



Subsidiary Body for Implementation

**Report of the Subsidiary Body for Implementation on its
thirty-sixth session, held in Bonn from 14 to 25 May 2012**

Addendum

**Draft texts under consideration by the Subsidiary Body for
Implementation**

**Draft text under consideration by the Conference of the Parties and by
the Conference of the Parties serving as the meeting of the Parties to the
Kyoto Protocol**

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Draft [elements for Conference of the Parties] decision -/CP.18

Work of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention

The Conference of the Parties,

Recalling the relevant provisions of the Convention, in particular Article 4, paragraphs 1, 3 and 7, and Article 12, paragraphs 1, 4, 5 and 7,

Also recalling decisions on 8/CP.5, 3/CP.8, 17/CP.8, 8/CP.11, 5/CP.15, 1/CP.15, 2/CP.17 and 14/CP.17,

Acknowledging that the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention has made a substantial contribution to improving the process of preparation of national communications from Parties not included in Annex I to the Convention (non-Annex I Parties) by providing technical advice and support and therefore enhancing the capacity of such Parties to prepare their national communications,

[*Recalling decision* 1/CP.16, paragraph 60, that decided to enhance the reporting in national communications from non-Annex I Parties, and emphasizing that the CGE could provide also technical advice and support for the preparation of biennial update reports,]

Having taken note of, as provided by the secretariat, the estimated budgetary implications of the actions requested of the secretariat in paragraph 10 below and other actions contained in the annex to this decision,

Also having taken note that the requirements for additional resources for the implementation of the relevant actions referred to in paragraph 10 below and in the annex to this decision cannot be met by the approved core budget of the secretariat for the biennium 2012–2013,

Emphasizing the importance of providing relevant technical advice and support for the process of preparation of national communications [or [and] biennial update reports], as well as the importance of providing a forum for non-Annex I Parties to share experiences of this process,

[*Recognizing further* that developing countries require further support in the process to enhanced reporting,]

Recognizing that the preparation of national communications [or [and] biennial update reports] is a continuing process,

1. Decides to continue the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention [for a period of [three years from 2013 to 2015][four years from 2013 to 2016] [five years from 2013 to 2017]][as a permanent expert group of the Convention];
2. Also decides that the Consultative Group of Experts, in fulfilling its mandate, shall function in accordance with the [revised] terms of reference contained in annex I to this decision;
3. Further decides that membership of the Consultative Group of Experts [should be increased from 24 to 28 with four additional members from Annex I Parties to the Convention (Annex I Parties)] [shall be the same as in decision 3/CP.8, annex, paragraphs 3–8] [should be expanded from 24 to 26 members in order to include one member from

non-Annex I countries of Eastern European Group and an additional one member from Parties included in Annex I to the Convention (Annex I Parties)];

4. Decides that the Consultative Group of Experts shall be composed of experts [drawn from the UNFCCC roster of experts] with expertise in at least one of the following chapters of national communications [or biennial update reports]: greenhouse gas inventories, vulnerability and adaptation assessment, mitigation [financing, MRV/NAMAs, technology] and other matters related to the process of preparation of national communications [and biennial reports];

5. Encourages regional groups, in nominating their experts to the Consultative Group of Experts, to make every effort to ensure balanced representation in the areas of expertise indicated in paragraph 4 above [as well as taking into account gender balance in accordance with decision 36/CP.7];

6. Requests the secretariat to publish the list of the membership of the Consultative Group of Experts including their respective area of expertise and experience relating to national communications and/or biennial update reports, and notify the Subsidiary Body for Implementation of such appointments;

7. [Option 1: Also requests the Consultative Group of Experts, in the implementation of its mandate, to develop a [2]-year [rolling] work programme, including cost estimates, for consideration by the Subsidiary Body for Implementation;]

[Option 2: Also requests the Consultative Group of Experts, in the implementation of its mandate, to follow the work programme for the first year developed by the Subsidiary Body for Implementation at its [thirty-sixth][thirty-seventh] session, as contained in annex II to this decision, and to further develop a [xx]-year rolling work programme, including cost estimates, for consideration by the Subsidiary Body for Implementation;]

[Option 3: Also requested the CGE in early 2013 to develop a work programme for its revised term, to be re-evaluated by the CGE yearly, taking into account relevant decisions of the Conference of the Parties (COP).]

8. Further requests the Consultative Group of Experts to report on the progress of its work to the Subsidiary Body for Implementation [at its second meeting of each year] [at the SBI meeting during the COP session];

9. [The CGE shall, in defining and implementing its work programme, take into account other relevant work by expert groups under the Convention and engage and coordinate with the Adaptation Committee, the Technology Executive Committee and the Durban Forum for In-depth discussion on Capacity Building, in order to avoid duplication of work.]

10. Decides to [initiate]review, at its [twenty-first] [twentieth] [twenty-fifth] session, [the term and mandate][mandate and terms of reference] of the Consultative Group of Experts [and the need for the continuation of the group], with a view to adopting a decision thereon [at the same session];

11. Requests the secretariat to facilitate the work of the Consultative Group of Experts by:

(a) Organizing meetings and workshops of the Consultative Group of Experts and compiling reports of its meetings and workshops for consideration by the Subsidiary Body for Implementation;

(b) Providing technical support to the Consultative Group of Experts as required, particularly in the areas of national greenhouse gas inventories, vulnerability and adaptation assessment, mitigation assessment, research and systematic observation, education, training

and public awareness, technology transfer and capacity-building, [and also mitigation actions and assessments relating to institutional arrangements, assessment of gaps and needs, support received, domestic MRV, projections] as they relate to the process of and the preparation of national communications [or biennial update reports];

(c) Liaising with other relevant multilateral programmes and organizations to provide additional [financial and] technical support [,disseminating the information materials and technical reports prepared by the Consultative Group of Experts to Parties, relevant experts and organizations] to the Consultative Group of Experts as required related to the preparation of national communications [and] [or] biennial update reports;

(d) [Providing technical and logistical support, as required [by committees, panels or working groups established to serve as technical experts for its functions including ICA;], [to the Consultative Group of Experts in [serving as] [building capacity for] the team of technical experts for international consultation and analysis;]]

12. [Invites][Urges] Parties included in Annex II to the Convention and other Parties included in Annex I to the Convention in a position to do so to provide financial resources to enhance the support by the secretariat to the work of the Consultative Group of Experts and to support the full operation of the work of the Consultative Group of Experts.

13. [Decides that arrangements for funding of the meetings of the Consultative Group of Experts should be provided in the budget of the Secretariat.]

14. Requests that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources;

Annex I

Terms of reference of the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention

1. [The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) shall have the objective[s] of:

(a) Improving the [process of [and] preparation of] national communications and biennial update reports from Parties not included in Annex I to the Convention (non-Annex I Parties), by providing technical advice and support to non-Annex I Parties [including those Parties that have not yet completed their national communications.];

(b) [Serving as] [Building capacity for] the team of technical experts for international consultation and analysis (ICA) [in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in accordance with paras 56-62 of Decision 2/CP. 17 and its Annex IV.] [by undertaking the technical analysis of biennial update reports [in accordance with the modalities and guidelines for ICA contained in annex IV to decision 2/CP.17]]].

[Alternate 1. The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) shall have the objective[s] of improving the [process of [and] preparation of] national communications and biennial update reports from Parties not included in Annex I to the Convention (non-Annex I Parties), by providing technical advice and support to non-Annex I Parties;]

2. The CGE, in fulfilling its mandate, shall [provide the following]:

(a) [Identify and provide technical assistance regarding problems and constraints that have affected the process of and the preparation of national communications and biennial update reports by non-Annex I Parties.]

(b) [Provide] Technical assistance and support [including capacity building] to non-Annex I Parties to facilitate the preparation of their national communications [and biennial update reports], with a view to improving the accuracy, consistency and transparency of the information in their national communications [and biennial update reports] [, particularly with respect to reporting on national GHG inventories, vulnerability and adaptation assessments, mitigation, and cross-cutting issues (research and systematic observation, technology transfer, capacity-building, education, training and public awareness, information and networking and financial and technical support)];

(c) [Technical assistance and support [including capacity building] to non-Annex I Parties to facilitate the preparation of their biennial update reports with a view to improving the accuracy, consistency and transparency of the information in their biennial update reports;] [Facilitate technical reviews of national communications or elements of national communications and biennial update reports for interested non-Annex I Parties;]

[Alternate 2. b, c: [Provide] Technical assistance and support [including capacity building] to non-Annex I Parties to facilitate the preparation of their national communications [and biennial update reports], with a view to improving the accuracy, consistency and transparency of the information in their national communications [and biennial update reports] [, particularly with respect to reporting on national GHG inventories, vulnerability and adaptation assessments, mitigation, and cross-cutting issues (research and systematic observation, technology transfer, capacity-building, education, training and public

awareness, information and networking and financial and technical support)]; [Technical assistance and support [including capacity building] to non-Annex I Parties to facilitate the preparation of their biennial update reports with a view to improving the accuracy, consistency and transparency of the information in their biennial update reports;] [Facilitate technical reviews of national communications or elements of national communications and biennial update reports for interested non-Annex I Parties;]]

(d) [Provide] Technical advice and support to non-Annex I Parties in meeting their obligations arising from relevant decisions related to the preparation of national communications and biennial update reports by identifying problems, constraints and difficulties encountered in the use of the guidelines and methodologies for the preparation of national communications and biennial update reports;]

[Alternate 2d. Assist non-Annex I Parties, upon their request and as appropriate, in facing difficulties encountered in the use of the guidelines and methodologies for the preparation of national communications and biennial update reports;]

[Alternate 2. b, c, d: Technical assistance and support to non-Annex I Parties to facilitate the preparation of their national communications and biennial update reports, with a view to improving the accuracy, consistency and transparency of the information in these reports and by identifying problems, constrains and difficulties encountered in the use of guidelines and methodologies for the preparation of national communications and biennial update reports.]

(e) [Provide] Technical advice to non-Annex I Parties to facilitate the development and long-term sustainability of [the national communications preparation] processes, including the elaboration of appropriate institutional arrangements and the establishment and maintenance of national technical teams, for the preparation of national communications and biennial update reports, including greenhouse gas inventories, on a continuous basis;

(f) [Provide information on [financial] support available and technical advice to non-Annex I Parties, and extract lessons learned and best practices on addressing constraints and gaps and related financial, technical, and capacity building needs, in particular on adaptation from non-Annex I national communications and biennial update reports.]

(g) [Provide technical assistance and support for the preparation of proposals regarding the funding needed for the preparation of national communications and biennial update reports from non-Annex I Parties.]

(h) [Upon request from any non-Annex I Party [provide] information on existing activities and programmes, including bilateral, regional and multilateral sources of financial and technical assistance, to facilitate and support the preparation of national communications and biennial update reports by non-Annex I Parties.]

(i) [Continue its work in reviewing the UNFCCC guidelines for the preparation of national communications from non-Annex I Parties.]

(j) [Provide advice and assistance to Parties on request, in the development and communication of their NAMAs.]

(k) [Draft revised guidelines for the preparation of national communications from Parties not included in Annex 1 to the Convention, building upon the work previously done by the CGE in providing recommendations on elements to be included in such revised guidelines, and taking into account the experience of non-Annex 1 Parties in the preparation of their most recent national communications.]

(l) [make recommendations on the above sub-paragraphs, to be forwarded to the SBI for its consideration]

(m) [Provide technical advice and support, by organizing and conducting workshops, including hands-on training workshops at the regional or subregional level, on national greenhouse gas inventories, mitigation, vulnerability and adaptation, as well as training on the use of the guidelines for the preparation of national communications and biennial update reports by non-Annex I Parties. Special attention shall be given to the training on the use of guidelines for the preparation of the first biennial update reports by non-Annex I Parties;]

3. [The CGE, in fulfilling its mandate, [and with a view to adopting revised guidelines by the twentieth session of the Conference of the Parties,] shall also provide recommendations, [as appropriate,]to the SBI on the following:

(a) [Elements to be considered in a future review and revision¹ of the “UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention” contained in annex III to decision 2/CP.17;

(b) Elements to be considered in the future revision of the “Guidelines for the preparation of national communications from Parties not included in Annex I to the Convention”, taking into account such recommendations made earlier by the CGE², as well as recent relevant decisions by the Conference of the Parties including the relevant provisions under decision 1/CP.16, paragraphs 60 and 66, and decision 2/CP.17, paragraph 39.]

[Alternate 3: The CGE, in fulfilling its mandate, should draft revised guidelines for both national communications and biennial update reports, to be presented to the SBI for consideration, with a view to their adoption by the COP.]]

4. [In [serving as] [building capacity for] the team of technical experts for international consultation and analysis, referred to in [paragraph 1 of annex IV] [para 56-62 of Decision 2/CP. 17 and its Annex IV] to decision 2/CP.17, the CGE shall:

(a) Undertake the technical analysis of biennial update reports submitted by non-Annex I Parties [to be developed];

(b) Prepare a draft summary report and share it with the Party concerned for [comment][review and comments over the following [x] months;];

(c) Respond to and incorporate the comments referred to in paragraph 4(b) above from the Party concerned and finalize, in consultation with the Party concerned, the summary report to be presented to the Subsidiary Body for Implementation (SBI).]

5. The CGE shall, in defining and implementing its work programme, take into account other relevant work by expert groups under the Convention [and should also engage, upon request, with the Adaptation Committee, Climate Technology Centre and Network, Technology Executive Committee, and the Durban Forum for In-Depth Discussion on Capacity-Building] in order to avoid duplication of work.

6. [The CGE may establish committees, panels or working groups, and/or request the secretariat to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts.

¹ Decision 2/CP.17, annex III, paragraph 20.

² The CGE provided a set of recommendations to the SBI on elements to be considered in a future revision of the “Guidelines for the preparation of national communications from Parties not included in Annex I to the Convention”; these recommendations are contained in document FCCC/SBI/2011/5/Rev.1 and Add.1 submitted to the SBI at its thirty-fourth session.

In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE.]

7. [In the light of the new mandate, CGE shall include in its work plan up to the nineteenth session of the Conference of the Parties, inter alia, the following task: to develop and agree on its revised rules of procedure, in view of its new activities, and recommend them to the Conference of the Parties for adoption.]

8. The CGE shall forward recommendations on matters indicated in paragraph 3 above for consideration by the SBI as appropriate.

Annex II

Work programme of the Consultative Group of Experts for [xx to xx]

[To be developed in terms of output/product, means, responsibility and time period.]

[The list of tasks will be amended in line with the revised draft conclusions and decisions.]

<i>Mandate paragraph of the annex to decision xx/CP.18</i>	<i>Tasks</i>	<i>Output/product</i>	<i>Means to achieve the Outputs/activities</i>	<i>Responsibility</i>	<i>Time period/dates</i>	<i>Cost estimates</i>
2(a)	Technical assistance and support to non-Annex I Parties to facilitate the preparation of their national communications, with a view to improving the accuracy, consistency and transparency of information in their national communications					
2(b)	Technical assistance and support to non-Annex I Parties to facilitate the preparation of their biennial update reports with a view to improving the accuracy, consistency and transparency of information in their biennial update reports					
2(c)	Technical advice and support to non-Annex I Parties in meeting their obligations arising from relevant decisions related to the preparation of national communications and biennial update reports by identifying problems, constraints and difficulties encountered in the use of the guidelines and methodologies for the preparation of national communications and biennial update reports					
2(d)	Technical advice to non-Annex I Parties to facilitate the development and long-term sustainability of processes, including the elaboration of appropriate institutional arrangements and the establishment and maintenance of national technical teams, for the preparation of national communications and biennial update reports, including greenhouse gas inventories, on a continuous basis					
2(e)	Technical advice to non-Annex I Parties on the on the provision of support for					

<i>Mandate paragraph of the annex to decision xx/CP.18</i>	<i>Tasks</i>	<i>Output/product</i>	<i>Means to achieve the Outputs/activities</i>	<i>Responsibility</i>	<i>Time period/dates</i>	<i>Cost estimates</i>
	available for the preparation of national communications and biennial update reports					
2(f)	Upon request from any non-Annex I Parties information on existing activities and programmes, including bilateral, regional and multilateral sources of financial and technical assistance, to facilitate and support the preparation of national communications and biennial update reports by non-Annex I Parties					
3(a)	Provide recommendations, as appropriate, to the SBI on elements to be considered in a future review and revision of the “UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention” contained in annex III to decision 2/CP.17					
3(b)	Elements to be considered in the future revision of the “Guidelines for the preparation of national communications from Parties not included in Annex I to the Convention”, taking into account such recommendations made earlier by the CGE, as well as recent relevant decisions by the Conference of the Parties including the relevant provisions under decision 1/CP.16, paragraph 60 and 66, and decision 2/CP.17 paragraph 39					
4	[Serve as the team of technical experts for international consultation and analysis referred to in decision 2/CP.17, annex IV, paragraph 1]					
6	[The CGE may establish committees, panels or working groups, and/or request the secretariat to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE]					

]]]

Draft [elements for Conference of the Parties] decision -/CP.18

Composition, modalities and procedures of the team of technical experts under international consultations and analysis

The Conference of the Parties,

Recalling decisions 1/CP.16 and 2/CP.17, establishing a process for international consultation and analysis of biennial update reports (BURs) under the Subsidiary Body for Implementation that aims to increase the transparency of mitigation actions and their effects, and adopting the modalities and guidelines for international consultation and analysis,

[[*Recognizing*][*Noting*] that international consultation and analysis is non-intrusive, non-punitive, and respectful of national sovereignty,]

Also recognizing the need to have an efficient, cost-effective and practical international consultation and analysis process, which does not impose an excessive burden on Parties, and on the secretariat,

[*Having* taken note of, as provided by the secretariat, the estimated budgetary implications of the actions requested of the secretariat in paragraph 3 below and other actions contained in the annex to this decision,]

[*Recognizing* the difficulties faced by non-Annex I Parties in reporting under the Convention and the need to take into account national capabilities and circumstances, and to build capacity, and the need for the provision of financial support in a timely manner to non-Annex I Parties to facilitate the timely preparation of biennial update reports,]

[*Urging* Annex II Parties and other developed country Parties in a position to do so to provide support for the preparation of biennial update reports,]

Recognizing that the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention could also play an important role in facilitating technical advice and support for the preparation and submission of the first biennial update report[, and building capacity for the teams of technical experts referred to in paragraph 1 hereunder],

[*Also having* taken note that the requirements for additional resources for implementation of the relevant actions referred to in paragraph 3 below cannot be met by the approved UNFCCC core budget for the biennium 2012–2013,]

Also having taken note that the UNFCCC core budget for the biennium 2014–2015 will need to [cover][address] the resources necessary for the implementation of the actions in the annex to this decision,

1. *Adopts* the composition, modalities and procedures of the team of technical experts referred to decision 2/CP.17, annex IV, paragraph 1, as contained in annex XX;
2. [*Invites* Parties [and, as appropriate, intergovernmental organizations] to nominate technical experts with the relevant qualifications to the roster of experts;]
3. [*Requests* the secretariat to:
 - (a) Maintain and update the roster of technical experts;

(b) Develop and conduct appropriate training programmes for nominated technical experts;

(c) Develop the technical tools necessary to conduct the technical analysis of the biennial update reports efficiently;]

4. *Encourages* Parties included in Annex II to the Convention to provide the financial resources necessary for actions of the secretariat called for in paragraph 3 above[, and the actions required within the provisions contained in annex to this decision];

5. [*Also encourages* developed country Parties and other developed Parties included in Annex II to the Convention to provide new and additional financial resources at the agreed full cost in accordance with Article 4, paragraph 3, of the Convention and relevant decisions of the COP with a view to supporting any reporting needed for international consultations and analysis;]

6. [*Requests* that the actions of the secretariat called for in this decision, and the actions required within the provisions contained in the annex, be undertaken subject to the availability of financial resources.]

Annex

[Composition, modalities and procedures of the team of technical experts referred to in decision 2/CP.17, annex IV, paragraph 1

The objective of this document is to provide details on the composition, modalities and procedures of the team of technical experts referred to decision 2/CP.17, annex IV, paragraph 1.

A. Modalities and procedures of the team of technical experts

Option 1

1. [A single team of technical experts (TTE) drawn from the UNFCCC roster of experts shall be responsible for conducting the technical analysis of [one to four][each][six to eight] [submitted] biennial update report[s] (BURs) from Parties not included in Annex I to the Convention (non-Annex I Parties), or for a group of Parties, within six months of its submission. In accordance with decision 2/CP.17, paragraph 58(d), small island developing States and the least developed country Parties may undergo international consultation and analysis as a group of Parties at their discretion.]

1 bis. [The technical analysis will result in individual summary report for each submitted biennial report.]

1 ter. The technical analysis shall be conducted as a centralised process where several BURs may undergo analysis by same TTE. The TTE shall sub-divide the work such that relevant skills are deployed according to the individual skills of the TTE.

Option 2

xx. The CGE shall serve as the team of technical experts for international consultation and analysis by undertaking the technical analysis of biennial update reports, in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in accordance with paragraphs 56–62 of Decision 2/CP. 17 and its Annex IV.

yy. The CGE may establish committees, panels or working groups to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE.

2. [The technical analysis of a BUR[from a Party or BURs from a group of Parties] by the TTE shall be coordinated by the secretariat.]

2 bis. CGE may decide on the organization of committees, panels or working groups for conducting the technical analysis of individual or group of biennial reports (up to four biennial update reports) from Parties not included in Annex I to the Convention (non-Annex I Parties) within [six] months of its submission.

3. [The [CGE][*to be defined*] shall, with the administrative support of the secretariat,][The secretariat shall] for each [BUR] technical analysis activity:

- (a) [Prepare a brief workplan for the technical analysis activity;
- (b) Monitor the progress of the technical analysis activity;

(c) [Coordinate preparation of the summary report of the technical analysis activity;]

(d) Coordinate receipt of the comments received from a Party on the draft summary report of technical analysis of its BUR;

(e) Coordinate the [appropriate] response to the comments, including follow-up clarification with the Party concerned and incorporating [relevant] comments, [as needed]].

Alternative to (a)-(e)

(a) Prepare a brief workplan for the technical analysis activity;

(b) Prepare the draft summary report of the technical analysis activity taking into consideration the information referred to in decision 2/CP.17, paragraphs 56–62 and its annex IV, and share it with the Party concerned for review and comment over the following four months;

(c) To respond to and incorporate comments referred to in item (b) above from the Party concerned and finalize, in consultation with the Party concerned, the summary report, which shall be presented to the Subsidiary Body on Implementation (SBI).

4. [[The [CGE][*to be defined*] [collectively]][A representative group of the technical experts that undertake the analysis of BURs] shall meet periodically to, with a view to continuously improving the international consultation and analysis (ICA) process:]

(a) Prepare a report to the SBI biennially, with suggestions on how to improve the technical analysis [and the ICA] process;

(b) Advise on technical support tools to facilitate the technical analysis.

(c) [*placeholder for merging paragraph 19 into this paragraph if option 1 prevails*]

4.1 [[The [CGE][*to be defined*] [collectively]][A representative group of the technical experts that undertake the analysis of BURs] shall also when it meets periodically, with a view to continuously improving the international consultation and analysis (ICA) process:

(a) Identify and provide technical assistance regarding problems and constraints that have affected the preparation of biennial update reports by non-Annex I Parties;

(b) Provide technical assistance to non-Annex I Parties for the regular development of national greenhouse gas (GHG) inventories, vulnerability and adaptation assessment, mitigation assessment, research and systematic observation, education, training and public awareness, technology transfer and capacity-building, with a view to improving the accuracy, consistency and transparency of information in their national communications and biennial update reports;

(c) Assist non-Annex I Parties, upon their request and as appropriate, in facing difficulties encountered in the use of the guidelines and methodologies for the preparation of national communications and biennial update reports;

(d) Provide technical advice and support, by organizing and conducting workshops, including hands-on training workshops at the regional or subregional level, on national greenhouse gas inventories, vulnerability and adaptation, and mitigation, as well as training on the use of the guidelines for the preparation of national communications and biennial update reports by non-Annex I Parties. Special attention shall be given to the training on the use of guidelines for the preparation of the first biennial update reports by non-Annex I Parties;

(e) Provide technical assistance and support for the preparation of proposals regarding the funding needed for the preparation of biennial update reports from non-Annex I Parties;

(f) Provide non-Annex I Parties, upon request, with information on existing activities and programmes, including bilateral, regional and multilateral sources of financial and technical assistance, to facilitate and support the preparation of BURs by non-Annex I Parties.]

5. The technical analysis shall include the following:

(a) Checking the completeness of BUR submissions;

(b) Examining the consistency, [transparency and comparability¹] of [methodologies used][the BUR] with the UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention contained in annex III to decision 2/CP.17 [and in particular the technical analysis shall cover information listed in paragraph 3(a) of the guidelines contained in Annex IV to 2/CP.17];

[(b bis) Consideration of the information listed in paragraph 3(a) of the guidelines contained in Annex IV to 2/CP.17, including national greenhouse gas inventory reports, information on mitigation actions, including a description of such actions, an analysis of their impacts and associated methodologies and assumptions, the progress made in their implementation and information on domestic measurement, reporting and verification, and support received, as well as any additional information provided by the Party/Parties;]

[(b ter) Identifying areas for further capacity building and noting possible ways for improving the estimation and reporting of the information. Such recommendations, from the team of technical experts, should not contain any political judgement, ensuring that the appropriateness of domestic policies and measures is not part of the process;]

(c) [Preparing a [draft] summary report under its collective responsibility and in consultation with the Party concerned[, which may include advice on aspects of the BUR submissions that could be improved to ensure completeness, promote consistency with the guidelines, and facilitate the increased transparency of mitigation actions and their effects. The summary report from the technical analysis should also provide recommendations to accommodate capacity building and continuous improvement in the reporting.]]

6. The TTE shall complete its draft summary report not later than four months from the start of the technical analysis. The draft summary report after editing and formatting by the secretariat, should be shared with the respective non-Annex I [[Party][Parties]][Party or Parties] for comment to be provided within next three month of its receipt.

7. The TTE will [respond to and incorporate][take into account] [incorporate or otherwise respond to] the comments referred to in paragraph 4 above received from the Party concerned and finalize, in consultation with the Party concerned, the summary report within three months of the receipt of any comments on the draft report from the [[Party][Parties]][Party or Parties] concerned.

8. The final summary report shall be published on the UNFCCC website within two weeks of it being finalized. [The secretariat [shall][may] also forward each final summary report to the Subsidiary Body for Implementation (SBI) in time for its consideration][The final summary report shall be presented to the Subsidiary Body for Implementation (SBI)].

¹ [Comparability means that estimates of emissions and removals reported by non-Annex I Parties in their inventories should be comparable among non-Annex I Parties. For this purpose, non-Annex I Parties should use the methodologies and formats agreed by the COP for estimating and reporting inventories.]

9. [In the course of a technical analysis as set out decision 2/CP.17, annex IV, paragraphs 3 and 4, the TTE, upon request, shall be provided by the non-annex I Party concerned with information and data sufficient to assess the conformity of the BUR with the “UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention” and other relevant guidelines adopted by the COP.]

10. [Where some of the additional information or data, including the data used by the Party concerned in the preparation of its BUR, requested by the team of experts in accordance with decision 2/CP.17, annex IV, paragraph 4, falls under confidentiality protection in accordance with the national legislation of the Party concerned, the Party shall inform the TTE thereof, indicating the reasons for classifying the information. Any confidential information and data provided by a Party to the TTE shall be maintained as confidential by the TTE.]

11. The obligation of a member of a TTE not to disclose confidential information shall continue after termination of his or her service on the TTE.

12. [Participating experts from non-Annex I Parties, Parties included in Annex I to the Convention (Annex I Parties) with economies in transition [and Annex I Parties whose special circumstances are recognized by the Conference of Parties] shall be funded in accordance with the existing procedures² for participation in UNFCCC activities. Experts from other Parties included in Annex I to the Convention shall be funded by their governments and those representing the intergovernmental organizations shall be funded by their respective organizations]. [*This option relates to options 1 and 2 under section B*].

[12 bis. As a general rule the technical analysis will be conducted as a centralised process where several BURs may undergo analysis by the same TTE. On a voluntary basis, and at the request of the Party concerned, the TTE may undertake its work during an in-country visit.]

B. Composition of teams of technical experts

[*Option 1*]:

13. The members of the team of technical experts shall [compose][be composed] of experts nominated to the roster of experts by Parties to the Convention and, as appropriate, by intergovernmental organizations.

14. Participating experts shall serve in their personal capacity.

15. The secretariat shall select the members of the TTEs from the roster of experts maintained by the secretariat to conduct technical analysis of biennial update reports in a way that the collective skills of each team address areas of information defined in decision 2/CP.17, annex IV, paragraph 3(a). A TTE formed for a technical analysis may vary in size and composition, taking into account the national circumstances of the Party whose BUR is under technical analysis and the different expertise needs of each technical analysis activity. At least one member of the TTE shall be an expert in greenhouse gas inventories. The need for experts dedicated on the associated methodologies and assumptions behind mitigation actions should be determined based on the national circumstances of the Party whose BUR is under technical analysis.

16. The secretariat shall, to the extent possible, select the members of the TTE with a view to achieving a balance between experts from Annex I Parties and non-Annex I Parties in the overall composition of the team, without compromising the selection criteria referred to in paragraph 15 above. The secretariat should, to the extent possible, ensure geographical

² Under this procedure, funding is limited to an air ticket for the most direct route and at the least costly fare, plus daily subsistence allowance at the established United Nations rate.

balance among the experts selected from non-Annex I Parties and among the experts selected from Annex I Parties.

17. The secretariat shall also ensure that members selected for the TTE shall neither be nationals of the Party under analysis nor be nominated or funded by that Party, and the secretariat shall ensure that analysis of successive BURs from the same Party are not undertaken by the same TTE.

18. The secretariat shall ensure that any TTE is co-led by two experts: one from an Annex I Party and another from a non-Annex I Party. The co-lead experts should ensure that the technical analyses in which they participate are performed in accordance with the relevant guidelines contained in relevant COP decisions. The size of the TTE may vary in size and composition, taking into account the national circumstances of the Party undergoing ICA, and the TTE should include at least one greenhouse gas inventory expert.

19. The co-lead experts collectively also shall, with a view to continuously improving the international consultation and analysis (ICA) process and enabling a prompt response to feedback from Parties undergoing the ICA process, exchange with the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) on how the technical assistance and support of the CGE to non-Annex I could be further improved.

[Option 2]:

20. The Consultative Group of Experts (CGE) shall also serve as the team of technical experts for international consultation and analysis by undertaking the technical analysis of biennial update reports, in a manner that is non-intrusive, non-punitive and respectful of national sovereignty, in accordance with decision 2/CP.17, paragraphs 56–62, and its annex IV.³ The membership of the CGE shall be the same as in decision 3/CP.8, annex, paragraphs 3–8.

21. The CGE may establish committees, panels or working groups to assist it in the performance of its functions. The CGE shall draw on the expertise necessary to perform its functions. The CGE shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance, in line with the composition of the CGE.

22. The CGE may decide on the organization of committees, panels or working groups for conducting the technical analysis of individual or group of biennial reports (up to four biennial update reports) from Parties not included in Annex I to the Convention (non-Annex I Parties) within [six] months of its submission.

[Option 3]:

23. The TTE shall be housed within the secretariat on a permanent basis.]

³ This proposal shall be considered in conjunction with the Brazilian submission on views and proposals on the term and mandate the Consultative Group of Experts - CGE, and the need for continuation of the group, contained in document. FCCC/SBI/2012/MISC.6. The terms of reference of the Consultative Group of Experts on National Communications from non-Annex I Parties should be reviewed accordingly.

Draft decision -/CP.18

National adaptation plans

[The Conference of the Parties,

[Recalling Article 4, paragraphs 1, 4 and 9, and Article 11, paragraph 5, of the Convention,]

[Also recalling decisions 11/CP.1, 27/CP.7, 1/CP.16 and 5/CP.17,]

Further recalling the initial guidelines for the formulation of national adaptation plans by the least developed country Parties adopted under decision 5/CP.17,

Reaffirming that because of their development status, climate change risks magnify the development challenges for the least developed country Parties,

Recalling that the national adaptation plans are a process to enable the least developed country Parties to formulate and implement national adaptation plans, building upon their experience in preparing and implementing national adaptation programmes of action, as a means of identifying medium- and long-term adaptation needs and developing and implementing strategies and programmes to address those needs; and that other developing country Parties were invited to employ the modalities formulated to support the national adaptation plans in the elaboration of their planning effort,¹

Underlining that planning for adaptation at the national level is a continuous, progressive and iterative process, the implementation of which should be based on nationally identified priorities, including those reflected in the relevant national documents, plans and strategies, and coordinated with national sustainable development objectives, plans, policies and programmes,

[Recalling the request to the Adaptation Committee, in accordance with its agreed functions, to consider, in its workplan, the relevant modalities for supporting interested developing countries that are not least developed country Parties to plan, prioritize and implement their national adaptation planning measures, including through the use of the modalities contained in decision 5/CP.17,]

[Reaffirming the importance of the need to address adaptation planning in the broader context of sustainable development planning,]

[Underlining that the national adaptation plan process should build on and complement existing adaptation planning, should not be prescriptive and should facilitate country-driven, gender-sensitive, participatory action taking into consideration vulnerable groups, communities and ecosystems,]

[Recognizing the value of the experiences gained in preparing and implementing national adaptation programmes of action and stressing that support for the national adaptation plan process should not be at the expense of the national adaptation programmes of action,]

[Appreciating the contributions made by developed country parties to the Least Developed Countries Fund to date,]

[Recognizing that the Green Climate Fund will support developing countries in pursuing project-based and programmatic approaches in accordance with climate change

¹ Decision 1/CP.16, paragraphs 15 and 16.

strategies and plans, such as national adaptation programmes of action, national adaptation plans and other related activities,]

[*Also recognizing* the important role of the Convention in catalysing support for the least developed country Parties to undertake the national adaptation plan process, noting the range of activities and programmes, both under and outside the Convention process, which could contribute to, and enhance, the national adaptation plan process,]

[*Recalling* its request to the Subsidiary Body for Implementation to consider guidance on policies and programmes to enable support for the national adaptation plan process for the least developed country Parties, at its thirty-sixth session, for consideration by the Conference of the Parties at its eighteenth session,]

1.

[Option 1:

{*Decides* to adopt the following guidance for the Global Environment Facility, as the entity entrusted with the operation of the financial mechanism of the Convention for the operation of the Least Developed Countries Fund, to support activities by the least developed country Parties undertaken under the national adaptation plan process; while maintaining progress for the least developed countries work programme, which includes the national adaptation programmes of action, the operating entity is requested:

(a) As a first step under the national adaptation plan process, to provide funding from the Least Developed Countries Fund, to meet the agreed full cost of activities to enable the formulation of national adaptation plans as described in the elements contained in paragraphs 2–6 of the initial guidelines for national adaptation plans in the annex to decision 5/CP.17;

(b) To ensure separation of the funding for the national adaptation plan process from funds for the national adaptation programmes of action under the Least Developed Countries Fund, noting that there are linkages between the two;

(c) To ensure complementarity of funding between the Least Developed Countries Fund and other funds with which the operating entity is entrusted, such as the Special Climate Change Fund;

(d) To adopt simplified procedures and arrange for expedited access, including direct access to the Least Developed Countries Fund by the least developed country Parties for the national adaptation plan process, while ensuring sound financial management;

(e) To ensure transparency in all steps relating to the funding of the development of the national adaptation plans;

(f) To ensure a flexible, multiple-entry approach that enables the least developed country Parties to access funding for components of the national adaptation plan process as identified by the least developed countries Parties in response to national needs and circumstances;

(g) To encourage the use of national and, where appropriate, regional experts;

(h) To adopt streamlined procedures for the operation of the Least Developed Countries Fund in supporting the national adaptation plan process;}

Option 2:

{*Requests/Invites* the Global Environment Facility, as the entity entrusted with the operation of the financial mechanism of the Convention for the operation of the Least Developed Countries Fund, to provide support to activities in the least developed country Parties for the preparation of the national adaptation plan process, in laying the groundwork

for, addressing gaps in, and undertaking preparatory elements, while maintaining progress for the least developed countries work programme, which includes the national adaptation programmes of action;

Also requests/Invites the Global Environment Facility to continue its efforts to improve access by the least developed country Parties to the Least Developed Countries Fund for the activities in support of the national adaptation plan process, inter alia by ensuring a flexible multi-entry approach that enables the least developed country Parties to access funding for components of the national adaptation plan process as identified by the least developed country Parties, in response to national needs and circumstances;}}

2. [*Requests* the operating entity referred to in paragraph 1 above to include in its report to the Conference of the Parties information on the steps it has undertaken to implement the provisions of this decision;]

3. [*Invites* developed country Parties to further contribute to the Least Developed Countries Fund to support the national adaptation plan process, and *invites* developed country Parties, and other Parties in a position to do so, to continue their efforts to support the least developed country Parties in the national adaptation plan process [, through provision of finance, technology and capacity-building, as appropriate, in accordance with decision 1/CP.16, including paragraph 18, and other relevant decisions of the Conference of the Parties];]

4. [*Invites* the operating entities of the financial mechanism of the Convention, bilateral and multilateral agencies and other relevant organizations, as appropriate, to take this decision into account when providing financial and technical support to developing country Parties in responding to decision 5/CP.17;]

5. [*Invites* the Green Climate Fund Board to take into account the national adaptation plan process when designing its modalities, including for direct access, in accordance with decision 3/CP.17, paragraph 3;]

6. [*Requests* the Standing Committee of the Green Climate Fund to develop recommendations for the predictability, accessibility, and adequacy of financial resources for the formulation and implementation of national adaptation plans;]

7. [*Invites* Parties and relevant organizations to continue to assist the least developed country Parties, in close collaboration with the Least Developed Countries Expert Group, in building national institutional arrangements and capacities, and to support scientific and technical capacity needs, as identified by the least developed country Parties, to undertake the national adaptation plan process;]

8. [*Invites* United Nations organizations, specialized agencies and other relevant organizations, as well as bilateral and multilateral agencies, to support the national adaptation plan process in the least developed country Parties and, where possible, to consider establishing or enhancing support programmes for the national adaptation plan process within their mandates, as appropriate, which could facilitate financial and technical support to the least developed country Parties, in close collaboration with the Least Developed Countries Expert Group, and to keep the Subsidiary Body for Implementation informed, through the secretariat, on how they have responded to this invitation;]

9. [*Invites* Parties and relevant organizations to share best practices and lessons learned in addressing adaptation, through the ongoing work of the Least Developed Countries Expert Group and work under the Nairobi work programme on impacts, vulnerability and adaptation to climate change, as well as through other efforts outside the Convention;]

10. [(Placeholder for consideration of recommendations on national adaptation plans for developing country Parties that are not least developed country Parties);]

11. [*Decides* to assess progress made in implementing this decision, and to consider the adoption of further guidance, as appropriate, at its twentieth session.]]

Text for consideration by the Subsidiary Body for Implementation at its thirty-seventh session

Elements for a draft decision on development and transfer of technologies

[The Conference of the Parties,

Recalling decisions 1/CP.16, 2/CP.17 and 4/CP.17,

1. *Decides* that the advisory board of the Climate Technology Centre and Network is hereby established with the constitution contained in the annex.

Annex

Constitution of the advisory board of the Climate Technology Centre and Network

1. The advisory board of the Climate Technology Centre and Network (CTCN), with the aim of achieving fair and balanced representation, shall comprise [XX] members as follows:

(a) [xx] government representatives, comprising a balanced representation from Parties included in Annex I to the Convention (Annex I Parties) and Parties not included in Annex I to the Convention (non-Annex I Parties);

(b) The chair and vice-chair of the Technology Executive Committee (TEC) in an ex officio capacity;

(c) Two additional members of the TEC, one from an Annex I Party and one from a non-Annex I Party, in an ex officio capacity, nominated by the TEC;

(d) A representative of each of the operational entities of the financial mechanism in an ex officio capacity;

(e) A representative of the management of the host organization of the Climate Technology Centre (CTC), in an ex officio capacity, nominated by the host organization;

(f) A representative of the Adaptation Committee and of the Standing Committee in an ex officio capacity, nominated by the respective bodies;

(g) Three members drawn from financial institutions, non-governmental organizations, and academic and business communities with relevant expertise in technology, finance or business, in an ex officio capacity, nominated by the host organization of the CTC.

2. The director of the CTCN shall be the secretary of the advisory board.

3. Government representatives shall be nominated by their respective groups or constituencies and elected by the Conference of the Parties (COP). Groups or constituencies are encouraged to nominate the government representatives to the advisory board, with a view to achieving, within its membership, an appropriate balance of expertise relevant to the development and transfer of technologies for adaptation and mitigation, taking into account the need to achieve gender balance in accordance with decision 36/CP.7.

4. Government representatives elected to the advisory board shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office. The following rules shall apply:

(a) Half of the members shall be elected initially for a term of three years and half of the members shall be elected for a term of two years;

(b) Thereafter, the COP shall elect half of the members every year for a term of two years;

(c) The members shall remain in office until their successors are elected.

5. If a member of the advisory board resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the advisory board may decide, bearing in mind the proximity of the next session of the COP, to appoint another

member from the same constituency to replace said member for the remainder of that member's mandate, in which case the appointment shall count as one term.

6. Members of the advisory board referred to in paragraph 1(c) and (f) above shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office, taking into account the term of office in their respective bodies.

7. Members of the advisory board referred to in paragraph 1(g) above shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office.

8. Decisions of the advisory board will be taken by consensus.

9. Members referred to in paragraph 1(b–g) above shall not take part in decision-making.

10. The advisory board shall elect annually a chair and a vice-chair from among its members representing governments for a term of one year each, with one being a member from an Annex I Party and the other being a member from a non-Annex I Party. The positions of chair and vice-chair shall alternate annually between a member from an Annex I Party and a member from a non-Annex I Party.

11. If the chair is temporarily unable to fulfil the obligations of the office, the vice-chair shall serve as chair. In the absence of the chair and the vice-chair at a particular meeting, any other member from the governmental representatives designated by the advisory board shall temporarily serve as the chair of that meeting.

12. If the chair or vice-chair is unable to complete the term of office, the advisory board shall elect a replacement to complete the term of office, taking into account paragraph 6 above.

13. The meetings of the advisory board shall be open to attendance, as observers, by Parties, the secretariat and observer organizations, except where otherwise decided by the advisory board.

14. The CTC shall support and facilitate the work of the advisory board of the CTCN.]

Decision -/CP.18

[Doha work programme on Article 6 of the Convention

The Conference of the Parties,

Recalling Articles 2, 3, 4 and 6 of the Convention,

Also recalling decisions 11/CP.8, 9/CP.13 and 7/CP.16,

Reaffirming the importance of Article 6 of the Convention for achieving the ultimate objective of the Convention and for the effective implementation of adaptation and mitigation actions,

Recognizing that education, training and skills development are fundamental for all Parties to achieve sustainable development in the long term,

Also recognizing that a goal of education is to promote changes in lifestyles, attitudes and behaviour needed to foster sustainable development and to prepare children, young people, women, persons with disabilities and grass-root communities to adapt to the impacts of climate change,

Reaffirming that public participation and access to information are crucial in order to develop and implement effective policies, as well as to engage all stakeholders actively in the implementation of these policies,

Also reaffirming the importance of taking into account gender aspects and the need to promote the effective engagement of children, youth, the elderly, women, persons with disabilities, indigenous peoples, local communities and non-governmental organizations in activities related to Article 6 of the Convention,

Acknowledging the progress made by Parties, international organizations and civil society in planning, coordinating and implementing education, training, public awareness, public participation, and access to information activities,

Recognizing the importance of taking a long-term, strategic and country-driven approach to education, training and skills development at the local, national, subregional, regional and international levels, including strengthening of relevant institutional and sectoral capacities,

Recognizing that ensuring the availability of sufficient financial and technical resources continues to be a challenge for the adequate implementation of Article 6 of the Convention for all Parties, in particular African countries, the least developed countries and small island developing States,

Having considered the information in documents prepared by the secretariat in support of the review of the implementation of the amended New Delhi work programme,¹

1. *Decides* to adopt the eight-year Doha work programme on Article 6 of the Convention as contained in the annex to this decision;
2. *Also decides* to undertake a review of the work programme in 2020, with an intermediate review of progress in 2016, to evaluate its effectiveness, identify any emerging gaps and needs, and inform any decisions on improving the work programme's effectiveness as appropriate;

¹ FCCC/SBI/2012/3, FCCC/SBI/2012/4, FCCC/SBI/2012/5, FCCC/SBI/2012/6 and FCCC/SBI/2012/MISC.4.

3. *Invites* Parties to submit information (as part of their national communications, where appropriate) on their efforts and steps taken to implement the work programme and to share their experiences and best practices for the purpose of reviewing the programme in 2016 and 2020;
4. *Also invites* Parties to provide information on the funding received from all sources, including from the Global Environment Facility, bilateral and multilateral agencies, and United Nations organizations for the implementation of Article 6 of the Convention;
5. *Encourages* intergovernmental and non-governmental organizations to continue their activities relevant to Article 6 of the Convention, enhance collaborative efforts for implementing Article 6 initiatives and strategies at the international, regional, national, and local levels, and to share information on their programmatic responses to the work programme through the climate change information network clearing house CC:iNet and other media;
6. *Also encourages* multilateral and bilateral institutions and organizations, including operating entities of the financial mechanism of the Convention, as appropriate, to provide financial resources to support the activities relating to the implementation of Article 6 of the Convention;
7. *Requests* the Global Environment Facility to continue to provide, as appropriate, financial resources to Parties not included in Annex I to the Convention (non-Annex I Parties), in particular in African countries, the least developed countries and small island developing States among them, in accordance with decisions 11/CP.1, 6/CP.7, 4/CP.9, 7/CP.10, 3/CP.12, 7/CP.13, 3/CP.16 and 11/CP.17, to support the implementation of the work programme and to regularly report to the Conference of the Parties on the activities it has supported;
8. *Requests* the secretariat to encourage other intergovernmental organizations in a position to do so to provide technical or financial support, and to promote partnerships with other organizations, the private sector and donors, in order to support the implementation of the work programme;
9. *Requests* the Subsidiary Body for Implementation to enhance the work on Article 6 of the Convention by organizing an annual in-session dialogue for Article 6 of the Convention with the participation of Parties, representatives of relevant bodies established under the Convention, relevant experts, practitioners and stakeholders, with a view to sharing their experiences, exchanging ideas, best practices and lessons learned regarding the implementation of the Doha work programme on Article 6 of the Convention;
10. *Decides* that the dialogue referred to in paragraph 9 above will cluster the six thematic areas of Article 6 of the Convention into two focal areas. The first focal area will consist of education and training. The second focal area will consist of public access to information, public participation and public awareness. International cooperation will be a cross-cutting theme of both focal areas. The focal areas will alternate on an annual basis;
11. *Further decides* that the first session of the annual dialogue will be held at the thirty-eighth session of the Subsidiary Body for Implementation and focus on the first focal area;
12. *Requests* the secretariat to prepare a summary report of every session of the dialogue;
13. *Requests* the Subsidiary Body for Implementation, in its consideration of the reviews of the implementation of the work programme referred to in paragraph 2 above, to include the summary reports from the dialogue sessions as additional inputs to these reviews;
14. *Requests* that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources.

Annex

[Doha work programme on Article 6 of the Convention

A. Observations

1. The implementation of all elements of Article 6 of the Convention – education, training, public awareness, public participation, public access to information and international cooperation – will contribute to meeting the objective of the Convention.
2. All Parties, taking into account their common but differentiated responsibilities and respective capabilities, are responsible for the implementation of Article 6 of the Convention. The capacity to implement Article 6 activities will vary among countries, as will the priority thematic areas and target audiences, consistent with their sustainable development priorities and the culturally preferred method of programme delivery, in order to increase peoples understanding of the climate change issue.
3. Regional, subregional and international cooperation can enhance the collective ability of Parties to implement the Convention, improve synergies, avoid duplication of effort between the different conventions, and ultimately both improve the effectiveness of programming and facilitate its support.
4. It is important to learn more from countries regarding their experiences, lessons learned, good practices and challenges in the implementation of Article 6, so that Parties and intergovernmental and non-governmental organizations that have the resources to do so might effectively target their efforts at providing appropriate support.
5. Many Parties, IGOs, non-governmental organizations and community based organizations, as well as the private and public sectors, are already actively to raise awareness on, and increase understanding of, the cause and impacts of climate change, as well as solutions. The availability of sufficient financial and technical resources continues to be a challenge for the adequate implementation of Article 6 of the Convention for all Parties, in particular developing countries.
6. The nature of Article 6 activities carried out by Parties can easily be reported. However, monitoring and evaluating the impacts of these activities remains a challenge.
7. Implementation of Article 6 activities and programs can complement low-emissions and climate resilient development strategies.
8. [Gender is a cross-cutting issue in all six thematic areas of Article 6.]
9. Implementation of Article 6 of the Convention has a broad range of audiences, inter alia, governments, private sectors, intergovernmental and others international organizations, decision makers, scientists, the media, teachers, the general public, young people, women, etc.
10. Implementation of Article 6 of the Convention serves to spread and improve understanding and awareness of climate change and to change behaviour, and therefore communication should address the broad public, and all stakeholders (governments, intergovernmental and other international organizations, decision-makers, scientists, the media, teachers, the general public, young people, women, etc.).
11. In order to increase climate change awareness, Article 6 activities should address all sectors, including those that have received less attention until now, such as health, agriculture and security.

12. Under the UNFCCC process, a permanent dialogue should be maintained between Article 6 negotiators and others negotiators involved with agriculture, adaptation, capacity-building, Reducing Emissions from Deforestation and Forest Degradation, and other issues, in order to integrate these areas into Article 6 strategies.

B. Purposes and guiding principles

13. The present work programme sets out the scope of, and provides the basis for action on, activities related to Article 6 of the Convention, in accordance with the provisions of the Convention. It should serve as a flexible framework for country-driven action addressing the specific needs and circumstances of Parties, and reflecting their national priorities and initiatives.

14. [The Article 6 work programme builds on existing decisions of the Conference of the Parties, specifically the Marrakesh Accords, which contain a number of references to Article 6 activities, in particular decisions 2/CP.7 and 3/CP.7 on capacity-building in developing countries and in countries with economies in transition, 4/CP.7 on development and transfer of technologies, and 5/CP.7 on implementation of Article 4, paragraphs 8 and 9.]

15. The Article 6 work programme shall be guided by:

- (a) A country-driven approach;
- (b) Cost-effectiveness;
- (c) Flexibility;
- (d) Gender and an intergenerational approach;
- (e) A phased approach integrating Article 6 activities into existing climate change programmes and strategies;
- (f) Promotion of partnerships, networks and synergies, in particular, synergies between conventions;
- (g) An [interdisciplinary] [multi-sectoral and multi-stakeholder] approach;
- (h) A holistic, systematic approach;
- (i) The principles of sustainable development.

C. Scope of the Doha work programme

16. As part of their national programmes to implement the Convention, and taking into account national circumstances and capacities, Parties are encouraged to undertake activities under the categories listed below, which reflect the six elements of Article 6 of the Convention.

Option 1

Education

17. In order to advance implementation of Article 6 of the Convention, it is useful to cooperate in, promote, facilitate, develop and implement education and training programmes focused on climate change, targeting women and youth in particular, and including exchange or secondment of personnel to train experts.

Training

18. In order to advance implementation of Article 6 of the Convention, it is useful to cooperate in, promote, facilitate, develop and implement training programmes focused on climate change, for scientific, technical and managerial personnel at the national and, as appropriate, subregional, regional and international levels. Technical skills and knowledge provide an opportunity to adequately address and respond to climate change issues.

Public awareness

19. In order to advance implementation of Article 6 of the Convention, it is useful to cooperate in, promote, facilitate, develop and implement public awareness programmes on climate change and its effects at the national and, as appropriate, subregional, regional and international levels by, inter alia, encouraging contributions and personal action in addressing climate change, supporting climate-friendly policies and fostering behavioural changes, including by using popular media, noting the important role that social media platforms and strategies can play in this context.

Public access to information

20. In order to advance the implementation of Article 6 of the Convention, it is useful to facilitate public access to data and information, by providing the information on climate change initiatives, policies and results of actions that is needed by the public and other stakeholders to understand, address and respond to climate change, taking into account local and national circumstances such as quality of Internet access, literacy and language issues.

Public participation

21. In order to advance the implementation of Article 6 of the Convention, it is useful to promote public participation in addressing climate change and its effects and in developing adequate responses, by facilitating feedback, debate and partnership in climate change activities and in governance, noting the important role that social media platforms and strategies can play in this context.

International cooperation

22. Subregional, regional and international cooperation in undertaking activities within the scope of the work programme can enhance the collective ability of Parties to implement the Convention, and the efforts of intergovernmental and non-governmental organizations can also contribute to its implementation. Such cooperation can further enhance synergies between conventions and improve the effectiveness of all sustainable development efforts.

Option 2

16. In order to advance implementation of Article 6 of the Convention, it is useful to cooperate in and promote, facilitate, develop and implement at the national and, as appropriate, the subregional, regional and international levels activities relating to the following six thematic areas:

Education, training, public awareness

17. Promote formal and non-formal education and training programmes focused on climate change at all levels, targeting youth in particular, and including exchange or secondment of personnel to train experts.

18. Conduct training programmes, for groups with a key role in climate change, such as journalists, teachers, community leaders, and scientific, technical and managerial personnel.

19. Design and implement public awareness programmes on climate change and its effects. This can be done by, inter alia, encouraging contributions and personal action in addressing climate change, supporting climate-friendly policies and fostering behavioural changes, including by using popular media.

Public access to information and public participation

20. Facilitate public access to data and information, by providing the information on climate change initiatives, policies and results of actions that is needed by the public and other stakeholders to understand, address and respond to climate change. This should take into account such factors as quality of Internet access, literacy and language issues.

21. Promote public participation in addressing climate change and its effects and in developing adequate responses, by facilitating feedback, debate and partnership in climate change activities and in governance.

International cooperation

22. Subregional, regional and international cooperation in undertaking activities within the scope of the work programme can enhance the collective ability of Parties to implement the Convention, and the efforts of intergovernmental and non-governmental organizations can also contribute to its implementation. Such cooperation can further enhance synergies between conventions and improve the effectiveness of all sustainable development efforts.

D. Implementation

Parties

Option 1

23. As part of their national programmes and activities in implementing the Convention, and within the scope of the Article 6 work programme, Parties[, taking into account their common but differentiated responsibilities and their specific national and regional development priorities and capacities,] could, inter alia:

(a) Develop institutional and technical capacity to identify [gaps and needs] [opportunities] for the implementation of Article 6 of the Convention, assess the effectiveness of Article 6 activities and consider the linkages between Article 6 activities, implementation of policies and measures to mitigate and adapt to climate change, and other commitments under the Convention, such as technology transfer and capacity-building;

(b) Prepare assessments of needs specific to national circumstances in the area of the implementation of Article 6 of the Convention, including the use of social research methods and other relevant instruments to determine target audiences and potential partnerships;

(c) Develop national strategies on Article 6 of the Convention;

(d) Prepare a national Article 6 plan of action, which could be structured according to the six (or fewer, as appropriate) elements. Each element could have a primary goal, suggested activities, targets and actors. Suggested activities could target specific needs of various population groups (youth, business persons, mass media, decision makers, women, persons with disabilities, etc.), and clear time frames and milestones could be defined;

(e) Designate, and provide support, including technical and financial support, and access to information and materials to, a national focal point for Article 6 activities and

assign specific responsibilities. These responsibilities could include the identification of areas for possible international cooperation and opportunities for strengthening synergies with other conventions, and the coordination of the preparation of the Article 6 chapter in the national communications, ensuring that relevant contact information, including website addresses, is provided therein;

(f) Develop a directory of organizations and individuals, with an indication of their experience and expertise relevant to Article 6 activities, with a view to building active networks involved in the implementation of these activities;

(g) Build national knowledge management systems for information on activities related to Article 6 of the Convention;

(h) Develop criteria for identifying and disseminating information on good practices for Article 6 activities, in accordance with national circumstances and capacities, and promote sharing of such practices;

(i) Increase the availability of copyright-free and translated climate change materials, in accordance with laws and standards relating to the protection of copyrighted materials;

(j) Strengthen national education and training/skills development institutions to deliver climate change learning action;

(k) Mainstream climate change learning in the curricula of institutions that provide formal education and training at all levels and support non-formal and informal education on climate change and the development of educational and public awareness materials in accordance with national circumstances and the cultural context;

(l) Promote and enhance the inclusion of climate change in school curricula at all levels and across disciplines. Efforts could be made to develop materials, and promote teacher-training focused on climate change at the regional and international levels where appropriate;

(m) Develop tools and methodologies to support climate change training and skills development through collaborative efforts and provide training programmes for groups with a key role in climate change communication and education, including journalists, teachers, youth, children and community leaders;

(n) Conduct surveys, such as 'knowledge-attitude-practice/behaviour' surveys, to establish a baseline of public awareness, which can serve as a basis for further work and support monitoring of the impact of activities;

(o) Develop communication strategies on climate change on the basis of targeted social research in order to create behavioural changes;

(p) Seek opportunities to disseminate widely relevant information on climate change. Measures could include translation into appropriate languages and distribution of popularized versions of the [most recent report of the] Intergovernmental Panel on Climate Change [Fourth Assessment Report] and other key documents on climate change;

(q) Seek input and public participation, including participation by youth and other groups, particularly women's groups, in the formulation and implementation of efforts to address climate change and encourage the involvement and participation of representatives of all stakeholders and major groups in the climate change negotiation process;

(r) Foster the participation of all stakeholders in the implementation of Article 6 of the Convention and invite them to report on the implementation of activities. In

particular, enhance the active participation of youth, women, civil society organizations and the media;

(s) Inform the public about causes of climate change and sources of greenhouse gas emissions, as well as actions that can be taken at all levels to address climate change;

(t) Share the findings contained in their national communications and national action plans or domestic programmes on climate change with the general public and all stakeholders;

(u) Develop appropriate social media programmes and strategies, noting the important and complementary role that such platforms can play in the implementation of the activities outlined in paragraphs 20(e–m) above;

(v) Encourage the public as part of public awareness programmes to contribute to mitigation and adaptation actions;

(w) Participate in the annual dialogue for Article 6 of the Convention organized by the Subsidiary Body for Implementation.

24. In developing and implementing Article 6 activities, Parties should seek to enhance cooperation and coordination at international and regional levels, including the identification of partners and networks with other Parties, intergovernmental and non-governmental organizations, the private sector, state and local governments, and community-based organizations, and to promote and facilitate the exchange of information and material, and the sharing of experience and good practices.

Option 2

23. As part of their national programmes and activities in implementing the Convention, and within the scope of the Article 6 work programme, Parties, taking into account their common but differentiated responsibilities and their specific national and regional development priorities and capacities, could, inter alia:

Strategy

(a) Develop institutional and technical capacity to:

(i) Identify gaps and needs for the implementation of Article 6 of the Convention;

(ii) Assess the effectiveness of Article 6 activities;

(iii) Consider the linkages between Article 6 activities, implementation of policies and measures to mitigate and adapt to climate change, and other commitments under the Convention, such as technology transfer and capacity-building;

(b) Prepare assessments of needs specific to national circumstances in the area of the implementation of Article 6 of the Convention, including the use of social research methods and other relevant instruments to determine target audiences and potential partnerships;

(c) Prepare a national Article 6 plan of action, which could be structured according to the six (or fewer, as appropriate) elements. Each action could have a primary goal, targets, time frames and milestones and actors;

Resources

(d) Designate, and provide support, including technical and financial support, and access to information and materials to, a national focal point for Article 6 activities and

assign specific responsibilities. These responsibilities could include the identification of areas for possible international cooperation and opportunities for strengthening synergies with other conventions, and the coordination of the preparation of the Article 6 chapter in the national communications, ensuring that relevant contact information, including website addresses, is provided therein. To assist their national focal point, Parties may wish to appoint one or more specialized subfocal points for some or all of the six different elements of Article 6 of the Convention;

(e) Develop a directory of organizations and individuals, with an indication of their experience and expertise relevant to Article 6 activities, with a view to building active networks involved in the implementation of these activities;

Monitoring and review

(a) Develop criteria for identifying and disseminating information on good practices for Article 6 activities, at the national or regional levels;

(b) Conduct surveys, such as “knowledge-attitude-practice/behaviour” surveys, to establish a baseline of public awareness, which can serve as a basis for further work and support monitoring of the impact of activities;

(c) Share the findings contained in their national communications and national action plans or domestic programmes on climate change with the general public and all stakeholders.

Media

(d) Increase the availability of copyright-free and translated climate change materials, in accordance with laws and standards relating to the protection of copyrighted materials;

(e) Seek opportunities to disseminate widely relevant information on climate change. Measures could include translation into appropriate languages and distribution of popularized versions of key documents on climate change, including assessment reports and other reports by the Intergovernmental Panel on Climate Change;

(f) Benefit from new technologies, especially from social networks, in order to integrate these into Article 6 strategies;

Messages and activities

(g) Promote and enhance the inclusion of climate change in school curricula at all levels and across disciplines.

(h) Seek input and public participation, including participation by youth and other groups, in the formulation and implementation of efforts to address climate change and encourage the involvement and participation of representatives of all stakeholders and major groups in the climate change negotiation process;

(i) Inform the public about causes of climate change and sources of greenhouse gas emissions, as well as actions that can be taken at all levels to address climate change;

24. In developing and implementing Article 6 activities, Parties should seek to enhance cooperation and coordination at international and regional levels. This includes identifying of partners and networks with other Parties, intergovernmental and non-governmental organizations, the private sector, state and local governments, and community-based organizations. Parties should also promote and facilitate the exchange of information and material, and the sharing of experience and good practices.

End of Option 2

Regional and international efforts

25. To strengthen regional and international efforts, Parties and other relevant organizations and agencies in a position to do so could cooperate in and support the following activities:

- (a) Promote awareness of regional and subregional needs and concerns;
- (b) Strengthen existing regional institutions and networks;
- (c) Promote and encourage regional programmes and projects that support the implementation of Article 6 of the Convention and promote sharing of experiences including through the dissemination of best practices and lessons learned, and the exchange of information and data;
- (d) Create regional portals for the climate change information network clearing house (CC:iNet), in collaboration with regional centres of excellence, to further develop and enhance the functionality and user-friendliness of the clearing house;
- (e) Develop regional programmes and activities, including preparation of training and education materials as well as other tools, using local languages where applicable and practical;
- (f) Promote the implementation of pilot projects through collaborative actions at the regional and national levels in any of the six thematic areas of Article 6 of the Convention, and support their replication and expansion and sharing of lessons and experiences;
- (g) Conduct regional and subregional workshops to promote: exchange and sharing of experiences; best practices; and transfer of knowledge and skills;
- (h) Strengthen North–South, South–South and triangular collaboration in matters of climate change education and training, skills development.

Intergovernmental organizations

26. Intergovernmental organizations, including convention secretariats, are invited, inter alia:

- (a) To continue supporting efforts to implement activities under Article 6 of the Convention through their [irregular] [regular] programmes, and through specific programmes focused on climate change, including, as appropriate, through the provision and dissemination of information and resource materials, such as [visual materials] [diagrams] that could easily be translated and adapted, as well as through the provision of financial and technical support;
- (b) To strengthen collaboration with, and enhance involvement of, other IGOs and NGOs, with a view to ensuring coordinated support to Parties in their activities related to Article 6 of the Convention and avoiding duplication of work;
- (c) To further strengthen regional and international cooperation by mobilizing partnerships and networking among Parties, IGOs, NGOs, academia, the private sector, state and local government and community-based organizations and by jointly designing, implementing and evaluating activities and policies related to Article 6 of the Convention;
- (d) To contribute to the implementation of the work programme in their respective areas of competence;

(e) To support countries in developing a long-term, strategic, and country-driven approach to climate change education, training and skills development, which is linked to national climate change objectives and strengthening relevant national institutions;

(f) To participate in the annual dialogue for Article 6 of the Convention organized by the Subsidiary Body for Implementation.

Non-governmental organizations

27. NGOs are encouraged to continue their activities relating to Article 6 of the Convention and are invited to consider ways to enhance cooperation between NGOs from [different geographic regions and subjects areas] [Parties included in Annex I to the Convention and those from Parties not included in Annex I to the Convention], as well as collaboration on activities between IGOs, NGOs, and governments.

28. NGOs are invited to foster the participation of all stakeholders in the implementation of Article 6 of the Convention and to encourage them to report on the implementation of their activities. In particular, NGOs are invited to enhance the active participation of youth, women, civil society organizations and the media in climate change activities.

29. NGOs are also invited to participate in the annual dialogue for Article 6 of the Convention organized by the Subsidiary Body for Implementation.

Support

30. Parties will need to determine the most efficient and cost-effective way to implement Article 6 activities, and are encouraged to create partnerships with other Parties, as well as intergovernmental and NGOs and relevant stakeholders, to facilitate the implementation of these activities, including the identification of priority areas for support and funding.

31. [As initial priorities, the implementation of the work programme will require the strengthening of national institutions and capacities, in particular in developing countries.]

Review of progress and reporting

32. The Conference of the Parties, through the Subsidiary Body for Implementation, will undertake a review of progress in the implementation of this work programme in 2020, with an intermediate review of progress in 2016.

33. All Parties are requested to report in their national communications, where possible, and in other reports, on their accomplishments, lessons learned, experiences gained, and remaining gaps and barriers observed.

34. Parties and relevant organizations are encouraged to share information on the implementation of the work programme through CC:iNet, and other social media platforms, in addition to formal reporting channels such as national communications.

35. IGOs are invited to develop programmatic responses to the Article 6 work programme and, following consultations with the UNFCCC secretariat, to communicate to the Subsidiary Body for Implementation through the secretariat the responses and progress achieved, for the purpose of reviewing the programme and evaluating its effectiveness in 2016 and 2020.

36. NGOs are invited to provide relevant information to the secretariat and in accordance with their national circumstances, informing and involving their national focal point as appropriate, on progress achieved for the purpose of reviewing the Article 6 work programme and evaluating its effectiveness in 2016 and 2020.

Role of the secretariat

37. In accordance with Article 8 of the Convention, the secretariat is requested to facilitate efforts under the Article 6 work programme and, in particular:

(a) To prepare reports to the Subsidiary Body for Implementation on progress achieved by Parties in implementing Article 6 of the Convention, based on information contained in national communications and other sources of information. These reports will be issued regularly, and in particular for the intermediate progress review in 2016 and the review in 2020;

(b) To mobilize relevant organizations and facilitate coordinated inputs into the eight-year Article 6 work programme from these organizations;

(c) [To organize thematic regional and subregional workshops to share lessons learned and best practices, in collaboration with relevant partners, and prior to the intermediate review of the work programme in 2016, subject to availability of funds;][To promote in partnership with United Nations organizations, Parties and civil society the organization of global, regional, subregional and national workshops focusing on specific elements of Article 6 of the Convention;]

(d) [To continue to enhance the usefulness and relevance of CC:iNet, and facilitate dissemination of information from CC:iNet and other sources][To continue, its work on maintaining, developing and promoting CC:iNet, by reforming its structure, improving its functionality and accessibility and increasing the content in the official United Nations languages and other languages;]

(e) To provide financial assistance and other essential tools, such as technology to the Parties, for developing and implementing Article 6 strategies, programmes and activities, including reporting on Article 6 in the national communications,

(f) To establish a network of national focal points for Article 6 of the Convention and facilitate a regular exchange of views, good practices and lessons learned through CC:iNet and the organization of workshop, videoconferences and regional activities;

(g) To build and strengthen existing skills and capacities of Article 6 focal points and to facilitate their interaction, exchange of experiences and networking at the international regional and national level;

(h) To organize, coordinate and develop collaborative training initiatives and projects to promote an effective implementation of Article 6 of the Convention at the international, regional and national levels in cooperation with Parties, international organizations, NGOs, youth organizations and development partners;

(i) To continue its work on the United Nations Joint Framework Initiative on Children, Youth and Climate Change in order to enhance the involvement and participation of children and youth in Article 6 activities and their attendance at intergovernmental meetings, including sessions of the Conference of the Parties;

(j) To continue collaborating and coordinating with United Nations organizations, international organizations, NGOs, the private sector, civil society and youth with a view to catalysing action on education, training and public awareness.]]

Co-chairs' proposed text

Appeals mechanism

[The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol,

Recalling decisions 2/CMP.5, paragraph 42, and 3/CMP.6, paragraph 18,

Recalling also decisions 2/CMP.1 and 3/CMP.1,

Cognizant of its decisions 4/CMP.1, 5/CMP.1, 6/CMP.1, 7/CMP.1, 1/CMP.2, 2/CMP.3 and 2/CMP.5,

Recognizing the importance of timely and effective decision-making by the Executive Board of the clean development mechanism on issues related to project activities,

Emphasizing the importance of consistency and correctness in the application of the modalities and procedures of the clean development mechanism,

Wishing to provide for an independent, impartial, fair, equitable, transparent and efficient mechanism to enable review of the decisions of the Executive Board of the clean development mechanism,

1. *Approves and adopts* the procedures and mechanisms relating to appeals against decisions of the Executive Board of the clean development mechanism, as contained in the annex to this decision;
2. *Also agrees* that appeals may be brought before the appeals body¹ at the earliest six calendar months following the adoption of this decision;
3. *Also agrees* that appeals may be brought before the appeals body only with regard to decisions of the Executive Board concluded following the adoption of this decision;
4. *Requests* the Subsidiary Body for Implementation to consider the experience gained with the appeals mechanism referred to in paragraph 1 with a view to proposing recommendations for modifications or adjustments, if necessary, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its tenth session.

¹ Name to be determined.

Annex

Procedures, mechanisms and institutional arrangements for appeals against the decisions of the Executive Board of the clean development mechanism

PART I: THE APPEALS BODY

I. Establishment and powers

1. An appeals body is hereby established that considers appeals against decisions of the Executive Board of the clean development mechanism (CDM) regarding the [approval,] rejection or alteration of requests for the registration of project activities and the issuance of certified emission reductions (CERs).
2. The appeals body shall report annually to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) on its deliberations.
3. Subject to the provisions of this decision, taking into account the recommendations made by the CDM Executive Board (hereinafter, Executive Board) in document FCCC/KP/CMP/2010/10, the appeals body shall establish the procedure governing appeals, for consideration and approval by the CMP at its ninth session. The appeals body shall also develop its operational modalities on matters relating to the organization of its work, including procedures for the protection of proprietary or confidential information and code of conduct.

II. Membership

4.

Option A

The CMP shall elect 30 members to the appeals body roster [as follows: [X] member[s] from each of the five United Nations regional groups, [X] member[s] from Parties included in Annex I, [X] member[s] from Parties not included in Annex I and [X] member[s] from small island developing States].

Option B

The CMP shall elect 30 members to the appeals body roster as follows: three members from each of the five United Nations regional groups, six members from Parties included in Annex I, six member[s] from Parties not included in Annex I and three members from small island developing States.

Options C

The CMP shall elect 30 members to the appeals body roster as follows: four members from each of the five United Nations regional groups, four member[s] from Parties included in Annex I, four members from Parties not included in Annex I and two members from small island developing States.

Option D

The CMP shall elect 30 members to the appeals body roster as follows: five members from each of the five United Nations regional groups, two members from Parties included in Annex I, two members from Parties not included in Annex I and one member from small island developing States.

Option E

The CMP shall elect 30 members to the appeals body roster as follows: six members from each of the five United Nations regional groups.

Option F

The CMP shall elect 30 members to the appeals body roster as follows: four members from each of the five United Nations regional groups, five members from Parties included in Annex I and five members from Parties not included in Annex I.

5. Members shall be elected for a period of four years and shall be eligible to serve a maximum of two consecutive terms. In order to ensure continuity, half of the members shall be elected initially for a term of two years and the remaining members shall be elected for the full term of office. Members of the appeals body shall remain in office until their successors are elected.

6. Each constituency referred to in paragraph 4 above shall endeavour to conduct a rigorous selection process in order to ensure that the nominees meet the criteria set out in paragraph 8 below.

7. In making nominations, Parties are invited to recall decision 36/CP.7 and give active consideration to the nomination of women.

8. To be eligible for election as a member, a person shall:

- (a) Be of high standing and moral character;
- (b) Possess at [least 10 years] of relevant experience in international law, administrative law [,environmental and socio-economic fields][or][and] in the field of the CDM];
- (c) Be available at all times and at short notice to hear appeals [;]
- (d) Be unaffiliated with [the executive branch of] any government]¹.

9. A member of the appeals body shall not be a member of the Executive Board, a member or employee of its support structure, designated operational entity or designated national authority, and shall not have served on the Executive Board or in its support structure for at least seven years prior to his or her appointment to the appeals body. Members of the appeals body shall not be eligible to serve on the Executive Board of the CDM or in its support structure within for a minimum of two years following the completion of their service on the appeal body.

10. A member of the appeals body may resign by notifying the CMP through the Executive Secretary. The resignation shall take effect [90] calendar days from the date of notification.

11. The appeals body may suspend a member in the event of incapacity or misconduct, including breach of the provisions related to conflict of interest as set out in chapter III below, breach of the provisions related to confidentiality of information as set out in chapter

¹ Notwithstanding the requirement of this subparagraph, persons performing or having performed a judicial function in a national jurisdiction shall be considered eligible.

IV below or a failure to attend two consecutive meetings without proper justification, pending consideration of the matter by the CMP.

[12. A member of the appeals body may be removed by the CMP only for the reasons outlined in paragraph 11 above.]

13. In the event that a member becomes unable to serve on an appeal for which he or she was originally selected, another member shall be selected to replace him or her in accordance with the procedure set out in paragraph 21 below.

14. Members of the appeals body shall be remunerated for their time spent on consideration of appeals in the amount of [XXX].

III. Impartiality and independence

15. A member of the appeals body shall serve in his or her personal capacity and shall enjoy full independence.

16. A member of the appeals body shall swear an oath that he or she shall be independent and impartial, shall avoid direct or indirect conflicts of interest and shall respect the confidentiality of proceedings before the appeals body.

17. Should any direct or indirect conflict of interest arise, the member concerned shall immediately recuse himself or herself from the appeal in question.

IV. Internal management

18. Decisions, other than in the context of individual appeals, such as those referred to in paragraphs 3 and 19 of this annex, shall be made by the full membership of the appeals body. For such decisions, [20][15] members [representing a majority of members from Parties included in Annex I and a majority of members from Parties not included in Annex I,] must be present to constitute a quorum. Decision shall be taken by consensus, whenever possible. If all efforts at reaching consensus have been exhausted and no agreement has been reached, decisions shall be taken by a majority vote of the members present and voting [and the main reasons for the objections must be reflected in the final report]. Members abstaining from voting shall be considered as not voting.

19. The appeals body shall elect its [own Chair and Vice-Chair] [two Co-Chairs, one from Parties included in Annex I and one from Parties not included in Annex I,] for the term of two years.

20. Appeals shall normally be heard by a panel of three members and shall be decided by a majority vote.

21. The members constituting a panel shall be selected on a random basis.

22. The internal discussions, deliberations and voting on, and drafting of, the decision by a panel during an appeal proceeding shall be confidential.

V. Collegiality

23. The members shall remain informed of the decisions, modalities and procedures concerning an appeal as well as the relevant modalities and procedures of the CDM.

24. To ensure consistency and coherence in decision-making, and to draw on the individual and collective expertise of the members, the members of the appeals body [shall]

[should] convene [at least] once a year to discuss matters of policy, practice [and] procedure [and other relevant matters] relating to appeals. [Such meetings [should] be held only if at least half of the members [and the [Co-]Chair[s]] agree to participate.] [Such meetings shall not be held unless three quarters of the members agree to participate.] After finalizing its decision, the ad hoc panel responsible for an appeal shall share its reasoning with the other members of the appeals body.

PART II: GENERAL ISSUES

VI. Transparency and confidential information

25. The decisions of the appeals body shall be issued in writing and shall state the reasons, facts and rules on which they are based.

26. Subject to the provisions of paragraphs 22 above and 27 below, the decisions of the appeals body with regard to individual appeals shall be communicated to the entities involved in the appeal and to the Executive Board, and shall be made publicly available.

27. As a general rule, information obtained by the appeals body marked as proprietary or confidential shall not be disclosed without the written consent of the provider of the information, unless the appeals body determines that, in accordance with the CDM modalities and procedures, such information cannot be claimed proprietary or confidential. Provisions with regard to confidential information contained in decision 3/CMP.1, annex, paragraph 6, shall be applicable to the workings of the appeals body.

VII. Administrative and financial support

28. The secretariat of the United Nations Framework Convention on Climate Change shall make the administrative arrangements necessary for the functioning of the appeals mechanism.

29. Staff members of the secretariat assigned to assist the appeals body in the carrying out of its functions [related to the implementation of this decision] shall be independent and impartial, shall avoid direct or indirect conflicts of interest and shall respect the confidentiality of the proceedings before the appeals body.

30. [Reasonable expenses associated with the establishment and overhead costs of the appeals mechanism shall be borne out of the share of proceeds for the clean development mechanism and shall be allocated in a way that ensures the independence and impartiality of the mechanism [and on the basis of a management plan for the mechanism to be developed by the appeals body]. The expenses associated with the consideration of appeals shall be funded through the fees in accordance with paragraph 43 below.]

VIII. Working language

31. The working language of the appeals body shall be English.

PART III. CONSIDERATION OF APPEALS

IX. Grounds for appeal

32. The appeals body shall be competent to decide on an appeal within the scope of its powers, as set out in paragraph 1 above, on whether the Executive Board:

- (a) Exceeded its jurisdiction or competence;
- (b) Committed an error in procedure, such as to materially affect the decision in the case;
- (c) [Incorrectly] interpreted or applied one or more CDM modalities and procedures [in a way that [is unreasonable] and, if done differently, would have resulted in a materially different outcome];
- (d) [Clearly] erred on a question of fact available to the Executive Board at the time of it reaching its decision, [in a way that [is unreasonable] [and, if done differently, would have resulted in a materially different outcome]];
- (e) In reconsidering its decision on remand pursuant to paragraph 34 below, rendered a decision that is inconsistent with the judgement of the appeals body [on the same request for registration or issuance or with the previous ruling of the Executive Board with regard to that request].

33. Subject to provisions of this decision, the appeals body shall establish, in a transparent manner, the criteria for admissibility of appeals.

X. Decisions and orders

34.

Option A

With respect to decisions relating to the grounds of review stipulated in paragraph 32 above, the appeals body may affirm a decision of the Executive Board or remand it back to the Executive Board for reconsideration.

Option B

With respect to decisions relating to the grounds of review stipulated in paragraphs (a), (b), and (c) of paragraph 32 above, the appeals body may affirm or reverse a decision of the Executive Board.

With respect to decisions relating to the grounds of review stipulated in paragraphs (d) and (e) of paragraph 32 above, the appeals body may affirm, reverse or remand a decision of the Executive Board.

35. Decisions of the appeals body shall be final and binding on the entities referred to in paragraph 38 below and on the Executive Board.

36. In the interests of fairness and orderly procedure, the appeals body may issue procedural orders as necessary and appropriate to assist the functioning of an appeal proceeding.

XI. The record

37. Any document or oral evidence that was available to the Executive Board in connection with its consideration of the decision being appealed shall constitute the record for the appeal in question. The complete record pertaining to the decision of the Executive Board being appealed shall be made available to the appeals body not later than seven calendar days of the receipt of the appeal by the secretariat.

XII. Commencement of an appeal

38. Any Party, project participant [or Designated Operational Entity] directly involved in [or stakeholder or organization referred to in decision 3/CMP.1, annex, paragraph 40(c), which has submitted comments with regard to] a CDM project activity or a proposed CDM project activity with respect to which the Executive Board has [registered or] made a rejection or alteration decision relating to the registration of such a project activity or the issuance of CERs (“petitioners”) may file, individually or jointly, a petition for appeal against such a decision.

39. Multiple appeals can be filed against the same decision, so long as no single petitioner is a signatory to more than one appeal.

40. A petition for appeal [shall be filed no later than seven weeks] [may be filed at any time] after the decision of the Executive Board has been made publicly available.

XIII. Time limits

41. As a general rule, the appeals proceedings shall not exceed 90 calendar days from the date a petition is received by the appeals body to the date it issues its final decision.

42. The Executive Board shall reach a decision reconsidered on remand in accordance with the provisions of paragraph 34 above at its first meeting, which will take place at least after 21 calendar days after the receipt of the remand.

XIV. Filing fee

43. Taking into account the costs of the appeals process and the need to deter frivolous appeals, the filing of an appeal shall be subject to a reasonable and not prohibitively expensive fee.]

Chair's proposed text

Review of the design of the commitment period reserve

[Recalling decision 11/CMP.1, annex, paragraphs 6 to 10,

Also recalling decision 3/CMP.7, paragraphs 2 and 3,

Adopts the following design of the commitment period reserve in respect of commitments for the subsequent commitment period,

[Option 1

Each Party included in Annex I shall maintain, in its national registry, a commitment period reserve which should not drop below 90 per cent of the Party's assigned amount [for the relevant commitment period] calculated pursuant to [Article 3, paragraphs 7 and 8,]⁴ of the Kyoto Protocol, or 100 per cent of [five] [the number of years in the commitment period] times its most recently reviewed inventory, whichever is lowest.]

[Option 2

Each Party included in Annex I shall maintain, in its national registry, a CPR which should not drop below the lower of either:

(a) 70 per cent of the Party's assigned amount [for the relevant commitment period] calculated pursuant to [Article 3, paragraphs 7 and 8,]¹ of the Kyoto Protocol, or

(b) The sum of the reviewed inventories reported thus far in that commitment period, plus the most recently reviewed inventory times the number of years remaining in that commitment period.]

[Option 3

Each Party included in Annex I shall maintain, in its national registry, a CPR which should not drop below the lower of either:

(a) 70 per cent of the Party's assigned amount [for the relevant commitment period] calculated pursuant to [Article 3, paragraphs 7 and 8]¹, of the Kyoto Protocol, or

(b) 100 per cent of [five] [the number of years in the commitment period] times its most recently reviewed inventory.]

[Option 4

Each Party included in Annex I shall maintain, in its national registry, a CPR which should not drop below the lower of either:

(a) 90 per cent of the Party's assigned amount [for the relevant commitment period] calculated pursuant to [Article 3, paragraphs 7 and 8]¹, of the Kyoto Protocol, or

(b) The sum of the reviewed inventories reported thus far in that commitment period, plus the most recently reviewed inventory times the number of years remaining in that commitment period.]

¹ References to Article 3, paragraphs 7 and 8, of the Kyoto Protocol relate to the first commitment period and will need to be updated.

Privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol

Draft treaty arrangements

1. Individuals serving on constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [annex] [appendix] [x] shall be accorded such [privileges and] immunities as are necessary for the independent exercise of their official functions. They shall, while exercising their official functions, including the time spent on journeys in connection with their official functions, be accorded:

(a) [Immunity from personal arrest or detention;¹

(b) Immunity from legal process of every kind in respect of words spoken or written and acts done by them in the course of the performance of their official functions. This immunity from legal process shall continue to be accorded to the individuals referred to in this paragraph notwithstanding that they have ceased to exercise their official functions;

(c) Inviolability for all papers and documents;

(d) [For the purpose of their communication with the constituted bodies and other entities listed in [annex] [appendix] [x] and with the secretariat, the right to use codes and to receive and send papers and documents in whatever form and materials relating to their official functions by courier or in sealed bags or electronic means;]

(e) Processing of visa applications, when accompanied by a document from the secretariat confirming that the travel is on business for the constituted bodies and other entities listed in [annex] [appendix] [x], as speedily as possible, in accordance with national legislation.]

2. The individuals referred to in paragraph [1] above are those individuals elected, selected or appointed to serve on the constituted bodies and other entities [established under the Kyoto Protocol] [established under the United Nations Framework Convention on Climate Change and its related legal instruments] listed in [appendix] [annex] [x].

3. [Privileges and] immunities are granted to the individuals referred to in paragraph [1] above as are necessary for the independent exercise of their official functions and not for the personal benefit of the individuals themselves. The Executive Secretary of the secretariat shall have the right and the duty to waive the immunity of any individual referred to in paragraph [1] above in any case where, in his or her opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the [operation and implementation of [the Kyoto Protocol] [this agreement]] [operation and implementation of the United Nations Framework Convention on Climate Change and its related legal instruments].

¹ Subject to the provisions of paragraph 3.

[Appendix] [Annex] [X]

1. Executive Board of the clean development mechanism.
2. [Compliance Committee.]
3. Joint Implementation Supervisory Committee.
4. [Adaptation Fund Board.]
5. Expert review teams established under Article 8 of this Protocol.
6. [Committees, panels or groups established by the entities listed in 1–4 above.]

[And other relevant constituted bodies and entities agreed through the post-2012 process].
