on Finance and make recommendations, as appropriate, to the CMA.~~