

## **Scenario note on the tenth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action**

### **Note by the Co-Chairs**

*24 July 2015*

### **I. Introduction**

1. In accordance with its agreed work programme, the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) will resume its work at the tenth part of its second session, to be held in Bonn, Germany, from 31 August to 4 September 2015.

2. At the ninth part of its second session, held in Bonn from 1 to 11 June 2015, Parties initiated the consolidation and streamlining of the Geneva Negotiating Text (GNT). It was agreed that the GNT, as contained in document FCCC/ADP/2015/1, is the only official document before the ADP until withdrawn by Parties at the twenty-first session of the Conference of the Parties (COP). The outputs of the session were: (a) a revised, streamlined and consolidated text, dated 11 June, and (b) a working document, dated 11 June – both non-papers. At the stocktaking meeting held on 8 June, Parties agreed that the mode of work suggested by the Co-Chairs was working. However, they were of the unanimous view that the pace was slow and that there was an urgent need, owing to serious time constraints, to accelerate the work.

3. At the closing of the session, Parties agreed that an additional tool was needed for the preparations for ADP 2.10. They requested us, with the support of the secretariat and the Co-Facilitators, “to make available to the Parties a single document based on the structure of Annex II to the Scenario Note of 5 May 2015, guided by the views expressed by Parties during the 8 June stocktaking meeting, taking fully into account the discussions in the 75 meetings of the ADP negotiating groups as well as the facilitation groups. It will include a fully streamlined, consolidated, clear and concise version of the GNT that will present clear options and will not omit or delete any option or position of Parties. It will separate paragraphs of the Geneva text that are, by their nature, obviously appropriate for inclusion in a draft COP decision from paragraphs that are, by their nature, obviously appropriate for inclusion in the Paris agreement. Issues clearly requiring further substantive negotiation among Parties to determine their placement will remain in the streamlined, consolidated, clear and concise GNT without inclusion in either category and will be clearly identified.”

4. For the preparation of the additional tool requested by the Parties, we convened a meeting with the secretariat in Bonn on 12 June. The face-to-face meeting was followed by two teleconferences held on 26 June and 3 July. We sent a letter on 6 July to the Co-Facilitators giving them early notice of the time frame and the nature of their expected contributions. On 29 June, in New York, United States of America, at the margins of the High-Level Event on Climate Change convened by the President of the 69<sup>th</sup> session of the United Nations General Assembly, a meeting was held with the incoming President of COP 21 on the way forward for the preparation of the requested tool. In order to finalize the first draft of the tool as well as the elements of a draft decision on workstream 2, we met with the secretariat in Paris, France, from 10 to 11 July. The meeting was held at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO), taking advantage of our participation in the scientific conference being held there on “Our common future under climate change”. Subsequently, on 12 July, the relevant sections of the draft tool as well as the elements of a draft decision on workstream 2 were sent to the Co-Facilitators seeking their comments by 15 July. To incorporate comments received from the Co-Facilitators, we convened a meeting with the secretariat on 17 July in Luxembourg in conjunction with the meeting of the Major Economies Forum on Energy and Climate. The revised draft tool incorporating comments received was provided to the Co-Facilitators at a short meeting in the evening of 21 July in Paris following the closure of the informal ministerial consultations convened by the COP Presidencies. In order to finalize the draft tool and the elements of a draft COP decision on workstream 2, a meeting with the Co-Facilitators was held at UNESCO Headquarters from 22 to 23 July. A representative of the President of COP 20 and a representative of the incoming President of COP 21 were invited to attend this meeting as observers.

5. As announced on 11 June at the closure of ADP 2.9, the additional tool requested by Parties to be made available on 24 July is annexed to the present scenario note (see annex II), 37 days in advance of ADP 2.10. The tool is preceded by an explanatory note. In this initial distribution, all provisions have the same status since they are all derived from the GNT. The initial distribution does not establish a hierarchy among them, and it is without prejudice to the negotiations among Parties. The initial distribution is also without prejudice to the ultimate structure of the Paris agreement and to the placement of any provision within that agreement.
6. We would like to convey our gratitude to the Co-Facilitators for their valuable contributions and to the secretariat for its hard work and professionalism without which the timely finalization of the requested tool would not have been possible.
7. We would like once again to reiterate to Parties our sincere gratitude for the trust and confidence placed in us as well as for their continued support. We sincerely hope that Parties will find this tool, which is a non-paper and holds no status, useful in fulfilling the expected outputs of the forthcoming meeting of the ADP.
8. The purpose of the tool is to begin putting the various paragraphs of the GNT into three parts. Provisions that are, by their nature, appropriate for inclusion in an agreement (e.g. overarching commitments, durable provisions and standard provisions for an agreement) were allocated to Part One of the tool, entitled “Draft agreement”. Provisions that are, by their nature, appropriate for inclusion in a decision (e.g. details of implementation, provisions likely to change over time, provisions related to pre-2020 actions and interim arrangements pending entry into force of the agreement) were allocated to the relevant sections of Part Two of the tool, entitled “Draft decision”. All other provisions remain in Part Three of the tool, entitled “Provisions whose placement requires further clarity among Parties in relation to the draft agreement or draft decision”. We are convinced that Part Three of the tool contains issues that are central to the agreement and need to be addressed. Following consultations with Parties, we intend to suggest at the opening of ADP 2.10 ways and means to address these issues adequately during the session. At the forthcoming session in Bonn, Parties will need to engage with each other on the substance of all provisions. They will also need to consider how to adjust and go beyond the initial suggested allocation.
9. We note that the positions of Parties as contained in the GNT do not adequately reflect the current thinking of Parties as it has evolved over the past several months. Nevertheless, to respect the mandate given by Parties at the conclusion of ADP 2.9, we have refrained from moving beyond the GNT in preparing the tool for ADP 2.10.
10. Pursuant to decision 1/CP.20, paragraph 20, ADP 2.10 will further advance the negotiation of workstream 2 based on the draft decision made available at the request of Parties, as contained in document ADP.2015.5.InformalNote. The text of the draft workstream 2 decision is also contained in section IV of Part Two of the tool as a key piece of the Paris package.
11. As announced at the closure of ADP 2.9, it is our intention to conduct intensive intersessional consultations with all Parties prior to the opening of ADP 2.10. We intend to convene from 26 to 30 August a series of bilateral meetings with negotiating groups as well as with any interested Parties with a view to seeking their views on and reactions to the suggested tool. We invite all Parties to share with us, before and during the pre-sessional consultations, their ideas, proposals and concerns. To this end, we encourage Parties to make full use of the e-mail address [CADP@unfccc.int](mailto:CADP@unfccc.int). Parties wishing to contact us directly may use the following e-mail address, established in May to facilitate direct interaction with Parties: [adp.chair.email@gmail.com](mailto:adp.chair.email@gmail.com).
12. It is our firm commitment to continue to use the open channel of communication with all Parties in order to seek their views on the suggested mode of work and to adjust it if required before the opening of ADP 2.10. It is also our intention to conduct during the session, starting on 1 September, intensive bilateral meetings with negotiating groups and interested Parties on the way forward for the preparation of the last session of the ADP before COP 21.
13. The objective is to have an agreed modus operandi for ADP 2.10 before its opening so as to avoid any discussion of procedure on the tool and start substantive negotiations immediately after a short opening plenary.

## **II. Objective of the session**

14. The progress achieved so far by the ADP is a testament to the strong political will of all Parties to ensure the successful implementation of the ADP mandate and to their commitment for a universal climate

agreement to be adopted in Paris at COP 21. The submission to date of intended nationally determined contributions (INDCs) on behalf of 49 Parties is also a demonstration of such commitment. We would like to commend the Parties that have submitted their INDCs and invite others to communicate their INDCs well in advance of COP 21. Parties wishing to make a presentation of their INDCs are requested to inform the secretariat as soon as possible and no later than 29 August. These presentations will be organized as side events during the lunch period.

15. The forthcoming ADP session affords Parties the opportunity to accelerate their negotiations. Parties' efforts during the session are expected to produce a clearer understanding and articulation of the elements of the Paris package with regard to both workstream 1 and workstream 2. In this regard, it will be important for Parties to develop bridging proposals and, where required, narrow and crystallize options for further negotiation.

16. We are confident that Parties will engage in constructive negotiations at this session to further the work of the ADP with the same commitment and determination that has characterized their work thus far. We expect Parties to come fully prepared for a negotiating session and to engage interactively and constructively with their partners during the meetings so as to fulfil the objective of the session. We also expect Parties to make the best use of the five working days available during the session and to demonstrate flexibility in the mode of work suggested in the light of the shared sense of urgency and lack of time conveyed to us by all Parties.

### **III. Organization of the work**

17. ADP 2.10 is of five days duration only. It is the last session before the October session, which will be the last one before COP 21. It is thus crucial to make the best use of the very limited time available and to demonstrate flexibility regarding the mode of work if the ADP is to fulfil its mandate on time. Therefore, the opening plenary of the ADP will be very short and will start punctually at 10 a.m. on 31 August. It should last not more than half an hour. We strongly encourage Parties to post their statements and remarks on the UNFCCC website in lieu of presenting them orally. Immediately following the short opening plenary, the ADP contact group will meet to hear the views of Parties on the Co-Chairs' tool related to workstream 1. In order to facilitate an orderly discussion and make the best use of time, we intend to open and close a list of speakers at the beginning of this discussion. Thereafter, the ADP contact group will hear the views of Parties on the draft decision related to workstream 2. Again, to proceed in an orderly manner and make the best use of time, we intend to open and close a list of speakers at the beginning of this discussion. Depending on the length of the discussion in the ADP contact group, facilitated groups will meet immediately thereafter, either in the late morning of 31 August or at 3 p.m. on the same day.

18. In response to the request from Parties, the Co-Facilitators will begin discussions of the draft decision related to workstream 2 in the afternoon of 31 August. These discussions will continue thereafter throughout the ADP session as agreed by the Parties. We call on Parties to demonstrate flexibility and understanding in agreeing to this suggestion, which will be important in meeting the objective of this crucial but short ADP session.

19. Discussions of the Co-Chairs' tool related to workstream 1 will also begin in the afternoon of 31 August. These discussions will be organized on the basis of the sections contained in the GNT. The proposed initial schedule of meetings is contained in annex I to this note. Additional meetings will be scheduled based on the needs of the facilitated groups and announced in advance. We will meet daily with the Co-Facilitators to assess, plan and coordinate the schedule of the meetings. The Co-Facilitators will remain available for Parties in between meetings of the facilitated groups. To this end, a dedicated room for each facilitator team will be available for the duration of the ADP session. This method of work does not prejudice the structure of the text of the Paris agreement or the placement of particular elements within the text.

20. Facilitated groups will work in accordance with the core principles guiding the work of the ADP, namely that the process will continue to be Party-driven and build on inputs from Parties, and that outputs of the process will reflect inputs from Parties. They will meet from 10 a.m. to 1 p.m., from 3 p.m. to 6 p.m. and from 7 p.m. to 9 p.m. In addition, we have encouraged the Co-Facilitators to initiate bilateral meetings on their relevant sections as appropriate. The facilitated groups will be asked to seek compromise text and negotiate the removal of brackets.

21. In the facilitated groups, Parties will be invited to provide their views on the elements contained in Part One and Part Two of the tool – namely, the provisions in the draft agreement and the draft decision – and to consider the provisions in Part Three of the tool whose placement requires further clarity among Parties. Suggested changes should be supported by constructive reasoning that is clearly explained to the group. Progress achieved during negotiations in the facilitated groups will be captured in a working document and published daily on the UNFCCC website, following the approach taken at ADP 2.9.
22. Owing to the short time available, we do not intend to convene a stocktaking meeting. However, in consultation with Parties, we may convene such a meeting to adjust the mode of work if required. If such a situation arises, Parties will be informed well in advance.
23. We also intend to continue our active engagement with observers in the ADP process. We will convene a special event in Bonn with observer organizations.
24. ADP 2.11, to be held from 19 to 23 October, will be the last session before convening in Paris on 30 November in conjunction with COP 21. Its preparation is crucial. Just 44 days separate the closure of ADP 2.10 and the opening of the last ADP meeting before Paris. We intend to make our Scenario Note for ADP 2.11 available in early October, less than one month after the closure of ADP 2.10. Therefore, we intend to conduct intensive bilateral meetings with negotiating groups and interested Parties from 1 to 4 September on the way forward and the structure of ADP 2.11. The results of our consultations will be presented at the closing plenary of ADP 2.10 on 4 September.

#### **IV. Closing of the session**

25. The facilitated groups are expected to finalize their work and complete their assigned tasks by 5 p.m. on 4 September. A short closing plenary will be held at 5.30 p.m. We do not anticipate the need for statements at the closing plenary, since the second session of the ADP will be suspended and will resume its work on 19 October in Bonn. Additional logistical information will be made available by the secretariat on the UNFCCC website.
26. The meeting of the Major Economies Forum on Energy and Climate, held on 18 to 19 July in Luxembourg, considered issues related to adaptation, mitigation, transparency and finance. The informal ministerial meeting in Paris convened on 20 to 21 July by the COP 20 and incoming COP 21 Presidencies considered issues on ambition and differentiation. The ministers identified emerging points of convergence on the issues discussed. They agreed to instruct their respective negotiators to promote compromise text at ADP 2.10. We urge Parties to come prepared to present their compromise proposals early in the session. We have also urged the Co-Facilitators to come prepared with suggestions for compromise text based on the GNT.
27. We invite all Parties to be available as early as possible for the pre-session consultations. We very much look forward to meeting the Parties so as to finalize arrangements for the session. We thank you in advance for your continued support for the success of this crucial stage in our common journey to Paris.

## Annex I

### Draft schedule of work

TIME	MONDAY August 31	TUESDAY September 1	WEDNESDAY September 2	THURSDAY September 3	FRIDAY September 4
10.00 to 13.00	ADP plenary <i>followed by</i> ADP contact group	Section F: Finance  <i>and</i> Section I: Transparency of action and support	(Continuation)	(Continuation)	(Continuation)
15.00 to 18.00	Section D: Mitigation  ----- Section E: Adaptation and loss and damage  ----- Workstream 2	Section J: Time frames and process/other  ----- Section G: Technology development and transfer  ----- Section H: Capacity-building	(Continuation)	(Continuation)	ADP contact group  <i>followed by</i> ADP plenary
19.00 to 21.00	Section C: General/objective  <i>and</i> Section L: Procedural and institutional provisions	Section K: Facilitating implementation and compliance  <i>and</i> Section A: Preamble	(Continuation)	(Continuation)	

## Annex II

### Co-Chairs' Tool: A Non-Paper Illustrating Possible Elements of the Paris Package

This document is without prejudice to the structure of the Paris agreement or to the placement of any provision within that structure.

#### EXPLANATORY NOTE:

##### **1. General approach**

This document has been prepared in response to the request of Parties at the ninth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) held in Bonn, Germany, from 1 to 11 June 2015 (ADP 2.9). It is intended to serve as a tool to assist Parties in the preparations for the tenth part of the second session of the ADP (ADP 2.10).

In line with our suggestions on the way forward made on 11 June 2015<sup>1</sup> this tool is presented as a single document. Its preparation has been guided by the views expressed by Parties during the 8 June stocktaking meeting, taking fully into account the discussions of Parties during ADP 2.9. It includes a fully streamlined, consolidated, clear and concise version of the Geneva negotiating text (GNT), which presents clear options and does not omit or delete any option or position of Parties.

This informal document has been prepared in three stages:

First, each section of the streamlined and consolidated text (SCT) of 11 June was fully consolidated to the extent that this was considered possible taking into account the work of the two ADP negotiating groups and all the facilitated meetings held during the June session.

Second, opportunities for consolidation across sections of the text were implemented to the extent that this was considered possible taking into account the views expressed by Parties during ADP 2.9. (See also 5. below.)

Third, the consolidated paragraphs were allocated among three main parts of the present tool in the following manner:

- a. Provisions that are, by their nature, obviously appropriate for inclusion in an agreement (e.g. overarching commitments, durable provisions and standard provisions for an agreement) were allocated to Part One of the tool, entitled “Draft Agreement”.
- b. Provisions that are, by their nature, obviously appropriate for inclusion in a decision (e.g. details of implementation, provisions likely to change over time, provisions related to pre-2020 actions and interim arrangements) were allocated to Part Two of the tool, entitled “Draft Decision 1/CP.21”. Depending on the nature of these provisions they have been placed in the relevant sections of the draft decision, based on the initially suggested structure<sup>2</sup> and taking into account the suggestions of Parties during the stocktaking meeting of 8 June (see also 6. below).
- c. All other provisions remain in Part Three of the tool, entitled “Provisions whose placement requires further clarity among Parties in relation to the draft agreement or draft decision”.

In this initial distribution, all provisions have the same status since they are all derived from the GNT. The initial distribution does not establish a hierarchy among them, and it is without prejudice to the negotiations among Parties. The initial distribution is also without prejudice to the ultimate structure of the Paris agreement and to the placement of any provision within that agreement.

##### **2. Specific considerations as to the initial distribution**

While some provisions may be appropriate for inclusion in an agreement, some Parties have expressed reservations about them being included in the agreement in their current form. Therefore, such provisions have

<sup>1</sup> “Co-Chairs’ Suggestions on the Way Forward for the Preparation of ADP 2.10”, made available as a note on 11 June 2015 and announced in the closing plenary ADP 2.9.

<sup>2</sup> See draft ‘skeletal’ outline for a Paris decision, Annex II to the Scenario Note of 5 May 2015 (ADP.2015.3.InformalNote), also reproduced below, following this explanatory note, for information.

not been included here in the draft agreement because Parties need to decide whether these provisions, or variants of them, should be included. Hence, at this point, they appear in Part Three of the tool. The Co-Chairs are convinced that Part Three of the tool contains issues that are central to the agreement and need to be addressed (see para. 8 of the Scenario Note).

This includes, for example: Articles/paragraphs 14–19 (on the use of markets and provisions on non-markets), 21 (on the use of actions in the land-use sector), 25 (on response measures), 41–45 (on loss and damage) and 72 (on specific commitments on technology development and transfer).

Furthermore, parts of section J (on time frames and processes) have been allocated among Parts One, Two and Three of the tool in the light of the different views expressed by Parties as to the character of some of these provisions and whether (or not) they should be included in the Paris agreement. Similarly, the initial distribution of various aspects of section K (facilitating implementation and compliance) has been undertaken in this tool in light of the different views expressed as to whether (or not) they should be included in the agreement.<sup>3</sup> Furthermore, provisions which make explicit reference to the use or establishment of specific institutional arrangements have remained in Part Three in the light of the approach on the treatment of institutional arrangements throughout the tool (see 4. below).

### **3. Treatment of ‘no-options’**

Generally, reservations about the inclusion of a particular article or paragraph, or a set thereof, contained in the GNT and the SCT are not reflected by way of explicit ‘no-options’ in the text. Annotations have been used to indicate reservations in these cases. This is on the understanding that the inclusion of certain (sets of) articles or paragraphs is without prejudice to the views of Parties, and that nothing is agreed until everything is agreed. ‘No-options’ from the consolidated GNT to an entire section or subsection of the text have been maintained as ‘no-options’ for clarity.

### **4. Treatment of institutional arrangements**

#### **a. General approach**

The following consistent approach to the treatment of institutional arrangements has been taken in this document:

- A general anchoring clause<sup>4</sup> and a general establishment clause<sup>5</sup> are included in the draft agreement portion of the tool, together with the specific anchoring of the Convention institutions (the Subsidiary Body for Scientific and Technological Advice, the Subsidiary Body for Implementation, the Financial Mechanism and the secretariat).<sup>6</sup>
- Specific references to the anchoring and the establishment of any other institutional arrangements have remained in Part Three, as there are differing views among Parties as to whether these should be placed in the agreement or decision.
- Detailed provisions on the functions and modalities of institutions, as well as specific guidance for strengthening institutions are included in the draft decision in the cases where this could be clearly allocated. This is without prejudice as to whether the anchoring or establishment provisions for these respective institutions will be placed in the draft agreement or in the draft decision.

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<sup>3</sup> Considering that options I and IV of the SCT on section K contain high-level elements on the facilitation of implementation and compliance which are, by their nature, agreement material, they have been allocated in the draft agreement part of the tool (together with the option that no specific provisions are required). Provisions establishing specific mechanisms or processes have remained in Part Three in line with the approach described in point 4 of this note.

<sup>4</sup> Providing that “all subsidiary bodies, mechanisms and other institutional arrangements established by or under the Convention shall serve this agreement, unless otherwise decided by the governing body” (see Article 46 of Part I).

<sup>5</sup> Mandating the governing body to “establish such new subsidiary bodies and other new institutional arrangements as are deemed necessary for the implementation of this agreement” (see Article 43.4 of Part I).

<sup>6</sup> See Articles 19, 44 and 45 of Part I; see also Articles 8–11 of the Convention.

b. Reference to relevant decisions of the Conference of the Parties

In line with the consistent approach outlined above, the reference to specific institutions or specific decisions of the Conference of the Parties (COP) has been replaced in several places in the draft agreement.<sup>7</sup>

c. Other specific references embedded in the text

Furthermore, there are numerous provisions in Part Three of the tool that contain references to specific institutional arrangements, often embedded within the provision together with many other elements. In considering whether the provision should be included in the agreement, an appropriate way to reflect or replace the specific references may need to be found, should Parties wish to follow the ‘general approach’ to institutional arrangements in the agreement suggested in this document.

d. References to specific institutional arrangements under the Kyoto Protocol

References to institutional arrangements established by or under the Kyoto Protocol, such as references to the Adaptation Fund, may require further consideration, as the Kyoto Protocol is a separate international legal instrument.

e. References to the governing body

For consistency, the term “governing body” is used throughout this tool, in particular throughout the portion of the draft agreement, in line with the definition in its Article 1.i. This does not prejudice the term that Parties may eventually choose for this body,<sup>8</sup> nor any interim arrangements Parties may wish to consider (see also sections VI and VII of the draft decision). Further details on the role and functions of the body are specified in section L (Article 43).

## 5. **Specific considerations on consolidation across sections**

To the extent possible, textual material that addresses the same topic has been placed in a single location rather than distributed throughout the text, which has allowed the text to be further streamlined and consolidated. This should also facilitate effective negotiations of issues ‘in one place’.

a. Cross-section consolidation of substantively similar provisions include, for example:

- Section C (General/Objective) has been consolidated and streamlined, including by integrating elements that were duplicative of, or overlapping with, other sections of the text.
- Thematic funding is placed together within the section of the text on finance, rather than being distributed across the text.
- The substantive aspects of reporting contained, in particular, in the section on mitigation, have been integrated into the section on transparency.
- All references to process-related aspects regarding commitments, contributions and actions have been integrated into section J, in particular modalities for the communication (i.e. timing and upfront information), the consideration, the housing/formalization and the review.<sup>9</sup> This is without prejudice to placement: Parties may wish to retain all or some process aspects in section J or move relevant process aspects to the respective thematic sections.

b. Cross-section consolidation and harmonization of terms

- All references to the limit to global average temperature increase (to below 1.5 or 2 degrees Celsius) have been standardized and refer to Article 3 of the draft agreement where reference to the limit is first made.
- For consistency, the term “governing body” is used throughout this tool (see 4.e above).

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<sup>7</sup> The reference to the Warsaw Framework for REDD-plus (designation for decisions 9/CP.19 to 15/CP.19 adopted at COP 19) has been replaced by a reference to relevant decisions of the COP (see Article 12 option 2). The reference to the Technology Mechanism (in Article 20 option 1) has been removed as it is covered by the existing reference to the institutional arrangements for technology established under the Convention; furthermore the above-mentioned general clause (Article 46) would have the effect that the Technology Mechanism serves this agreement without the need for an explicit reference.

<sup>8</sup> Terms used in the GNT included “governing body” as well as other references such as “Conference of the Parties”, “Conference of the Parties serving as the meeting of the Parties to this agreement” or “Conference of the Parties serving as the meeting of the Parties to this Protocol”.

<sup>9</sup> In developing this approach, process aspects have been consolidated into section J from the sections on: mitigation (on housing, upfront information, and aggregate review); adaptation (on modalities for communicating and housing; finance (on timeframes for communicating and review); technology and capacity-building (on review); and transparency (on upfront information).



## 6. Draft Decision

Based on the initial structure<sup>10</sup> and guided by the views expressed by Parties during the ADP stocktaking meeting on 8 June, the draft decision is structured along the following sections:

Preamble: including a limited number of preambular paragraphs related to workstream 1 (the agreement and its adoption) as well as workstream 2 (pre-2020 ambition).

I. Adoption of the [Paris Agreement]: This part includes an initial set of standard paragraphs.

II. Intended nationally determined contributions: Parties have previously made proposals with regard to how the decision to adopt the agreement could also make reference to the intended nationally determined contributions (INDCs) of Parties. At this stage, this part includes two paragraphs of a rather general nature. However, Parties have made suggestions as to further provisions in this regard, for example that the decision may refer to:

- The information provided by Parties when communicating their INDCs, pursuant to decision 1/CP.20, paragraph 14;
- The aggregate effect of the INDCs, with reference to decision 1/CP.20, paragraph 16;
- Subsequent steps that may need to be taken to further encourage the communication of INDCs, as well as to the process for the formalization of INDCs.

III. Decision elements: This part includes substantive decision elements (see also point 1.b. above).

IV. Pre-2020 ambition: This part includes possible decisions elements on pre-2020 ambition (workstream 2).<sup>11</sup>

V. Work programme for the interim period pending the entry into force of the agreement: This part includes activities that Parties have proposed to be undertaken in the period pending the entry into force of the agreement. This part focuses on what work that may need to be undertaken in that interim period. Parties may wish in addition to consider aspects of the work programme that were not yet defined in the GNT.

VI. Interim institutional arrangements: This part includes provisions on the institutional arrangements that Parties may wish to adopt to implement the work programme specified in part V. Suggestions for possible provisions on an intergovernmental preparatory committee are presented to facilitate discussions by Parties without prejudice to the arrangements that Parties may wish to explore.

VII. Administrative and budgetary matters: This part includes an initial set of provisions on administrative and budgetary matters that Parties will need to consider in adopting the decision.

## 7. Further alignment and adjustments of the negotiating text as part of consolidation and streamlining

a. Alignment of language:

- In order to ensure that the language contained in the draft agreement and the draft decision is appropriate for that portion of the document ‘surgical drafting’ has been undertaken to the extent necessary. Incomplete sentences have also been addressed throughout the document, and the text has been edited. **Red font** is used to show where additional words or modifications of words have been used.
- The construction “to”<sup>12</sup> (stemming from the Lima draft) has been changed to “[shall][should][other<sup>13</sup>]”, unless explicit auxiliary verbs were already contained in the respective paragraphs of the GNT or the 11 June SCT. In either case, the choice of the appropriate auxiliary verb will be up for substantive negotiations by Parties.

b. Placeholders for which no text was provided by Parties have been consolidated into the appropriate section of the text. Where necessary annotations have been used to provide clarity.

c. Brackets in the text signal opposition to a particular portion of a text or alternative proposals or terms. Where possible, slashes contained in the GNT and the SCT have been converted into brackets based on a careful review of where the brackets were intended to begin and end.

d. Structural suggestions contained in the GNT have not been reproduced, on the understanding that nothing in this document is to prejudge the structure of the agreement or the decisions. In a number of cases structural observations have been included by way of annotations to explain the consequences of the full consolidation and streamlining of the text.

<sup>10</sup> See footnote 2 above.

<sup>11</sup> Elements for the draft decision on workstream 2 of the ADP, which contains all submissions by Parties, are available as a second tool (‘Tool number 2’), ADP.2015.5.InformalNote.

<sup>12</sup> Examples: Parties “to” undertake, the governing body “to” adopt, etc.

<sup>13</sup> “Other” is to indicate the potential use of alternative auxiliary verbs, e.g. “may”, etc.

## 8. Orientation and guidance to the reader

- a. A table of contents has been included to provide Parties with an overview of and way to navigate the tool by indicating the parts, sections and page numbers.
- b. The provisions have been numbered sequentially in all three parts of the tool. In Part One (draft agreement) provisions are called “articles”, while in Part Two (draft decision) “paragraphs” has been used; in Part Three provisions are referred to as “articles/paragraphs” given that they could be placed in either of the two other parts of the tool.
- c. Guiding clauses (short descriptors **in green**) have been used to orient the reader. They are merely an orientation device and not meant to prejudice, limit or interpret the content of the provisions in any way.
- d. The source paragraphs (from the 11 June SCT or the GNT) from which the consolidated paragraphs are derived are provided in *curly brackets {}* throughout the text, at the end of a paragraph or sub-paragraph as appropriate.

**Annex II to the Scenario Note of 5 May 2015** (ADP.2015.3.InformalNote), reproduced for information:

### **SKELETAL PARIS DECISION: OUTLINE OF DRAFT DECISION ON ADP AGENDA ITEM 3**

#### **Decision 1/CP.21**

#### **[TITLE OF THE DECISION]**

*The Conference of the Parties,*

*Mandate*

*Other relevant COP decisions*

*Preambular paragraphs, including e.g. ambition, science.*

*Xxxxxx*

#### **I. Adoption of the [Paris Agreement]**

1. *Decides to adopt ...*, [contained in annex...];
2. *Requests / Invites* [steps to deposit the instrument; open it for signature; ratification]
3. *Notes / Decides* [ADP concluded its work and terminate the ADP]

#### **II. Decision elements**

4. Xxx
5. Xxx
6. Xxx

#### **III. Decision elements on pre-2020 ambition**

7. Xxx
8. Xxx
9. Xxx

#### **IV. Interim arrangements**

10. *Decides xxx*
11. *Decides xxx*
12. *Requests xxx*
13. *Decides xxx*

#### **V. Administrative and budgetary matters**

14. *Takes note* [budgetary implications]
15. *Invites* [Executive Secretary to submit supplementary budget; transitional contributions]

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## Part One: Draft Agreement

### [A. Preamble]<sup>14 15</sup>

[The Parties to this agreement,]

Pp1 [Being Parties to the United Nations Framework Convention on Climate Change,] {pp1 SCT}

Pp2 **CONVENTION OBJECTIVE** [In pursuit of the [ultimate] objective of the Convention as stated in its Article 2,] {pp2 SCT}

Pp3 **ADP MANDATE** [Noting the mandate adopted by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,] {pp42 SCT}

Have agreed as follows: {part of pp44 SCT}

### [B. Definitions]

1. [For the purposes of this agreement the following terms are defined:]<sup>16</sup>

- i. [The “governing body” means the governing body of this agreement;] {B. i. GNT}
- ii. [“Emission reductions” means the sum of all reduced emissions and increased carbon stocks;] {B. iii. GNT}
- iii. [“Convention” means the United Nations Framework Convention on Climate Change;] {B. iv. GNT}
- iv. [“Parties present and voting” means Parties present and casting an affirmative or negative vote ...;] {B. v. GNT}
- v. [“Subsidiary Body” means ...;] {B. vi. GNT}
- vi. [“Party” means a Party to this agreement;] {B. ii. and vii. GNT}
- vii. [“Party included in annex X” means a Party included in annex X to this agreement;] {B. viii. GNT}
- viii. [“Party included in annex Y” means a Party included in annex Y to this agreement;] {B. ix. GNT}
- ix. [“Party in annex [Z][III]” means a Party in annex [Z][III] to this agreement.] {B. x. GNT}

### [C. General/Objective]<sup>17</sup>

2. **OBJECTIVE** [The objective of this agreement is to further enhance the full, effective and sustained implementation of [the principles and provisions of] the Convention in order to achieve [its objective as set out in its Article 2] [the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner [and shall also take into account vulnerabilities and the managing of the transition in a sustainable manner]] by [all Parties] [striving to achieve][achieving] [low greenhouse gas, climate-resilient economies and societies][net zero greenhouse gas emissions and maintaining and increasing resilience to the adverse effects of climate change].] {paras 1, 2, elements of 3, elements of 17.1 opt 3, para 17.2 opt 1 and para 18 from Section D GNT}

<sup>14</sup> NOTE: Several Parties noted their preference for a concise preamble, including with reference to the example of the Kyoto Protocol preamble. Other Parties noted their preference for a more elaborate preamble.

<sup>15</sup> NOTE: Numbering of preambular paragraphs (Pp) has been added solely to orient the reader.

<sup>16</sup> NOTE: Parties may wish to consider also specifying that for the purpose of this agreement, the definitions contained in Article 1 of the Convention shall apply.

<sup>17</sup> NOTE: Some Parties are of the view that, instead of a provision on the objective in the operative part of the agreement, a reference to the objective in the preamble would be sufficient

## **[D. Mitigation]**

3. **COLLECTIVE EFFORTS** [[All] Parties[, in accordance with [Article 4 of the Convention and their ]common but differentiated responsibilities and respective capabilities [in the light of different national circumstances] and [on the basis of] equity,] [shall][should][other] [enhance mitigation ambition] [make [individual] efforts] and cooperate [to ensure that the aggregate level of mitigation [commitments][contributions][actions] increases over time] [with a view] to [achieving long-term emission reductions, in the context of Article 2 of the Convention][stabilize greenhouse gas (GHG) concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system], [consistent with][including] holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels [[and in the context of [equitable access to] sustainable development] [with [developed country Parties][Parties included in annex X] taking the lead by undertaking ambitious emission reductions and [Parties included in annex Y] providing finance, technology and capacity-building support to [developing country Parties][Parties not included in annex X]] [and the protection of the integrity of Mother Earth] [in accordance with the shared vision resulting from the Bali Action Plan]. *{para 17.1 opts 1, 2 and 3 GNT}*
4. **INDIVIDUAL EFFORTS** [**Option 1:** [Each Party][All Parties] [shall][should][other] [prepare,] [communicate,] [implement,] [maintain [at all times]] [successive] [proposed] [nationally determined] mitigation [commitments][contributions][actions][, through successive and continuous commitment cycles with a common time frame, to be defined] in accordance with the provisions of section J].<sup>18</sup> *{parts of para 21 opt 1 (chapeau), opt 2 (chapeau) and 4 (chapeau), para 26 and 27 opt 1 GNT}*
- Option 2:** Each Party shall communicate and maintain a national schedule setting out the efforts to reduce or limit GHG emissions that the Party intends to implement. *{para 21 opt 5 (chapeau) GNT}*
- Option 3:** In accordance with the principles of the Convention and its Article 4, all Parties, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives and circumstances, shall enhance the implementation of their commitments under Article 4, paragraph 1, **of the Convention**, including through: *{parts of para 21 opt 1 (chapeau), and opt 6 (chapeau) GNT}*
- Formulating, implementing, publishing and regularly updating programmes containing measures to mitigate climate change in order to enhance their level of ambition after 2020; *{para 19 opt 4 and para 21 opt 6 GNT}*
  - Promoting and cooperating in the development, application and diffusion, including transfer, of technologies, practices and processes that control, reduce or prevent anthropogenic GHG emissions not controlled by the Montreal Protocol in all relevant sectors; *{para 21 opt 6 GNT}*
  - Promoting sustainable management, and promoting and cooperating in the conservation and enhancement, as appropriate, of sinks and reservoirs of all GHGs not controlled by the Montreal Protocol.] *{para 21 opt 6 GNT}*
5. **IMPLEMENTING JOINTLY** [Parties[, including regional economic integration organizations and their member States,] may prepare, communicate and implement [their] mitigation [commitments][contributions][actions] jointly [in accordance with decisions to be adopted by the governing body and taking into account any arrangements developed under Article/paragraph 19<sup>19</sup>.] *{paras 30 and 32 GNT}*
6. **PROGRESSION** [**Option 1:** [All Parties][[Developed country Parties][Parties included in annex X]] [in accordance with [their common but differentiated responsibilities and respective capabilities and in the light of their national circumstances][Article 4 of the Convention,]] [shall][should][other] [seek to]] [progressively] enhance the level of ambition of their [updated][successive] mitigation [commitments][contributions][actions][, as appropriate][such that it is of a [type,][ scope,] [scale] [and coverage] [more][no less] ambitious than those of][beyond] the [previous][current] undertaking of that Party [under this agreement or the Convention or its Kyoto Protocol][, recognizing enhanced and ambitious actions from the Party's previous undertakings][ Developed country Parties shall take on mitigation commitments for the post-2020 period that are more ambitious than emission reductions of at least 25–40 per cent below the 1990 level by 2020]]. *{para 19 opts 1, 2, 3, 5 and 6, para 21.4, and para 166 from Section J GNT}*
- Option 2:** Each Party's mitigation [commitments][contributions][actions] [shall][should][other] represent a progression beyond the previous undertakings of that Party.] *{para 21.13 GNT}*

<sup>18</sup> NOTE: For provisions related to section J see Articles 35 to 41 of Part I, paragraphs 54–60 and 88 of Part II and Articles/paragraphs 85–96 of Part III below.

<sup>19</sup> NOTE: Article/paragraph 19 is situated in Part III. Parties may wish to consider the content of such a decision.

7. **AMBITION** [Parties **[shall][should][other]** strive for the highest mitigation ambition in the light of science. Each Party's mitigation [commitment][contribution][action] shall constitute its highest possible effort according to its national circumstances.] *{paras 20 and 21.8 GNT}*

#### **[E. Adaptation and loss and damage]**

8. **COLLECTIVE EFFORTS** **[Option 1]**:<sup>20</sup>

8.1. A global goal for adaptation is hereby established with the purpose of: *{para 1 opt 6 SCT}*

- a. Enhancing the implementation of adaptation actions, in particular in developing countries, as part of enabling economic development in the context of sustainable development; *{para 1 opt 6 SCT}*
- b. Reducing vulnerability, and building resilience as well as sustainable development of communities to climate change impacts, particularly the most vulnerable communities, through collective actions based on Parties' common but differentiated responsibilities. *{para 1 opt 7 SCT}*

8.2. [The global goal for adaptation shall provide for: the supporting of enhanced adaptation and the sharing of best practices by all Parties; the understanding of adaptation needs in the light of mitigation ambition; the provision of adequate support for developing countries to meet their adaptation needs.] [The goal has both qualitative and quantitative aspects, including a knowledge dimension informed by science, planning and policy aspects.] *{para 1 opt 6 SCT}*

8.3. The global goal for adaptation affirms that adaptation is a global responsibility. *{para 1 opt 6 SCT}*

**Option 2:** All Parties, in accordance with the principles and provisions of the Convention, its Article 4, and their common but differentiated responsibilities and previous decisions of the Conference of the Parties (COP) **[shall][should][other]** commit to cooperate to adapt to the adverse effects of climate change, ensure resilience[, adaptive capacity][, and that adaptation is addressed with the same urgency as mitigation,] and protect [citizens and] ecosystems in the context of the **limit to global average temperature increase referred to in Article 3** and to achieve sustainable development [in the context of poverty reduction and maintaining food security], while recognizing the local, national and transboundary dimensions of adaptation[, agree on a long-term vision on adaptation. *{para 1 opt 1 and elements of Section C SCT}*

The purpose of adaptation in the long-term vision is to [reduce][limit] the risks caused by climate change for both human beings and ecosystems in the context of sustainable development]. *{para 1 opt 1 d. SCT}*

**Option 3:** All Parties **[shall][should][other]** [cooperate][increase efforts][undertake adequate measures] to [[adapt] [build resilience] to the adverse effects of climate change][reduce vulnerability][ protect ecosystems and people, their livelihoods and safety, and to [enable][achieve] sustainable development, while recognizing the local, national, and transboundary dimensions of adaptation] [in the context of the actual increase in global mean temperature], taking into account the relationship between mitigation ambition, associated climate change impacts, and consequent adaptation needs, costs, and co-benefits [in order to achieve climate-resilient sustainable development]. *{para 1 opts 4 and 5 SCT}*

**Option 4:** In accordance with the ultimate objective of the Convention, Parties agree to strive towards our planet's resilience to the impacts of climate change, including through the deployment of necessary means of implementation, and to address the adaptation needs of all Parties corresponding to the actual temperature increase resulting from the effectively implemented mitigation action.

All Parties shall increase efforts and cooperation to adapt to the adverse effects of climate change while recognizing the local, national and global dimensions of adaptation by integrating adaptation within national development planning and policies, undertaking national adaptation processes, establishing enabling environments and implementing adaptation actions, thus contributing to sustainable development. *{para 1 opt 2 SCT}*

**Option 5:** All Parties **[shall][should][other]** enhance adaptation as a key component of the long-term global response to climate change in terms of both preparing for the unavoidable impacts of climate change and enhancing resilience in the face of future climate uncertainties.] *{para 1 opt 3 SCT}*

9. **INDIVIDUAL EFFORTS** **[Option 1]**: All Parties have the obligations to plan, act on and integrate climate change adaptation and to affect the objective of the Convention in line with Article 2 of the Convention. *{para 2 opt 1 SCT}*

**Option 2:** All Parties **[shall][should][other]** **undertake** universal individual [commitments][actions]. *{para 2 opt 7 SCT}*

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<sup>20</sup> Some Parties are of the view that there should be no global goal for adaptation. *{para 1 opt 8 SCT}*

**Option 3:** All Parties should take adaptation actions. Those Parties with limited capacities require support from those countries in a position to provide such support. *{para 5 opt 3 SCT}*

**Option 4:** All Parties shall in accordance with Article 4, paragraph 1, of the Convention: *{para 2 chapeau of opt 2 SCT}*

- a. Prepare and implement their adaptation obligations by taking into account climate change considerations in their national development planning and national adaptation plans (NAPs). Such climate change considerations shall be country-driven, gender-sensitive, participatory and fully transparent, take into account vulnerable groups and ecosystems, be based on science and traditional and indigenous knowledge, and promote the engagement of subnational and local authorities and other stakeholders; *{para 2 opt 2 a. – b. SCT}*
- b. Cooperate in sharing the best practices in the implementation of adaptation as envisaged in Article 8 (Option 1). *{para 2 opt 2 c. SCT}*

**Option 5:** [Each Party][Developing country Parties][Parties not included in annex X] **[shall][should][other]** [prepare and implement adaptation [commitments][contributions][actions] [commitments under Article 4 of the Convention] by integrating][integrate] adaptation within national development planning, mainstream adaptation in national policies, undertake a NAP process, and strengthen governance and enabling environments subject to the modalities and procedures to be developed and adopted by the governing body[, and articulated as nationally appropriate mitigation actions (NAMAs), as appropriate, in the context of climate resilience and sustainable development trajectories, and including different approaches]. *{para 2 opts 3 and 4 SCT}*

**Option 6:** [Parties][Each Party] **[shall][should][other]** [take steps to engage in a][undertake] [the] national adaptation plan[ning] process[es] to reduce vulnerability and strengthen resilience to medium- and long-term climate change impacts, integrate [climate resilience][adaptation] into national development planning and action, mainstream adaptation in a coherent manner into policies, programmes and activities, in particular national development planning processes and strategies and strengthening governance and enabling environments, recognizing that each Party’s adaptation plans, policies and other actions need to fit its circumstances and priorities. *{para 2 opts 4 and 5 SCT}*

**Option 7:** Parties are encouraged to prepare, maintain, communicate and implement an adaptation component in their nationally determined contributions, which may include, inter alia, their undertakings in adaptation planning, taking into account the relevant guidance developed under the Convention and following the processes and timelines for the development of national adaptation plans.

Developing country Parties may further include in the adaptation component of their contributions an assessment of vulnerabilities and specific needs with regard to finance, technology and capacity-building for the implementation of their adaptation actions.] *{para 2 opt 6 SCT}*

10. **JOINT MITIGATION AND ADAPTATION APPROACHES** **[Option 1:** Parties **[shall][should][other]** take into account joint mitigation and adaptation approaches.<sup>21</sup> *{para 3 opt 1 SCT}*

**Option 2:** All Parties **[shall][should][other]** address climate resilience and sustainable development trajectories that combine adaptation to and mitigation of climate change and its impacts.] *{para 3 opt 2 SCT}*

11. **COMMUNICATION OF INDIVIDUAL EFFORTS, PRIORITIES AND NEEDS** **[Option 1:** All Parties **[shall][should][other]**, [in accordance with [Article 4, paragraph 1, of][their obligations under] the Convention][, and well in advance of the beginning of the commitment period, as part of the communication of mitigation, finance, and technology development and transfer undertakings], [develop, update periodically and] communicate [to the Conference of the Parties, through the secretariat] [their undertakings on adaptation][their national adaptation priorities] [for a given commitment period], using existing reporting channels, where appropriate, and drawing where available on existing strategies and plans. *{para 2 opt 2 d. and para 7 opt 1 SCT}*

**Option 2:** Parties **[shall][should][other]** communicate their [commitments][contributions][actions] [commitments under Article 4 of the Convention][adaptation priorities][support][level of support needs] [progress in enhancing adaptation action or integrating adaptation into planning, policies or action] through [biennial communications][the INDC process], in accordance with the modalities and procedures to be developed and adopted by the governing body. *{para 7 opt 2 SCT}*

**Option 3:** Developed country Parties **[shall][should][other]** communicate their commitments under Article 4 of the Convention through biennial communications, including [intended nationally determined contributions (INDCs)][nationally determined contributions (NDCs)]. *{para 7 opt 4 1<sup>st</sup> sentence SCT}*

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<sup>21</sup> NOTE: On joint mitigation and adaptation approaches see also Article/paragraph 20 of Part III.



**Option 4:** Developing country Parties [shall][should][other] communicate their actions on the level of support needed in order to enhance adaptation action or integrate adaptation into planning, policies or action through biennial communications, including [INDCs][NDCs].] *{para 7 opt 4 2<sup>nd</sup> sentence SCT}*

## [F. Finance]

12. **OBJECTIVE [Option 1]:** [Each Party][All Parties] [shall][should][other] individually or collectively mobilize climate finance through a diversity of actions from a variety of sources as a means to stay below **the limit to global average temperature increase referred to in Article 3 and to achieve** the transformation required to that end, acknowledging that the actions to be taken will differ, in accordance and in line with [their respective and evolving responsibilities and capabilities][the principles and objectives of the Convention], acknowledging the importance of leadership to be taken by [developed country Parties][Parties included in annex X][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so], acknowledging that some Parties need support in order to take action, and acknowledging that the need for support by Parties may change over time or be met with different means of support. *{para 79 opt 1 SCT}*

**Option 2:** [All [Parties][countries] in a position to do so][Parties included in annex X] [Parties in a position to do so, considering evolving capabilities] [should][shall] provide financial support to Parties in need of support as a means to achieve the objectives of this agreement, acknowledging the need for climate-resilient economies and societies. *{para 79 opt 1 SCT}*

**Option 3:** In the implementation of this agreement, all developed country Parties and other Parties included in Annex II to the Convention [shall][should][other] provide climate finance as a means to enhance action towards achieving the objective of the Convention and to achieve the transformation required to that end, and in line with the needs of developing countries, in accordance with their obligations and commitments under Article 3, paragraphs 1 and 2, and Article 4, paragraphs 3, 4, 5, 7, 8 and 9, of the Convention;

The principles of the Convention, in particular the principles of common but differentiated responsibilities and respective capabilities and equity, acknowledging that the need for support by developing country Parties may change over time and be accommodated under Article 4, paragraph 7, of the Convention, and acknowledging the need for financing for forestry in line with the **relevant decisions of the Conference of the Parties**,<sup>22</sup> [including alternative approaches to results-based actions such as joint mitigation and adaptation for the integral and sustainable management of forests];

The extent to which developing country Parties will effectively implement their commitments will depend on the effective implementation by developed country Parties of their commitments related to financial resources, transfer of technology and capacity-building;

In accordance with the objective set forth in Article 2 of this agreement and pursuant to the ultimate objective of the Convention, climate finance [shall][should][other] contribute to the necessary transition towards sustainable development and the achievement of the goal **to limit global average temperature increase as referred to in Article 3** as well as to the building of economies, societies and ecosystems that are resilient to climate change. *{para 79 opt 3 SCT}*

**Option 4:** In accordance with the objective set forth in Article 2 of this agreement and pursuant to the ultimate objective of the Convention, all investments [shall][should][other] progressively become low-emission and resilient to climate impacts, thus contributing to the necessary transformation towards sustainable development, the achievement of the goal **to limit global average temperature increase as referred to in Article 3**, and to the building of economies, societies and ecosystems that are resilient to climate change. *{para 79 opt 2 SCT}*

**Option 5:** All Parties in a position to do so should provide financial support to Parties in need of support as a means to achieve the objectives of this agreement, acknowledging the need for climate-resilient economies and societies.] *{para 79 opt 4 SCT}*

## 13. GUIDING PRINCIPLES

[13.1. [In the implementation of this agreement, financial resources provided by developed country Parties as the means of implementation shall][The mobilization, provision [and delivery] of finance shall][Parties are encouraged to mobilize climate finance from a variety of sources in accordance and in line with their respective [and] evolving responsibilities and capabilities, acknowledging that Parties with higher capabilities should support Parties with lower capabilities. **Climate finance [shall][should][other]:** *{para 81 chapeaus of opt 1 81.1, opt 2 81.1 and 81 opt 3 SCT}*

<sup>22</sup> See Explanatory note, point 4.b, footnote 7.

- a. [Consist of][Ensure] new, additional, adequate and predictable financial resources provided by developed country Parties [and other Parties included in Annex [II][I] to the Convention] [to developing country Parties for the full and enhanced implementation of][to assist developing country Parties in implementing their contributions and actions under] the Convention[, [as part of promoting][in line with the overriding priorities of] sustainable [economic and social] development in developing countries[, including through enabling enhanced mitigation and adaptation actions [and protecting the integrity of Mother Earth]]]; *{para 81 opt 1 81.1 a., opt 3 a., and Opt II para 79 SCT}*
  - b. Ensure facilitated and enhanced access[, including through direct access,] of developing countries, and a country-driven approach in the [mobilization, provision,][ access,] and delivery of climate finance; *{para 81 opt 1 81.1 b., g. and h. SCT}*
  - c. Advance the [implementation][fulfillment] of commitments by developed country Parties in terms of finance, technology transfer and capacity-building to enable developing country Parties to take action plans [and] to implement Article 6 of the Convention; *{para 81 opt 1 81.1 f. and opt 3 e. SCT}*
  - d. Promote low-emission, climate-resilient development; *{para 81 opt 2 81.1 a. and opt 3 k. SCT}*
  - e. [Encourage policy signals by governments][Catalyse policy actions by governments] and adjustment or improvement of policies; *{para 81 opt 2 81.1 b. SCT}*
  - f. [Promote climate finance readiness activities, such as enhancing enabling environments][Establish a readiness programme as an enabling activity]; *{para 81 opt 1 81.1 h. and opt 2 81.1 d. SCT}*
  - g. Avoid duplication, allow for flexibility and ensure efficiency and transparency; *{para 81 opt 2 81.1 f. SCT}*
  - h. Be quantifiable, comparable and transparent; *{para 81 opt 2 81.1 g. SCT}*
  - i. Be [results-based][needs-based], deliver the greatest impact possible and target the effectiveness of mitigation and adaptation action; *{para 81 opt 2 81.1 h. and opt 4 c. SCT}*
  - j. Maximize and incentivize ambitious mitigation actions, in particular through payment for verified [emission reductions][results, where appropriate]; *{para 81 opt 2 81.1 i. SCT}*
  - k. Collectively exceed the aggregate ambition of individual [commitments][contributions]; *{para 81 opt 2 81.1 j. SCT}*
  - l. Target the drivers of climate change; *{para 81 opt 2 81.1 k. SCT}*
  - m. [Enhance][catalyse] international cooperative initiatives and recognize their contribution to assisting Parties in the implementation of this agreement; *{para 81 opt 2 81.1 m. and opt 3 j. SCT}*
- 13.2. [Developed country Parties [and other Parties included in Annex II to the Convention] **[shall][should][other]** provide financial resources [to developing country Parties] for the [full and] enhanced implementation of the Convention under this agreement [in order to][in a manner that]][Parties should ensure that climate finance and investment provided and mobilized under this agreement][Such climate financing shall be in a manner that facilitates the provision of assistance to developing country Parties for implementing their climate actions under the Convention and this agreement and **shall**]; *{para 81 chapeau of opt 1 81.2, chapeau of opt 2 81.2, chapeau of opt 3, and para 80 Opt II SCT}*
- a. [Aim [for][to achieve] a][Ensure an adequate and equal] [With a view to striving towards an] [balanced] [[allocation of [financing][financial resources]] [appropriate balance] between adaptation and mitigation [over time], [while [assuring a minimum of 50 per cent of resources for][prioritizing] adaptation]][approach of at least a 50:50 allocation of financing for adaptation and mitigation to be achieved in the near term, while recognizing the importance of financing for adaptation] [[and an equitable distribution among different regions of developing countries.] and enhance country ownership in the disbursement of financial resources]; *{para 81 opt 1 81.2 a., opt 2 81.1 e. and opt 3 f., and Opt II para 80 SCT}*
  - b. [Ensure][Take into consideration the need for ensuring] additionality, adequacy and predictability in the flows of funds [and the need for clarity][on the basis] of [appropriate][clear] burden-sharing [arrangements] among developed country Parties; *{para 81 opt 1 81.2 b. and opt 3 b. SCT}*
  - c. [Be][Pursue a] gender-sensitive and [based on a] country[-owned and] -driven approach [and ensure the right to development of developing countries]; *{para 81 opt 1 81.2 e., opt 2 81.1 l. and opt 3 i. SCT}*
  - d. Create policy certainty by encouraging Parties to set their own strategies and priorities for low-carbon and climate-resilient development; *{para 81 opt 2 81.2 a. SCT}*
  - e. Be aligned with country-driven strategies and priorities, and in doing so achieve a balance between finance and investment for mitigation and for adaptation; *{para 81 opt 2 81.2 b. SCT}*
  - f. Be delivered in simplified and coordinated ways from a variety of sources in order to reduce duplication of effort and to improve effective delivery and implementation; *{para 81 opt 2 81.2 c. SCT}*

- g. Deliver mitigation and adaptation results that can be measured, reported and verified [as part of a results-focused policy and enabling environment]; *{para 81 opt 2 81.2 d. and opt 4 c. SCT}*
- h. Help to build a partnership among governments, development partners and the private sector to invest in and support country-driven strategies and priorities for low-carbon and climate-resilient development.] *{para 81 opt 2 81.2 e. SCT}*
14. **GUIDING PRINCIPLE** [[Financial resources provided by developed country] **Parties** [shall][should][other] **enhance** [actions on] [the] addressing [of] climate change in [addition to] [the coordination of] development aid [, acknowledging that climate finance is to be separate from official development [assistance][aid]][recognizing the importance of financing for adaptation].] *{para 81 opt 1 81.1 c., opt 4 b., opt 3 c., and para 104 bis SCT}*
15. **GUIDING PRINCIPLE** [[Financial resources provided by developed country] **Parties** [and other Parties included in Annex II] [shall][should][other] [prioritize][meet][take into account] the [specific][urgent and immediate] needs [and special circumstances] of [developing countries that are] [the] [most][particularly] vulnerable [countries][to [the adverse effects of] climate change], including [landlocked countries,][recognizing the special circumstances of][in particular] the least developed countries (LDCs) and small island developing States (SIDS) [and[ countries in Africa][African States]], giving priority to countries with the least capability] [and/or ensuring a fair geographical allocation of resources, while ensuring that the importance of providing support to other [developing countries][Parties not included in annex X] is in no way diminished].] *{para 81 opt 1 81.1 i., part of 81.2 a., 81.2 d., opt 3 h., opt 4 a., and para 100 SCT}*
16. **GUIDING PRINCIPLE** [**Parties** [shall][should][other] support the integration of climate objectives into other policy-relevant areas and activities such as energy, agriculture, planning and transport, national fiscal accounts, development policy and plans in line with country circumstances and in accordance with the countries' priorities.] *{para 101 bis SCT}*
17. **RESPONSIBILITIES UNDER THE AGREEMENT** [**Option 1**: In the context of common but differentiated responsibilities and respective capabilities, [Annex II Parties][Parties included in annex Y][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so] have the principle and main responsibility for providing support, including financial resources, for the enhanced implementation of low-emission and climate-resilient development in [developing countries][Parties not included in annex X], while ensuring the sustainability, predictability and additionality of finance. *{para 91 opt 1 SCT}*
- Option 2**: In the context of common but differentiated responsibilities and respective capabilities, developed country Parties have the responsibility to provide financial resources, including for the development and transfer of technology to developing country Parties for the enhanced implementation of the Convention, while ensuring the sustainability, predictability and additionality of finance. *{para 91 opt 2 SCT}*
- Option 3**: Developed country Parties have the responsibility for providing financial resources, including for the development and transfer of technology to developing country Parties for the enhanced implementation of the Convention, while ensuring the sustainability, predictability and additionality of the financial resources. *{para 92 SCT}*
- Option 4**: The contribution of resources under this agreement [shall][should][other] consider predictable financial contributions of [developed country] governments [of Parties included in annex X][of Parties in a position to do so, considering evolving capabilities][of all countries in a position to do so] **and** increasing options for leveraging a greater share of the carbon market related proceeds, including options for carbon pricing and raising contributions via alternative and innovative sources of finance. *{para 95 SCT}*
- Option 5**: [All developed country Parties shall provide scaled-up climate finance to developing country Parties as a means to meet the goal of **limiting global average temperature increase as referred to in Article 3** and to achieve the technological transformation required to that end, complemented by the support provided by other Parties in a position to do so, in line with the needs of developing countries and with common but differentiated responsibilities and respective capabilities.] *{para 93 SCT}*
18. **RESPONSIBILITIES UNDER THE AGREEMENT** [The actions taken by Parties in the mobilization of climate finance shall reflect and be dynamically adapted to future **changes in** needs, developments and environmental and economic realities, reflecting evolving capabilities and responsibilities.] *{para 94 SCT}*
19. **FINANCIAL MECHANISM** [The Financial Mechanism [of the Convention [and its Kyoto Protocol]], defined in Article 11 of the Convention, shall serve as the financial mechanism of this agreement.] *{para 114 part of chap of opt 1 and chap of opt 2 SCT}*

## **[G. Technology development and transfer]**

20. **COOPERATIVE ACTION** [**Option 1**: [All Parties] [Parties, in accordance with the principles and provisions of the Convention, including Article 4, paragraphs [1, 3 and] 5, [and Article 11], [ in accordance with their common but differentiated responsibilities,] [reflecting the evolving economic realities]] [shall][should][other] strengthen cooperative action to promote and enhance technology development and transfer [and better facilitate the implementation of the Convention], including through the institutional arrangements for technology established under the Convention<sup>23</sup> and through the Financial Mechanism [and the climate resilience and sustainable development mechanism] [by enhancing the provision of support by [developed country Parties][Parties included in annex Y ][all countries in a position to do so]], in order to support the implementation of mitigation and adaptation [commitments][actions] under this agreement.] *{para 129 opts 1 and 2 SCT}*

**Option 2**: Developed country Parties, in accordance with the principles and provisions of the Convention, in particular Article 4, paragraphs 1, 3 and 5, and Article 11, shall promote and enhance access to environmentally sound technology and know-how for the implementation of the Convention, including through the Financial Mechanism.] *{para 129 opt 3 SCT}*

## **[H. Capacity-building]**

### **[Option 1:**

21. **OBJECTIVE** [The objective of capacity-building should be to enable [developing country Parties][Parties not included in annex X][all Parties] to identify, design and implement adaptation and mitigation actions and to enable domestic **technology** development and **the** absorption of technology and finance for the implementation of the Convention.] *{para 134 SCT}*
22. **GUIDING PRINCIPLES** [Capacity-building [shall][should][other] be guided by the following: *{para 135 SCT}*
- The principles and provisions of the Convention; *{para 135 a. SCT}*
  - The existing provisions and lessons learned on capacity-building under the Convention; *{para 135 f. i. SCT}*
  - [Clear and predictable targets and outcomes.] *{para 135 e. SCT}*
23. **FEATURES** [Capacity-building [shall][should][other] **be** a formal, structured, clear, predictable, effective, coordinated, continuous, progressive and iterative process that is participatory, country-driven, sustainable and gender-responsive with a long-term vision for sustainable development. Capacity-building [shall][should][other] respond to national needs and foster country ownership [including at the national, subnational and local levels].] *{para 135 c., d., f. and i. SCT}*

**Option 2**: *(to paras. 21-23 above)*: No general provisions on capacity-building.] *{paras 134-136, opt 2 SCT}*

24. **INDIVIDUAL EFFORTS** [**Option 1**: [[The developed country Parties] [Parties] [Annex I Parties] [Parties included in annex X] [and other Parties in a position to do so] [All countries in a position to do so] [shall][should] [cooperate to] enhance the capacity of [developing countries] [developing country Parties] [Parties not included in annex X] to support the implementation of their [nationally determined] [contributions under this agreement][climate change actions] on the basis of the principles and provisions of the Convention [and other Parties in a position to do so [shall][should][other] cooperate to enhance the capacity of [developing country Parties][Parties not included in annex X] in all areas of climate change action, to support the implementation of their [commitments][contributions] under this agreement and to foster South–South and triangular cooperation schemes]. [Such enhancement of capacity may provide important and relevant guidance to developing country Parties, but shall not interfere with the nature, scope or substance of developing country Parties’ nationally determined contributions].] *{para 137 opt 1 SCT}*

**Option 2**: [Developed country Parties should provide support to developing countries for the implementation of capacity-building initiatives.] *{para 137 opt 3 SCT}*

**Option 3**: No commitments on capacity-building in the agreement.] *{para 137 opt 2 SCT}*

25. **ARTICLE 6 OF THE CONVENTION** [Parties [shall][should][other] cooperate [including [but not exclusively] through regional, bilateral and multilateral approaches and South–South and triangular cooperation] and take appropriate measures to develop, adopt and implement policies, strategies, regulations and/or action

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<sup>23</sup> NOTE: Some Parties have proposed text making explicit reference to the Technology Mechanism in this Article. The general clause in Article 46 of Part I provides that the Technology Mechanism serves this agreement without the need for an explicit reference. Further details in relation to the specific anchoring of the Technology Mechanism can be found in Article/paragraph 73 of Part III .

plans on climate change education, training, public awareness, public participation and public access to information so as to [enable transformative change towards low-emission and climate-resilient societies][enhance action addressing climate change].] *{para 14 from Section C SCT}*

26. **INSTITUTIONAL ARRANGEMENTS** [The institutional arrangements [established under the Convention<sup>24</sup>] [and operating entities of the Financial Mechanism of the Convention, as well as intergovernmental and non-governmental organizations,] shall enhance and intensify their work on capacity-building.] *{chapeau of para 138 SCT}*

### **[I. Transparency of action and support]**

27. **PURPOSE** [**Option 1** (*chapeau*): [A transparency framework, applicable to [developed country Parties] [all Parties and differentiated between [developed country Parties][Parties included in annex X] and [developing country Parties][Parties not included in annex X,] under the Convention[, ] [and] in accordance with previous decisions of the COP,][All Parties] shall promote transparency of action and support by providing information on the implementation of each Party's [commitments][contributions] in an efficient and flexible manner,][under the Convention, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives and circumstances,] in order to:] *{para 140 opts 1, 3 and 4 SCT}*

**Option 2** (*chapeau*): A [single][common] transparency framework applicable to all Parties [and taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances and recognizing that Parties shall progressively enhance the level of transparency such that it is strengthened and made more robust relative to the **current** level under the Convention], shall promote transparency of action and support by providing information on the implementation of each Party's [commitments][contributions] in an efficient and flexible manner, [recognizing that Parties with the least capacity may need additional support to supply that information,] in order to:] *{para 140 opt 2, and para 123 from Section F SCT}*

- a. [Enhance clarity,][Ensure the] comparability [among [developed countries][Parties included in annex X]], [and] accountability [and mutual trust and promote ambition [**and** progressive enhancement]] [of the quantified economy-wide emission reduction targets of [developed country Parties][Parties included in annex X] in a measurable, reportable and verifiable manner]; *{para 140 opts 1, 2 a., 3 a., and 4 a. SCT}*
- b. Facilitate the [tracking of progress in the implementation of [commitments ][contributions]] [clarity of progress made by [Parties that include an adaptation component in their NDCs]] [developing country Parties][Parties not included in annex X] on their implementation of actions for addressing climate change and on the support received from [[developed country Parties][Parties included in annex X]] [all countries in a position to do so]]; *{para 140 opts 3 b. and d., and 4 b. SCT}*
- c. Provide the clearest possible understanding of aggregate emissions relative to emission pathways consistent with **the limit to global average temperature increase referred to in Article 3**; *{para 140 opts 1 and 2 c. SCT}*
- d. **Option (a)**: Ensure that [commitments][actions] and provision of support by [Annex II Parties][Parties included in annex Y] [all countries in a position to do so] are implemented and complied with and verified through a robust verification system, and facilitate the comparison of the measurement, reporting and verification (MRV) of all types of support received with the needs expressed and identified by [developing country Parties][Parties not included in annex X]; *{para 140 opts 1 and 2 d. opt (a) SCT}*

**Option (b)**: Promote the implementation of action and support and ensure that efforts are verified through a robust verification system; *{para 140 opts 1 and 2 d. opt (b) SCT}*

**Option (c)**: Ensure that support-related commitments of [developing country Parties][Parties not included in annex X] are implemented[, complied with] and verified through a robust accounting, reporting and verification system; *{para 140 opts 3 c. and 4 e. SCT}*

**Option (d)**: Enhance transparency and accountability on finance, technology and capacity-building support provided by developed country Parties to developing country Parties through robust accounting rules and an MRV system; *{para 140 opts 1 i. and 3 e. SCT}*

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<sup>24</sup> The general clause in Article 46 of Part I provides that the Durban Forum on Capacity-building serves this agreement without the need for an explicit reference. Further details in relation to the anchoring of the Durban Forum on Capacity-building can be found in Article/paragraph 41 of Part II.

- e. Avoid double counting[, **including** financial support provided by developed country Parties to developing country Parties]; *{para 140 opts 1, 2 c., and 4 d. SCT}*
  - f. Ensure the environmental integrity of this agreement.] *{para 140 opt 2 g. SCT}*
28. **GUIDING PRINCIPLES** [The transparency framework shall [encompass MRV of emissions and removals[, support from developed country Parties to developing country Parties] and the accounting of [commitments][contributions], including those related to support,][ongoing mechanisms on MRV under the Convention, in particular those related to support, emissions and removals, and the accounting of [commitments][contributions], including those related to support,] and shall be based on [the agreed rules [for developed countries and]]][existing MRV arrangements under the Convention [and previous COP decisions for developing countries] and be guided by the following: *{para 142 opts 1 and 3 SCT}*
- a. Taking into account [the principles of Article 3] [Article 12] [the principles and provisions] of the Convention; *{para 142 opts 1 a. and b. and 3 a. SCT}*
  - b. Taking into account [the differing national circumstances] [common but differentiated responsibilities [and their specific national and regional development priorities, objectives and circumstances] [the unique circumstances and respective capabilities of Parties]; *{para 142 opts 1 c. opts (a) and (b), and 3 b. SCT}*
  - c. [Accommodating different contributions and countries' differing capacities; and/or providing for differentiation in reporting and the common international review of reports;] *{para 142 opt 1 d. SCT}*
  - d. [Avoiding imposing onerous burdens on [poor and] [particularly] vulnerable countries or [developing countries][Parties not included in annex X], particularly the LDCs and SIDS, with respect to support received for adaptation, capacity-building[, and] access to [and adoption of] [appropriate technologies][development and transfer of environmentally sound technologies];] *{para 142 opts 1 e. and 3 c. SCT}*
  - e. Avoiding imposing [disproportionate][excessive] burdens on small State Parties with limited administrative [capacities][resources]; *{para 142 opt 1 n. SCT}*
  - f. Recognizing that the transparency framework will evolve building on existing [decisions][experience] with existing MRV arrangements]; *{para 142 opts 1 f. and 3 e. SCT}*
  - g. [Tracking post-2020 commitments;] *{para 142 opt 1 g. SCT}*
  - h. [Ensuring transparency, accuracy, completeness, comparability and consistency;] *{para 142 opt 1 h. SCT}*
  - i. [Maintaining or improving levels of transparency over time][Maintaining or improving the scope, frequency, timeliness and level of detail of Parties' reporting and inventories, with the fulfilment of commitments under Article 4, paragraph 3, of the Convention]; *{para 142 opt 1 i. SCT}*
  - j. [Building countries' capacities over time and institutionalizing reporting capacity;] *{para 142 opt 1 j. SCT}*
  - k. [Minimizing the burden on Parties, the secretariat and the review system;] *{para 142 opt 1 k. SCT}*
  - l. Being based on, enhancing and improving the existing transparency framework under the Convention and its Kyoto Protocol; *{para 142 opt 1 l. SCT}*
  - m. Building developing country Parties' MRV capacity through a continuous and systematic funding [basis][base]; *{para 142 opt 1 m. SCT}*
  - n. [Being consistent with the level of support provided for [developing countries][Parties not included in annex X].] *{para 142 opt 1 o. and opt 3 d. SCT}*
29. **SCOPE** [Each Party [**shall**][**should**][**other**] provide verifiable, transparent, consistent, complete, accurate and comparable information on the implementation of its [commitments][contributions][actions] in relation to, **inter alia**, mitigation, adaptation, finance, technology development and transfer and capacity-building: *{para 147 SCT}*
- a. National inventories of emissions and removals; *{para 144 opt 2 b. i SCT}*
  - b. Progress made towards the achievement of mitigation [commitments][contributions][actions]; *{para 144 opt 2b ii., 147.1, 147.2 and 147.5 SCT}*
  - c. Information on vulnerability to climate change impacts, policy frameworks and the progress of implementation addressing vulnerability and progress towards achieving climate-resilient sustainable development; *{para 144 opts 2 b. iii. and 6 c., paras 147.1, 147.2 and 147.5 SCT}*
  - d. [Tracking the [delivery of][progress made in relation to the provision of support, including for adaptation], and the outcomes achieved through support][Delivery, use and impact of support, as well as on the implementation of enabling environments **and** mainstreaming efforts for transformation to a low GHG and to climate-resilient investments.]] *{para 144 opts 2 b. iv and 6 e. and d., paras 147.1, 147.2, 147.3 and 145.7, 150 c., and para 123 from Section F SCT}*

30. **APPLICABILITY** [The transparency framework shall be: *{para 144 opts 2 and 4 and para 142 opt 2 SCT}*]

**Option 1:** Built on the existing MRV arrangements under the Convention [,including Articles 10, paragraph 2(a) and (b), and 12, paragraphs 1–3]: *{para 144 opt 4 SCT}*

- a. [[[Developed country Parties][Parties included in annex X]] [[Developed country Parties][Parties included in annex X] and other Parties undertaking quantified emission reduction commitments]] should]] [Developed country Parties] report information related to their actions and provision of support to [developing countries][Parties not included in annex X]: *{para 144 opts 1 and 7 SCT}*

**Option (a):** In accordance with the provisions of the Convention and relevant decisions of the COP in their national communications, biennial reports and annual inventory reports. All of that information will be [subject to the international assessment and review (IAR) and an international expert team review, as well as to a compliance assessment for Annex I Parties that are also Parties to the Kyoto Protocol][verified through a robust technical review process followed by a multilateral assessment process, and result in a conclusion with consequences for compliance]. *{para 144 opts 1 a. and 7 a, and para 147.4 SCT}*

**Option (b):** Using enhanced procedures for comparability, including more frequent reporting, standardized format, common accounting framework with a common base year and expressed in terms of carbon dioxide equivalent (CO<sub>2</sub> eq), with projections of emission [trajectories][pathways]; and enhanced common and rigorous MRV and accounting of support to developing country Parties on finance, technology transfer and capacity-building. *{para 144 opt 4 SCT}*

- b. [[Developing country Parties][Parties not included in annex X] [Parties not taking on quantified emission reduction commitments] should] [Developing country Parties] report information on their actions and support received: *{para 144 opts 1 and 7 SCT}*

**Option (a):** In accordance with their obligations under the Convention and relevant decisions of the COP, their capabilities and the level of support received from [developed country Parties][Parties included in annex X][all countries in a position to do so], in their national communications and biennial update reports (BURs), and the BURs will be subject to [international consultation and analysis (ICA)] [a technical analysis followed by a facilitative sharing of views among Parties in a manner that is non-intrusive, non-punitive and respectful of national sovereignty]. *{para 144 opts 1 and 7, and para 147.6 SCT}*

**Option (b):** Using current procedures set up under decisions 1/CP.16 and 2/CP.17. *{para 144 opt 4 SCT}*

**Option 2:** [A single system with common MRV provisions applicable to all Parties from 2020 on] [All Parties commit to participating in an agreed, unified transparency system and to continuously improving transparency]. *{para 144 opt 3 and 147 opt 2 SCT}*

**Option 3:** Based on self-differentiation and national capacity, with Parties reporting information through existing institutions, with no backsliding, and following the procedural guidelines and provisions for monitoring, review and verification under the following tiers:

- a. The Convention;
- b. The Cancun Agreements;
- c. The Kyoto Protocol. *{para 144 opt 5 SCT}*

**Option 4:** A common framework with common MRV provisions applicable to all Parties, built on the [experiences with the] existing MRV system [, adapted to different commitment types,] that is fit for the purpose and [offers appropriate flexibility [for the LDCs and the smallest countries with minimal emissions] [offers flexibility for [developing country Parties][Parties not included in annex X]] in terms of the level and depth of the application of the common MRV provisions [in relation to][shall include]: *{para 144 opts 2 and 6 SCT}*

- a. [The frequency of reporting;]
- b. [The broad categories of information to be reported [through biennial communications;] *{para 142 opt 2 and 144 opt 2 SCT}*]
- c. [The consideration of reporting:
  - i. [Expert review][A technical expert review of the submitted biennial communications]; *{para 142 opt 2 and 144 opt 2 SCT}*
  - ii. [A facilitative, multilateral process][A facilitative examination of the implementation of efforts.]] *{para 142 opt 2 SCT}*

31. **NATIONAL ARRANGEMENTS FOR MRV** [Each Party shall establish and maintain national arrangements for monitoring, reporting and verification under the transparency framework in accordance with common guidelines that [reflect national circumstances][take into account the respective capabilities and different national circumstances of Parties].] *{paras 151 opt 1 e. and 141 SCT}*

32. **MRV OF SUPPORT** [All Parties][Annex II Parties][Parties included in annex Y][All countries in a position to do so][Parties] shall ensure transparency of support by:
- Enhancing the MRV of support provided on the basis of national communications, biennial reports, IAR and Kyoto Protocol rules using common but differentiated templates and drawing on the work of the The Subsidiary Body for Scientific and Technological Advice (SBSTA) on methodologies for the reporting of financial information by Annex I Parties; *{para 150 a. SCT}*
  - Providing information, by [developing countries][Parties not included in annex X], on support received and its use, recognizing the special circumstances of countries, ensuring that no additional reporting burdens are imposed on [developing countries][Parties not included in annex X]; *{para 150 b. SCT}*
  - Providing information on the support provided and received by each Party, in line with its national circumstances. *{para 150 e. SCT}*
33. **DEVELOPING COUNTRIES' MRV ARRANGEMENTS AND SUPPORT** [Developing country Parties should implement the MRV arrangements set out in this agreement in accordance with Article 12 of the Convention and under any further decisions of the COP, taking into account the prompt provision of financial resources so as to cover the agreed full costs incurred by developed country Parties.] *{para 145 SCT}*
34. **ELABORATION OF RULES** [The governing body shall [elaborate][adopt at its first session] the [rules][modalities, standards and guidelines] related to the transparency [and accounting] of action and support[, including the rules on [the use of market mechanisms][transferable mitigation outcomes], and the contribution of the land sector in relation to mitigation [commitments][ contributions]<sup>25</sup>.] *{para 151 chapeaux of opts 1, 2 and 3, chapeau of para 152, and para 153 SCT}*

***[J. Time frames and process related to commitments/contributions/ Other matters related to implementation and ambition]***

**Option I:**<sup>26</sup>

35. **TIMING OF COMMUNICATIONS** [**Option 1:** Each Party shall communicate its nationally determined contribution pursuant to sections D, E, F, G and H<sup>27</sup> no later than upon ratification, acceptance or approval of this agreement. *{Opt 1 para 164 GNT / Opt 1 para 163 SCT}*
- Option 2:** Upon [joining] [accepting][ratifying] the agreement, [all Parties] [each Party] [shall][should][other] [submit] [communicate] a national schedule [setting out the efforts to reduce or limit greenhouse gas emissions] [reflecting the mitigation [commitments][contributions][actions] they intend to implement] [in a format to be decided by the governing body]. [Such national schedules [shall][should][other] have effect from 1 January 2020].] *{paras 21 opt 5 (chapeau), 27 opt 3, 29.1, and 29.2 from Section D GNT}*
36. **UPFRONT INFORMATION** [When communicating their [commitments][contributions][actions], [developed and developing country Parties] [Parties] [shall][should][other] provide [upfront] information [, along with their proposed [commitments][contributions][actions], [in a manner] that facilitates their clarity, transparency and understanding, and in accordance with the relevant decisions of the governing body of this agreement] [in accordance with Article 12 of the Convention].<sup>28</sup> *{para 149 GNT from Section I, Opt 1 para 174 chapeaux of opts 1 - 3, and elements of opt 1 opts (a) and (b) GNT / Opt 1 para 173 SCT}*
- The governing body shall further elaborate the information to be provided to enhance the clarity, transparency and understanding of the subsequent mitigation commitments.<sup>29</sup> *{para 22 from Section D GNT}*
37. **ADJUSTMENTS**
- 37.1. [**Option 1:** Parties may, at any time, make upward adjustments to their [commitments][contributions][actions] by means of a simplified procedure by way of [communication to the secretariat or the depositary] [an amendment to the respective annex and in the context of the procedures referred to in section L below]; *{Opt 1 para 180 chapeau of opt 1 and opts (a) and (b) GNT / Opt 1 para 179 SCT}*

<sup>25</sup> NOTE: Some Parties are of the view that there should be no provisions on market mechanisms and actions in the land sector. *{para 39 opt 6 from Section D SCT}*

<sup>26</sup> NOTE: On provisions for an ex-ante process (para. 176 of the GNT), see paragraphs 56 and 57 of Part II and Article/paragraph 95 of Part III

<sup>27</sup> NOTE: See articles 4, 9, 14, and 24 from Part I and Articles/paragraphs 87 from Part III.

<sup>28</sup> NOTE: Article/paragraph 88, opt 4 of Part III reflects the information set out in para. 14 of decision 1/CP.20.

<sup>29</sup> NOTE: On the information requirements see also Article/paragraph 88 of Part III.



The governing body [shall adopt modalities] [**may** adopt any modalities] of the simplified procedure.] *{Opt I para 180 opt 1 opt (c) GNT / Opt I para 179 SCT}*

**Option 2:** Developed country Parties may, at any time, make upward adjustments to their [commitments][contributions][actions] by means of a procedure to be adopted by the governing body.

The upward adjustments to the commitments of developing country Parties are premised on the adequacy of finance, technology transfer and capacity-building support from developed country Parties.] *{Opt I para 180 opt 2 GNT / Opt I para 179 SCT}*

37.2. **Option 1:** A Party [to be allowed to] [may] exceptionally adjust its [proposed][provisional] [commitment][contribution], [in line with modalities developed by the governing body,] subject to certain conditions, including: if subsequent rules differ substantially from the Party's assumptions [, or force majeure] [, as specified in the information to be provided pursuant to the reference to the provision addressing accompanying information], [provided that there is no backsliding<sup>30</sup>]; *{Opt I para 181 opts 1 and 5 GNT / Opt I para 180 SCT}*

**Option 2:** A [developing country Party][Party not included in annex X] may adjust its [contribution] [enhanced action] when severely affected by an extreme natural event [force majeure, or when adequate finance, technology transfer and capacity-building support is not available]; *{Opt I para 181 opts 2 and 3 GNT / Opt I para 180 SCT}*

**Option 3:** No other adjustments allowed; *{Opt I para 181 opt 4 GNT / Opt I para 180 SCT}*

37.3. [The provisions of [the section in which mitigation is addressed] shall not apply in cases of force majeure.] *{Opt I para 183 GNT / Opt I para 182 SCT}*

38. **HOUSING** [The [commitments][contributions][actions] communicated by Parties [**shall**][**should**][**other**] be: *{Opt I para 178 GNT / Opt I para 177 SCT}*

**Option 1:** Inscribed in:

**Option (a):** A single annex [to this agreement] [for legally binding commitments]. *{Opt I para 178 opt 1, and para 21.7 from Section D GNT}*

**Option (b):** Annexes to this agreement:

**Option (i):** Annex A for quantified emission reduction commitments and annex B for emission limitation commitments and strategies;

**Option (ii):** Annex A: a table of heading numbers of quantified emission reduction commitments of [developed country Parties][Parties included in annex X]; and annex B: a compilation of communications of enhanced mitigation actions by [developing country Parties][Parties not included in annex X]. *{Opt I para 178 opt 2 GNT}*

**Option (c):** An integral part of the agreement. *{para 19 part of opt 1, and paras 31 and 34 from Section D GNT}*

**Option 2:** [Inscribed][reflected] in [two] attachments to this agreement: *{Opt I para 178 opt 3 and 27, opts 2 and 5 GNT}*

**Option (a):**

- i. Attachment A for [developed country Parties'] [Parties included in annex X] emission reduction commitments;
- ii. Attachment B for [developed country Parties'] [Parties included in annex X] finance, technology and capacity-building commitments;
- iii. Attachment C for [developing country Parties'] [Parties not included in annex X] enhanced actions [both domestic resources as well as support requirements)]. *{Opt I para 178 opt 3 GNT}*

**Option (b):**

- i. A common tabular format for the absolute emission reduction targets (AERTs) of [developed country Parties][Parties included in annex X];
- ii. A compilation of communications on diversified emission mitigation actions (DEMAs) of [developing country Parties][Parties not included in annex X]. *{elements of para 27 opts 2 and 5 from Section D GNT}*

**Option 3:** Adopted by [a decision of the governing body] [three decisions of the Conference of the Parties, for developed country Parties' emission reduction commitments, developed country Parties' commitments on finance, technology and capacity-building support, and developing country Parties' enhanced actions, respectively]. *{Opt I para 178 opts 4 and 5 GNT}*

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<sup>30</sup> NOTE: See Article 6 of Part I.

**Option 4:** Contained in [national schedules] [national schedules with two formats, for developed and developing country Parties respectively] to be communicated to the secretariat. *{Opt I para 178 opts 7 and part of 6 GNT}*

**Option 5:** Inscribed in [a country contribution document, with a provision in the agreement creating an obligation for each Party to communicate and implement their contribution] [two country contribution documents, for developed and developing country Parties, respectively]. *{Opt I para 178 opts 8 and 9 GNT}*

**Option 6:** Recorded in an online registry of [national mitigation targets, which is to form an integral part of this agreement] [emission reduction targets of developed country Parties, an online registry of commitments on finance, technology transfer and capacity-building support of developed country Parties and an online registry of enhanced actions on mitigation and adaptation by developing country Parties]. *{Opt I para 178 opts 10 and 11 GNT}*

**Option 7:** In relation to the information communicated under Article 9, inscribed in a[n] [virtual portal][online registry] managed by the secretariat, with a view to [facilitating access to the information for a wide range of stakeholders][strengthening and enhancing cooperation on adaptation through the relevant institutions, mechanisms and channels under the Convention.]. *{paras 7 opt 3 and 2 opt 6 3<sup>rd</sup> sentence from Section E SCT}*

**Option 8:** Kept and updated by the secretariat in an online registry of the financial components communicated by Parties pursuant to the relevant provisions,<sup>31</sup> with a view to enhancing transparency on the mobilization and provision of finance, technology development and transfer and capacity-building to developing countries. *{para 127 from Section F SCT}*

39. **MAINTAINING A SCHEDULE** [Parties [shall][should][other] thereafter maintain a [current] [national] schedule at all times that they are Parties to this agreement, in accordance with Article 35<sup>32</sup> and guidance developed by the governing body.]. *{paras 21 opt 5 (chapeau), 27 opt 3 and 29.3 from Section D GNT}*

40. **PERIODIC UPDATING** **Option 1:** Each Party shall update its NDC pursuant to sections D, E, F, G and H in accordance with the provisions of this agreement and any related decisions. *{Opt I para 165 GNT / Opt I para 164 SCT}*

**Option 2:** All Parties agree to collectively revisit, and as appropriate, individually update their national schedules at periodic intervals, [only] in accordance with [modalities][guidance] to be [developed] [agreed] by the governing body [in a manner that:

- a. Is nationally determined;
- b. Facilitates clarity, transparency and understanding;
- c. Continues a progression beyond the previous undertakings of the Party.]. *{para 25 and 29.4 from Section D GNT}*

41. **CONDUCT OF REVIEW/ASSESSMENT**<sup>33</sup> **Option 1:** The governing body shall regularly conduct a [strategic review of implementation][aggregate ambition assessment]. *{Opt I para 185 opt 1 GNT / Opt I para 184 opt 1 SCT}*

**Option 2:** All Parties shall review their emission reduction commitments on a common five-year cycle. *{Opt I para 185 opt 2 GNT / Opt I para 184 opt 2 SCT}*

**Option 3:** The governing body shall regularly conduct a review of implementation in accordance with the principles of equity, common but differentiated responsibilities and respective capabilities. The purposes, modalities, procedures and guidelines of the review will be further elaborated and adopted by the governing body on the basis of Article 4, paragraph 2(d), Article 7, paragraph 2(e), and Article 10, paragraph 2(a), of the Convention and drawing upon the lessons learned from previous review processes and ambition mechanisms under the Convention and its Kyoto Protocol, in order to ensure the effectiveness of the review. *{Opt I para 185 opt 3 GNT / Opt I para 184 opt 3 SCT}*

**Option 4:** The aggregate consideration process will assess the progress towards the objective as referred to in Article 2 of the draft agreement, as well as the adequacy, scale and predictability of the mobilization and provision of finance, technology development and transfer and capacity-building to developing countries, taking into account the aggregate level of ambition as communicated through the NDCs. *{Opt I para 176 opt 4 (chapeau) GNT / Opt I para 175 opt 3 (chapeau) SCT}*

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<sup>31</sup> NOTE: See Article/paragraph 46 f. of Part III.

<sup>32</sup> NOTE: See Option I Article 35 option 2 above.

<sup>33</sup> NOTE: On provisions for a strategic review (para. 185 of the GNT) see also paragraphs 58 and 60 of Part II and Articles/paragraphs 96 of Option I of Part III

### **Option II:**

35. **PERIODIC REVIEW** [There shall be a periodic review process of individual and aggregate commitments on mitigation, adaptation and support and both review of the implementation of existing commitments and a consideration of future firm and indicative commitments.] *{Opt II para 162 GNT/ Opt II para 161 SCT}*

### ***[K. Facilitating implementation and compliance]***

#### **Option I:**

42. [The governing body shall[, at its first session,] approve and adopt appropriate and effective procedures and mechanisms to [promote compliance][facilitate the implementation and enforcement of the provisions of this agreement] [in accordance with the differentiated commitments of developed and developing countries under the Convention and on the basis of the experience with the compliance mechanism under the Kyoto Protocol] [, including the strengthening of transparency arrangements in support of implementation and compliance].] *{Opt I para 193 opts 1 – 4, Opt I para 194 and Opt II para 193 SCT}*

#### **Option II:**

42. [Implementation shall be strengthened through enhanced transparency, including through the consideration of the multilateral consultative process under Article 13 of the Convention.] *{Opt IV para 193 SCT}*

#### **Option III:**

42. [No specific provisions required.] *{Opt VI SCT}*

### ***[L. Procedural and institutional provisions]***

#### 43. **GOVERNING BODY**<sup>34</sup>

- 43.1.[The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this agreement.] *{para 202 GNT}*
- 43.2.[Parties to the Convention that are not Parties to this agreement may participate as observers in the proceedings of any session of the Conference of the Parties serving as the meeting of the Parties to this agreement. When the Conference of the Parties serves as the meeting of the Parties to this agreement, decisions under this agreement shall be taken only by those that are Parties to this agreement.] *{para 203 GNT}*
- 43.3.[When the Conference of the Parties serves as the meeting of the Parties to this agreement, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this agreement, shall be replaced by an additional member to be elected by and from among Parties to this agreement.] *{para 204 GNT}*
- 43.4.[The governing body shall keep under regular review the implementation of this agreement and shall make within its mandate the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this agreement and shall:
- a. Establish such **new** subsidiary bodies **and other new institutional arrangements** as are deemed necessary for the implementation of this agreement;
  - b. Adopt its own rules of procedure at its first session;
  - c. **Exercise such other functions as may be required for the implementation of this agreement.**]
- {paras 205 and 16, 46, 67, 90, 134, 147, Opt I para 197 and 213 GNT}*
- 43.5.[The first **session** of the governing body shall be convened by the secretariat no later than one year after the date of entry into force of this agreement. Thereafter, ordinary **sessions** of the governing body shall be held at regular intervals to be decided by the governing body.] *{para 206 GNT}*
- 43.6.[Extraordinary sessions of the Conference of the Parties serving as the meeting of the Parties to this agreement shall be held at such other times as may be deemed necessary by the Conference of the Parties serving as the meeting of the Parties to this agreement, or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the secretariat, it is supported by at least one third of the Parties.] *{para 207 GNT}*

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<sup>34</sup> NOTE: Parties may wish to consider the consistency of this provision with the definition in Article 1.i when deciding on the appropriate term.

- 43.7. [The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented at sessions of the Conference of the Parties serving as the meeting of the Parties to this agreement as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by this agreement and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties serving as the meeting of the Parties to this agreement as an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure, as referred to in Article X.] *[para 208 GNT]*
44. **SECRETARIAT**
- 44.1. [The secretariat established by Article 8 of the Convention shall serve as the secretariat of this agreement.
- 44.2. Article 8, paragraph 2, of the Convention on the functions of the secretariat, and Article 8, paragraph 3, of the Convention on arrangements made for the functioning of the secretariat shall apply mutatis mutandis to this agreement. The secretariat shall, in addition, exercise the functions assigned to it under this agreement and the governing body.] *[para 209 GNT]*
45. **SBSTA AND SBI**
- 45.1. [The Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation (SBI) established by Articles 9 and 10 of the Convention shall serve, respectively, **as** the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this agreement. The provisions **of the Convention** relating to the functioning of these two bodies shall apply mutatis mutandis to this agreement. Sessions of the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this agreement shall be held in conjunction with the meetings of, respectively, the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention.
- 45.2. Parties to the Convention that are not Parties to this agreement may participate as observers in the proceedings of any session of the subsidiary bodies. When the subsidiary bodies serve as the subsidiary bodies of this agreement, decisions under this agreement shall be taken only by those that are Parties to this agreement.
- 45.3 When the subsidiary bodies established by Articles 9 and 10 of the Convention exercise their functions with regard to matters concerning this agreement, any member of the bureaux of those subsidiary bodies representing a Party to the Convention but, at that time, not a Party to this agreement, shall be replaced by an additional member to be elected by and from among the Parties to this agreement.] *[para 210 GNT]*
46. **BODIES AND INSTITUTIONAL ARRANGEMENTS TO SERVE AGREEMENT** [This agreement **[shall][should][other]** build on the subsidiary bodies and other institutional arrangements established by or under the Convention. All subsidiary bodies, **mechanisms and** other institutional arrangements established by or under the Convention shall serve this agreement, unless otherwise decided by the governing body. The governing body may provide further guidance **or strengthen these institutional arrangements** as appropriate.]<sup>35</sup> *[paras 12 opt 1 and 211, and paras 16, 46, 67, 90, 134, 147, Opt 1 para 197 and 213 GNT]*
47. **IMMUNITY** [Each Party to this agreement shall accord to the persons exercising their functions on any board, panel, group or other institution established by **or under** this agreement, during their journey to and from the place of meeting **of any board, panel, group or other institution established by or under this agreement**, immunity from legal process. The governing body shall determine the modalities for the operation of immunities.]<sup>36</sup> *[para 214 opt 1 GNT]*
- 48.
- 48.1. **SIGNATURE AND INSTRUMENTS OF RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION** [This agreement shall be open for signature and subject to ratification, acceptance or approval by States and regional economic integration organizations **that** are Parties to the Convention. **It shall be open for signature at the United Nations Headquarters in New York from [date] to [date].** Thereafter, the agreement **shall** be open for accession **from the day following the date on which it is closed for**

<sup>35</sup> NOTE: Some Parties have expressed the view that whether other institutions/bodies established in or under the Convention should serve the agreement should be decided on a case by case basis (and, if so, reflected in the relevant article), rather than through a general anchoring provision.

<sup>36</sup> NOTE: Some Parties are of the view that there should be no provision on immunities. *[para 214 opt 2 GNT]*

signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary; *{para 215.1 GNT}*

48.2. **REIOS:** Any regional economic integration organization that becomes a Party to this agreement without any of its member States being a Party shall be bound by all the obligations under this agreement. In the case of regional economic integration organizations with one or more member States that are Parties to this agreement, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this agreement. In such cases, the organization and the member States shall not be entitled to exercise rights under this agreement concurrently. In their instruments of ratification, acceptance, approval or accession, regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by this agreement. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence; *{para 215.2 GNT}*

48.3. **FURTHER REQUIREMENTS:**

**Option 1:** Each Party to the Convention [shall][should][other] submit to X a national schedule at the time when it deposits its instrument of ratification, acceptance, approval or accession to this agreement.<sup>37</sup> *{para 215.5 opt 2 GNT}*

**Option 2:** A Party to the Convention [shall][should][other] submit to X a [legally binding] mitigation [commitment][contribution][action] in order to become a Party to this agreement.] *{para 215.5 opt 3 GNT}*

49. **ENTRY INTO FORCE**<sup>38</sup>

49.1. **Option 1:** This agreement [shall][will] [enter into force][come into effect on and be implemented from 2020] [on the [thirtieth][ninetieth] day after the date on which not less than [10][50][X] [a number that is not over- or under-inclusive] Parties to the Convention have deposited their] [subject to the deposit of [X] number of] instruments of ratification, acceptance, approval or accession; *{para 216.2 opts 1 and 2 GNT}*

**Option 2:** A double threshold that includes both a number of Parties ratifying and a [percentage of global emission reductions covered by the ratifying Parties][minimum of global emissions from Parties]; *{para 216.2 opt 3 GNT}*

**Option 3:** This agreement [shall][will] enter into force [on [X/X/2020]] [1 January 2020 at the latest], provided that [X] [number of Parties have deposited their instruments of ratification, acceptance, approval or accession and that the total of emissions of such Parties] [constitutes X per cent of the global total of emissions in year X] [covers [in total X gigatonnes of carbon dioxide equivalent]]. [If such thresholds have not been met by X date, this agreement will enter into force X days after the thresholds have been met]; *{para 216.2 opts 4 and 6 GNT}*

**Option 4:** Entry into force upon either a sufficiently high number X of Parties having deposited their instruments of ratification, acceptance, approval or accession, or a percentage X of global greenhouse gas emissions being covered, whichever occurs first, but not earlier than on 1 January 2020; *{para 216.2 opt 5 GNT}*

**Option 5:** This agreement shall enter into force on the ninetieth day after the date on which not less than [55 Parties to the Convention, incorporating Parties included in Annex I to the Convention that cumulatively accounted for at least 55 per cent of the total carbon dioxide emissions for 1990 of Parties included in Annex I] [half of the Parties to the Convention, incorporating all Parties included in Annex I], have deposited their instruments of ratification, acceptance, approval or accession; *{para 216.2 opts 7 and 8 GNT}*

49.2. For each State or regional economic integration organization that ratifies, accepts or approves this agreement or accedes thereto after its entry into force in accordance with Article 49.1, this agreement shall enter into force on the [ninetieth][X] day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession ; *{para 216.3 GNT}*

49.3. For the purposes of Article 49, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by its member States; *{para 216.4 GNT}*

49.4. **PROVISIONAL APPLICATION:** A Party to the Convention that intends to ratify, approve, accept or accede to this agreement may at any time notify the Depositary that it will apply this agreement

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<sup>37</sup> NOTE: Some Parties are of the view that there should be no additional requirements for the deposit of instruments of ratification, acceptance, approval or accession. *{para 215.5 opt 2 GNT}*

<sup>38</sup> NOTE: Article 49.1 (options 1–5) also reflects and consolidates. *{para 215.1 opts 1 and 2 SCT / para 216.1 opts 1 and 2 GNT}*

provisionally for a period not extending beyond the **date** of entry into force of **this** agreement **for that Party**.<sup>39</sup> *{para 216.5 opt 1 GNT}*

50. **DURATION** [The starting date for the implementation of this agreement [**shall**][**should**][**other**] be [1 January 2020][31 December 2020][1 January 2021]; and the end date of this agreement [**shall**][**should**][**other**] be [2030][2040][2050][2100][durable forever].] *{Opt 1 para 163 GNT / Opt 1 para 162 SCT}*

51. **AMENDMENTS**

51.1. [Any Party may propose amendments to **this** agreement;

51.2. Amendments to **this** agreement shall be adopted at an ordinary session of the governing body. The text of any proposed amendment to **this** agreement shall be communicated to the Parties by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate proposed amendments to the signatories to **this** agreement and, for information, to the Depositary;

51.3. The Parties shall make every effort to reach agreement on any proposed amendment to **this** agreement by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting. The adopted amendment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties for their acceptance;

51.4. Instruments of acceptance in respect of an amendment shall be deposited with the Depositary. An amendment adopted in accordance with Article 51.3 shall enter into force for those Parties having accepted it on the ninetieth day after the date of receipt by the Depositary of an instrument of acceptance by at least three fourths of the Parties to **this** agreement;

51.5. The amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits with the Depositary its instrument of acceptance of the said amendment.] *{para 217 GNT}*

52. **ANNEXES** *Option 1:*

52.1. Annexes to **this** agreement shall form an integral part thereof and, unless otherwise expressly provided for, a reference to **this** agreement constitutes at the same time a reference to any annexes thereto. Without prejudice to the provisions of Article X, paragraphs x and x, such annexes shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character;

52.2. Annexes to **this** agreement shall be proposed and adopted in accordance with the procedure set forth in Article X, paragraphs x and x;

52.3. An annex that has been adopted in accordance with Article 52.2 above shall enter into force for all Parties to **this** agreement six months after the date of the communication by the Depositary to such Parties of the adoption of the annex, except for those Parties that have notified the Depositary, in writing, within that period of their non-acceptance of the annex. The annex shall enter into force for Parties which withdraw their notification of non-acceptance on the ninetieth day after the date on which withdrawal of such notification has been received by the Depositary;

52.4. The proposal, adoption and entry into force of amendments to annexes to **this** agreement shall be subject to the same procedure as that for the proposal, adoption and entry into force of annexes to **this** agreement in accordance with Articles 52.2 and 52.3 above;

52.5. If the adoption of an annex or an amendment to an annex involves an amendment to this agreement, that annex or amendment to an annex shall not enter into force until such time as the amendment to **this** agreement enters into force. *{para 218 opt 2 GNT}*

*Option 2:*

52.1 [Any Party may propose to enhance the efforts encompassed in its mitigation commitment inscribed in annex [...] to this agreement. **The text of** the proposal for such an adjustment shall be communicated to the Parties by the secretariat at least three months before the **session** of the governing body of this agreement at which it is proposed for adoption;

52.2 A proposal by a Party to enhance the efforts encompassed in its mitigation commitment inscribed in annex [...] to **this** agreement shall be considered adopted by the governing body unless more than three fourths of the Parties present and voting object to its adoption. The adopted adjustment shall be communicated by the secretariat to the Depositary, who shall circulate it to all Parties, and shall enter

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<sup>39</sup> NOTE: Some Parties are of the view that there should be no specific provision on provisional application. *{para 216.5 opt 2 GNT}*

into force on 1 January of the year following the communication by the Depositary. Such adjustments shall be binding upon Parties.] *{para 218 opt 4 GNT}*

53. **SETTLEMENT OF DISPUTES** [The provisions of Article 14 of the Convention on settlement of disputes shall apply *mutatis mutandis* to this agreement.] *{para 219 GNT}*
54. **VOTING**
- 54.1. [Each Party shall have one vote, except as follows: regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to this agreement. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa;
- 54.2. Parties shall make every effort to reach agreement by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, except:
- a. For decisions on financial issues, in which case decisions shall be taken by consensus;
  - b. For decisions on procedure, which shall be taken by a majority vote of the Parties present and voting.
- 54.3. If the question arises as to whether a matter is one of a procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Parties present and voting.] *{para 220 GNT}*
55. **PARTICIPATION IN DECISION-MAKING** [Parties shall have a current mitigation commitment in order to participate in decision-making under this agreement.] *{Opt 1 para 184 GNT}*
56. **DEPOSITORY** [The Secretary-General of the United Nations shall be the Depositary of this agreement. [In addition to the normal functions of the Depositary, the Depositary shall hold and manage a repository of country contribution documents.]<sup>40</sup>] *{para 221 opt 1 GNT}*
57. **RESERVATIONS** [No reservations may be made to this agreement.<sup>41</sup>] *{para 222 opt 1 GNT}*
58. **WITHDRAWAL** [At any time after X years from the date on which this agreement has entered into force for a Party, that Party may withdraw from this agreement by giving written notification to the Depositary. Any such withdrawal shall take effect upon expiry of [one year from the date of receipt by the Depositary of the notification of withdrawal] [the then current mitigation commitment of that Party, the Party having discharged itself from all duties connected to this commitment], or on such later date as may be specified in the notification of withdrawal. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this agreement.] *{para 223 opts 1 and 2 GNT}*
59. **LANGUAGES** [The original of this agreement, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.] *{para 224 GNT}*

*{[Annex<sup>42</sup>] [Annexes A, B<sup>43</sup>] [Attachments A, B, C<sup>44</sup>] [Annex [X<sup>45</sup>, Y<sup>46</sup>] [[Z][III]]}*

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<sup>40</sup> NOTE: Some Parties are of the view that there should be no additional functions for the Depositary. *{para 221 opt 2 GNT}*

<sup>41</sup> NOTE: Some Parties are of the view that the agreement should provide for reservations. *{para 222 opt 2 GNT}*

<sup>42</sup> NOTE: Proposed in Article 38, opt 1 opt (a).

<sup>43</sup> NOTE: Proposed in Article 38, opt 1 opt (b).

<sup>44</sup> NOTE: Proposed in Article 38, opt 2.

<sup>45</sup> NOTE: Proposed for a list of Parties, to be agreed in Paris on the basis of criteria related to evolving emissions and economic trends; to be updated regularly on the basis of such evolving information.

<sup>46</sup> NOTE: Proposed for a list of Parties, to be agreed in Paris on the basis of criteria related to capability and evolving economic trends; to be updated regularly on the basis of evolving information.

## Part Two: Draft Decision 1/CP.21

*The Conference of the Parties,*

*[Preambulary elements related to workstream 1:]*

- Pp1 **ADP MANDATE** [*Recalling* decision 1/CP.17 on the establishment of the Ad Hoc Working Group on the Durban Platform for Enhanced Action,] *{part of pp44 and pp42 SCT}*
- Pp2 **OTHER RELEVANT COP DECISIONS** [*Also recalling* decisions 2/CP.18, 1/CP.19, 1/CP.20,] *{part of pp44 SCT}*
- Pp3 **CONVENTION OBJECTIVE** [In pursuit of the ultimate objective of the Convention as stated in its Article 2,] *{pp2 SCT}*

*[Preambulary elements related to workstream 2:]*

- Pp4 **RELEVANT COP DECISIONS** [*Recalling* decisions 1/CP.17, 2/CP.18, 1/CP.19 and 1/CP.20,] *{part of pp44 SCT}*
- Pp5 **INTERNATIONAL COOPERATION** [*Resolving* to uphold and promote international cooperation, to enhance the implementation of the Convention and to mobilize stronger more ambitious climate action by all actors,]
- Pp6 **RELATIONSHIP BETWEEN PRE- AND POST-2020** [*Noting* that enhanced pre-2020 ambition can serve to enhance post-2020 ambition and that actions taken to enhance pre-2020 ambition can have significant application in a post-2020 context,]
- Pp7 **URGENCY OF ENHANCED PRE-2020 AMBITION** [*Stressing* the urgency of accelerating the implementation of climate actions to enhance pre-2020 ambition,]

### I. [ADOPTION OF THE [PARIS AGREEMENT]]

1. **DECISION TO ADOPT THE AGREEMENT** [*Decides* to adopt the [Paris Agreement] under the United Nations Framework Convention on Climate Change, annexed hereto;]
2. **DEPOSITORY** [*Requests* the Secretary-General of the United Nations to be the Depository of this Agreement and to open it for signature in New York from X (date) until Y (date);]
3. **SIGNING CEREMONY** [*Invites* the Secretary-General to consider convening first quarter of 2016 a ceremony at the highest possible level to sign the [Paris Agreement];]
4. **INVITATION TO SIGN** [*Invites* all Parties to the United Nations Framework Convention on Climate Change to sign the Agreement at the ceremony to be convened by the Secretary-General or at the earliest opportunity, and to deposit instruments of ratification, acceptance or approval, or instruments of accession where appropriate, as soon as possible;]
5. **TERMINATION OF THE ADP** [*Notes* that in accordance with paragraph 4 of decision 1/CP.17, the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action has been completed and decides that it is therefore terminated;]

### II. [INTENDED NATIONALLY DETERMINED CONTRIBUTIONS]

6. **WELCOMING INDCs** [*Welcomes* the intended nationally determined contributions that have been communicated by Parties to the secretariat;]
7. **INVITATION TO SUBMIT INDCs** [*Reiterates* its invitation to all Parties that have not done so to communicate to the secretariat their intended nationally determined contributions towards achieving the objective of the Convention as set out in its Article 2 in a manner that facilitates the clarity, transparency and understanding of the intended nationally determined contributions;]



### III. [DECISION ELEMENTS]

#### [D. *Mitigation*]

8. **LOW EMISSION STRATEGIES** [All Parties [shall][should][other] develop low emission strategies, [with low emission strategies of [developed country Parties][Parties not included in annex X] [shall][should][other] [having][have] a time frame for zero emissions].] *{para 17.2 opt 1 e., paras 35 and 36 GNT}*
9. **[Option 1].**<sup>47</sup>
  - 9.1. **PURPOSE OF MECHANISMS** *[Affirms that the use of market mechanisms is to: {para 39 opt 1 39.1 GNT}*
    - a. Mobilize the widest range of potential investments for [adaptation and] mitigation;
    - b. Create incentives for early action;
    - c. Incentivize and coordinate effective mitigation [and adaptation] actions [, including those with co-benefits for adaptation] from the broadest range of actors, including the private sector, to support the implementation of this agreement;
    - d. Ensure consistency with individual [commitments][contributions][actions];
    - e. [Be in accordance with the provisions on transparent accounting as contained in section I (*Transparency of action and support*), in particular to avoid double counting;] *{para 39 opt 1 39.1 a. – e. GNT}*
  - 9.2. **ELABORATION OF RULES:** *Decides that the COP [shall], for consideration and adoption by the governing body at its first session:*
    - a. Create and strengthen synergies between cooperative arrangements and mechanisms established or to be established under the Convention, its related legal instruments and other relevant institutions; *{para 39 opt 5 39.3 GNT}*
    - b. Develop accounting rules for the use of market mechanisms, with regard to mitigation contributions of all Parties, including for how to avoid double counting; *{para 39 opt 1 39.1 e. and 39.6 GNT}*
    - c. Develop and adopt standards for implementing [*elements of Article/paragraph 14 of Part III*] and processes for ensuring that these standards are met [and provide for a scaling up of effort]; *{para 39 opts 2 39.1 and 5 39.2 GNT}*
    - d. Building on the work conducted under the SBSTA regarding the framework for various approaches, elaborate modalities, standards and guidelines to ensure mitigation outcomes traded internationally and used against commitments are real (represent a decrease and/or avoidance of emissions measured against a credible reference level, do not give rise to emissions leakage, and inaccuracies from fraud and error are addressed), permanent (irreversible or if reversible measures exist to compensate for any reversal that occurs); additional; verified (guaranteeing independent and competent verification), and are subject to conformity checks by the executive body<sup>48</sup> under the COP regarding their fulfilment, where the executive body:
      - i. Defines standards for setting credible reference levels for calculating emission reductions, avoiding leakage and addressing inaccuracies from fraud or error;
      - ii. Sets provisions for allowing divergence from these standards, by providing comprehensive reasoning for such divergence during the conformity check process;
      - iii. Facilitates transparency by defining rules for the publicly available information; *{paras 153 and 157 GNT}*
    - e. **Elaborate rules relating to net [decrease][contribution] and/or net avoidance of global greenhouse gas emissions that ensure that:**
      - i. The greenhouse gas emissions abatement is shared between the host Party and the acquiring Party;
      - ii. More greenhouse gas emissions abatement is achieved than the addition of the emission reductions resulting from the cooperative arrangement accounted by the host Party towards its [contribution][commitment][action] and the internationally transferred mitigation outcome accounted by the acquiring Party towards its [contribution][commitment][action], while

<sup>47</sup> NOTE: For other provisions on market mechanisms see Articles/paragraphs 14–19 of Part III.

<sup>48</sup> NOTE: The definition of the executive body *{para 160 GNT}* is included in Part III at Article/paragraph 17.

ensuring that there is no double counting, in accordance with [Article][paragraph] 91; *{para 156 GNT}*

f. **Elaborate** rules and requirements **relating to** eligibility and participation requirements.]

*{para 39 opt 2 39.2 GNT}*

9.3. **NO ACCOUNTING AS CLIMATE FINANCE** [*Decides* that the resources for acquiring emission reductions that are accounted towards a mitigation [contribution][commitment][**action**] of a Party shall not be accounted as international climate finance for support by that Party;] *{para 158 from Section I GNT}*

9.4. **VOLUNTARY CANCELLATION OF CERS** [*Encourages Parties to*] actively promote the voluntary cancellation of certified emission reductions, including by subnational entities and the private sector, with a view to fostering their engagement with mitigation actions and further enhancing the environmental integrity of the mechanism; Parties that put forward a financial pledge or target in their mitigation [commitments][contributions][**actions**] would be entitled to use the amount of certified emission reductions cancelled on their behalf to comply with their financial targets and pledges, but not their mitigation obligations.] *{para 39 opt 4 39.8 GNT}*

**Option 2** (to paragraph 9 above): No provisions on market mechanisms] *{para 39 opt 6 GNT}*

10. **COOPERATIVE MECHANISM (SUSTAINABLE DEVELOPMENT)** [The COP shall strengthen existing arrangements by establishing a cooperative mechanism under the Convention to address the effective implementation and articulation of the means of implementation under different approaches to promote sustainable development pathways that include mitigation and adaptation to climate change and its impacts, including response measures, by identifying and measuring impacts of and gaps in implementation, and to recommend specific actions to avoid and minimize negative consequences, in particular in terms of support to developing country Parties as well as **the** development and implementation of specific tools to address identified gaps;] *{para 45 GNT}*

11. **PURPOSE OF ACTIONS IN LAND USE SECTOR** [**Option 1:** *Decides that* the use of actions in the land-use sector is to:

- a. Accommodate national circumstances and proper incentives so as to facilitate actions and stakeholder cooperation;
- b. Encourage [**Parties**] to build on existing accounting approaches, methodologies, guidance and guidelines for anthropogenic emissions and removals, where available;] *{para 39 opt 1 39.5 GNT}*

**Option 2:** No provisions on actions in **the** land use sector;] *{para 39 opt 6}*

12. **STRENGTHEN INSTITUTIONS ON REDD-PLUS** [*Decides that* institutional arrangements under the Convention and the coordination of support for REDD-plus should be strengthened under this agreement on the basis of decision 10/CP.19;] *{para 43 GNT}*

## **[E. Adaptation and loss and damage]**

13. **NATIONAL ADAPTATION PLANNING PROCESSES** [*Decides that:*

- a. National adaptation planning processes should not be mandatory or prescriptive or result in the duplication of efforts undertaken, but should facilitate country-owned, country-driven action; *{para 5 opt 2 2<sup>nd</sup> sentence SCT}*
- b. All Parties shall involve, and facilitate the participation of, relevant stakeholders in adaptation planning, decision-making and monitoring and evaluation processes, in particular women and indigenous peoples; *{para 5 opt 3 a. SCT}*
- c. All Parties shall give priority to the poorest and most vulnerable communities and people in their efforts to adapt to the impacts of climate change;] *{para 5 opt 3 b. SCT}*

14. **GUIDANCE FOR INDIVIDUAL EFFORTS** [*Decides that* [**nationally** determined] adaptation [commitments][contributions][actions][commitments under Article 4 of the Convention] of [developing country Parties][Parties not included in annex X][all Parties] [**shall**][**should**][**other**];] *{para 4 chaps of opts 1, 2 and 3 SCT}*

- a. Be in accordance with the [principles][relevant provisions] of the Convention; *{para 4 opts 1 a. and 2 a. SCT}*
- b. Be concise, clear and understandable; *{para 4 opt 1 b. SCT}*
- c. Consider the dynamic nature of adaptation actions and the risk of maladaptation; *{para 4 opt 1 c. SCT}*
- d. Include forward-looking adaptation priorities and measures; *{para 4 opt 1 d. SCT}*

- e. [Avoid becoming][Not impose] an additional burden[s][or reporting requirements] on [developing country Parties][Parties not included in annex X][, in particular SIDS and the LDCs], as existing adaptation instruments available in each country could be the basis for their formulation; *{para 4 opts 1 e. and 2 e. opt (i) SCT}*
  - f. Promote and protect all human rights; *{para 4 opt 1 h. 1<sup>st</sup> sentence SCT}*
  - g. Contribute to the achievement of sustainable development[, which [may] include][and] [economic diversification][and synergies between mitigation and adaptation actions] [in an equitable manner][in the context of their specific needs and special circumstances][, especially for the developing country Parties referred to in Article 4, paragraphs 8 and 9, of the Convention]; *{para 4 opts 1 g., 2 b. and 4 SCT}*
  - h. Encourage [developing country Parties][Parties not included in annex X] to showcase their efforts and needs and to help national efforts to be recognized in line with the **limit to global average temperature increase referred to in Article 3 of the draft agreement**; *{para 4 opt 2 c. SCT}*
  - i. Implement adaptation measures aimed at ensuring sustainable development and climate change resilient pathways for developing country Parties' actions; *{para 4 opt 2 d. SCT}*
  - j. Implement actions beyond those currently undertaken by Parties under the Convention or its Kyoto Protocol pre- and post-2020; *{para 4 opt 2 e. opt (ii) SCT}*
  - k. Build on adaptation mechanisms and processes under the Convention, including NAPs and national adaptation programmes of action[, joint mitigation and adaptation for the integral sustainable management of forests], and existing arrangements for finance; *{para 4 opts 1 f. and 2 f. 1<sup>st</sup> sentence SCT}*
  - l. Enhance community-based mitigation and adaptation actions on the basis of the traditional knowledge of indigenous peoples and local communities; *{para 4 opt 2 g. SCT}*
  - m. Be country-driven, gender-sensitive, [community-based,] participatory and fully transparent, take into account vulnerable groups (women and children) and preserving ecosystems, be based on [best available] science [and knowledge,] [and][including] traditional and indigenous knowledge, and promote the engagement of subnational and local authorities and other stakeholders; *{para 4 opt 3 SCT}*
15. **NATIONAL EFFORTS AND ACCESS TO SUPPORT** [*Further decides that* nationally determined adaptation commitments of developing countries can include both actions to be undertaken as part of a national effort and further actions to be implemented with timely access to international support;] *{para 4 opt 1 SCT}*
  16. **GUIDANCE FOR COUNTRY-DRIVEN PROCESSES AND PROPOSALS** [*Decides that country-driven processes and proposals of developing countries*<sup>49</sup> [shall][should][other] be, inter alia, gender-sensitive, participatory and fully transparent, take into account vulnerable groups and ecosystems, and be based on science and/or traditional and indigenous knowledge [systems];] *{para 6 opt 3 SCT}*
  17. **INFORMATION BY INSTITUTIONS** [*Encourages* all existing United Nations institutions and international and national financial institutions to provide information to [the international clearing house and registry for adaptation][Parties through the UNFCCC secretariat] on how their development assistance programmes and finance incorporate 'climate proofing' and climate resilience measures;] *{para 12 SCT}*
  18. **CONSIDERATION OF INFORMATION** [*Decides that* relevant institutions shall consider information communicated by Parties with a view to enhancing action on adaptation, as appropriate;] *{para 13 SCT}*
  19. **ADAPTATION METRICS** [*Decides to* launch a Party-driven, forward-looking, reiterative process to strengthen adaptation metrics that will be carried out jointly by the Adaptation Committee and the Nairobi work programme on impacts, vulnerability and adaptation to climate change, to be concluded by SBSTA XX (May 2017), which would ensure that the UNFCCC facilitates access to state-of-the-art metrics;] *{para 14 opt 4 last sentence SCT}*
  20. **STRENGTHENING SYNTHESIS OF INFORMATION AND KNOWLEDGE, AND TECHNICAL GUIDANCE** [*Option 1: Decides that*][*Urges*] all Parties [shall][should][other] enhance cooperation to strengthen institutional arrangements for supporting the synthesis of information and knowledge about adaptation and the provision of technical guidance and support to Parties on adaptation; *{para 16 SCT}*  
*Option 2: Requests* the [SBSTA][Adaptation Committee][bodies concerned] to develop guidelines for strengthening the sharing of information, knowledge and lessons learned under the Nairobi work programme on impacts, vulnerability and adaptation to climate change:
    - a. Address the knowledge gap in the area of implementation of adaptation;
    - b. Strengthen local and institutional capacity;

<sup>49</sup> NOTE: Referred to in Article/paragraph 60 b. of Part III.

- c. Enhance regional and transboundary aspects;
  - d. Encourage all Parties to implement education and public awareness programmes in accordance with **Article 25 of the draft agreement**;] *{para 17 SCT}*
21. **STRENGTHENING INSTITUTIONAL ARRANGEMENTS** [*Decides to* strengthen institutional arrangements for adaptation by:
- a. Providing further guidance on how to assist [developing country Parties][Parties not included in annex X] to move to full-scale implementation on the basis of their NAPs;
  - b. Articulating linkages between, and enhancing the integrated operation of, institutions and/or optimizing assistance for [commitments][contributions] on adaptation to ensure that the existing institutions such as the Adaptation Committee, the Technology Executive Committee (TEC), the Standing Committee on Finance (SCF) and the Green Climate Fund (GCF) are enhanced and to support adaptation actions of [developing countries][Parties not included in annex X];
  - c. Encouraging the establishment of regional adaptation centres in major regions to help to localize support, conduct research, exchange knowledge and provide training for governments;
  - d. Promoting synergy and strengthening engagement with national, regional and international organizations, centres and networks in order to enhance the preparation and implementation of adaptation actions;
  - e. Taking such other actions as may be appropriate to enhance and support adaptation efforts;] *{para 22 a. – f. SCT}*
22. **NEW ADAPTATION CENTRES** [*Decides that* [regional][national] adaptation centres shall be established in [all major regions][each country] to help to facilitate a regional knowledge base on the most appropriate adaptation responses for the [region][country] so as to provide capacity-building for adaptation responses and facilitate research into adaptation measures;] *{para 22 d. SCT}*
23. **REQUESTS TO THE ADAPTATION COMMITTEE** [*Requests* the Adaptation Committee to:
- a. **Option (a):** Review the work of the institutional arrangements under the Convention in 2017 to ensure and enhance the coherence of their work, and prepare recommendations for consideration at COP 23 and/or by the governing body; *{para 24 a. SCT}*  
**Option (b):** Undertake a comprehensive review of all technical and financial institutional arrangements related to adaptation in 2017, which will not be carried out in detriment of, but rather building on, the expertise of existing LDC structures (e.g. the Least Developed Countries Expert Group (LEG)); *{para 25 n. SCT}*
  - b. Establish and maintain stronger linkages with the [operating entities of the Financial Mechanism, including the] GCF and other funds[, and the alternative for financing joint mitigation and adaptation approaches, plans and actions][, taking into account the balanced 50:50 approach in the allocation of financing between mitigation and adaptation];
  - c. Evaluate information on support for adaptation;
  - d. Provide recommendations on existing methodologies for adaptation;
  - e. Take such other actions as may be appropriate to enhance and support adaptation efforts;
  - f. Promote concerted global efforts on adaptation;
  - g. Enhance knowledge and understanding of adaptation planning and implementation;
  - h. Monitor and analyse global adaptation needs and available resources;
  - i. Enhance coherence and synergy with relevant existing institutions;
  - j. Strengthen local and institutional capacity to develop and implement adaptation actions; *{para 24 b. - j. SCT}*
  - k. Identify the implications of the aggregate mitigation effort for projected regional impacts in key sectors on the basis of the best available science, with the aim of assisting particularly vulnerable developing countries with:
    - i. National adaptation planning;
    - ii. Identification of gaps in capacities and knowledge in the light of projected impacts;
    - iii. Development of strategies to address projected impacts;
  - l. Report annually to the governing body on priority areas of concern for regions;] *{para 23 SCT}*
24. **ENHANCING THE NAIROBI WORK PROGRAMME** [[*Decides to enhance* the Nairobi work programme by establishing the Technical and Knowledge Platform under the Cancun Adaptation Framework, which will be made operational by the Adaptation Committee, in order to]:
- a. Develop methodologies, metrics and indicators;

- b. Model climate change scenarios and impacts;
- c. Enhance understanding of global implications of adaptation;
- d. Develop and strengthen global, regional, national and local capacities as well as social capacities to address adaptation concerns and metrics;
- e. Pursue the establishment and well-functioning of adaptation knowledge platforms and networks at all levels;
- f. Become a means of scaling up adaptation benefits, adaptation practices and outcomes;
- g. Aim at incorporating an approach of sustainable management of ecosystems in adaptation planning;
- h. Socialize climate risk through insurance-type mechanisms;
- i. Enhance the understanding of the global implications of adaptation and the interlinkages among local efforts, national contributions and global adaptation actions;
- j. Enhance the understanding of progress made in vulnerability reduction at the global, regional, national and local levels, including progress made towards the global goal on adaptation;
- k. Ensure the availability of methods and tools to evaluate the impacts of climate change, vulnerability and adaptation outcomes;
- l. Strive for a results-oriented approach facilitated by the monitoring and evaluation of adaptation outcomes;
- m. Facilitate the assessment of the effectiveness of adaptation measures;] *{para 25 a. – m. SCT}*

**[Loss and Damage]**

**Option I.**<sup>50</sup>

25. **STRENGTHENING THE WARSAW INTERNATIONAL MECHANISM** [*Establishes* a financial technical panel under the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts, which shall:
- a. Establish regional risk pools to support regional risk transfer schemes;
  - b. Provide support for microfinance initiatives;
  - c. Explore compensation finance for slow onset events;] *{Opt III paras 34 and 35 SCT}*
26. **ARRANGEMENTS REGARDING DISPLACEMENT COORDINATION** [*Decides* that the governing body shall develop arrangements relating to loss and damage through the establishment of a climate change displacement coordination facility which shall:
- a. Establish measures for emergency relief;
  - b. Assist in providing organized migration and planned relocation;
  - c. Establish procedures for coordinating compensation measures;] *{Opt III paras 36 and 37 SCT}*
27. **ARRANGEMENTS REGARDING RISK TRANSFER** [*Establishes* a clearing house for risk transfer that shall:
- a. Provide a repository for information on insurance and risk transfer;
  - b. Assist Parties in developing risk management strategies and finding best insurance schemes;
  - c. Facilitate financial support for rehabilitation;] *{Opt III paras 38 and 39 SCT}*

**Option II:** [No reference to loss and damage.] *{Opt IV SCT}*

**[F. Finance]**

28. **ACTIONS IN THE PRE-2020 PERIOD** [*Decides* that developed country Parties ~~[shall]~~~~[should]~~~~[other]~~ provide]:
- a. [Synthesized biennial submissions on their updated strategies and approaches to scaling up climate finance from 2014 to 2020, including quantified forward-looking information on the expected level of funding to be provided;] *{para 85 SCT}*
  - b. [Additional funds during the pre-2020 period to the GCF;] *{para 119 e. SCT}*
  - c. [Bridge the gap on adaptation financing in the pre-2020 period by providing predictable, adequate and accessible resources to developing country Parties;] *{para 6 opt 5 2<sup>nd</sup> sentence from Section E SCT}*

<sup>50</sup> NOTE: The paragraphs of this option relate to Option III Articles/paragraphs 41–45 of Part III.

29. **INSTITUTIONAL ARRANGEMENTS** [*Decides that, with regard to institutional arrangements:*

- a. [The COP will be given the authority to adjust institutional settings, to take decisions on consolidating and coordinating institutions and processes, and/or to give guidance to the operational entities as needed, at a later stage;] *[[Proposals for decisions related to anchoring institutions under the agreement] ii. SCT]*
- b. [The Financial Mechanism must continue to be main source of financing;] *[[Proposals for decisions related to anchoring institutions under the agreement] iv. SCT]*
- c. [The replenishment of the Financial Mechanism and its operating entities is to be linked to IPCC scientific assessments;] *[[Proposals for decisions related to anchoring institutions under the agreement] v. SCT]*
- d. [It will take decisions on additional rules of the Financial Mechanism and institutions in supporting the implementation of the legal agreement, where appropriate;] *[[Proposals for decisions related to anchoring institutions under the agreement] viii. SCT]*
- e. **Regarding the operating entities of the Financial Mechanism of the Convention:**
  - i. [Further coordination and rationalization of the operating entities under the Convention and this agreement shall be developed with a view to ensuring predictable, new, additional and adequate resources, including the transfer of technology for these funds;] *{para 114 opt 1 b. SCT}*
  - ii. [Complementarity between the existing operating entities of the Financial Mechanism of the Convention will be determined in accordance with the relevant decisions of the COP and the governing body of this agreement;] *{para 115 SCT}*
  - iii. [[There is a need to establish how the operating entities of the Financial Mechanism will work to implement the financial provisions of the new agreement and how the financial provisions will work with respect to other bodies or mechanisms under the Convention.][Clear roles should be agreed on of the two existing operating entities of the Financial Mechanism of the Convention and coherence should be achieved in climate finance channelled through other financing institutions;]] *[[Proposals for decisions related to anchoring institutions under the agreement] i., vi. SCT]*
- f. **The GCF:**
  - i. [Shall develop linkages with the thematic bodies under the Convention and this agreement in order to provide the GCF with the necessary expertise to serve its funding windows, both present and future;] *{para 119 b. SCT}*
  - ii. [Is to operate under the guidance of the governing body in relation to activities developed under this agreement, and/or to support mitigation readiness activities in [developing countries] [Parties not included in annex X], and/or to capitalize on its knowledge of existing funds and increase its role by helping to finance some of the pipeline projects of those funds;] *[[Proposals for decisions related to anchoring institutions under the agreement] vii. 4. SCT]*
  - iii. [As the main institution under the Financial Mechanism of the Convention, will aim for a 50:50 balance between mitigation and adaptation over time, which will also aim for a floor of 50 per cent of the adaptation allocation for particularly vulnerable countries, including the LDCs and SIDS;] *[[Proposals for decisions related to anchoring institutions under the agreement] vii. 6. SCT]*
  - iv. [In operationalizing its adaptation and mitigation windows, shall ensure adequate financial resources for technology development and transfer and capacity-building for all climate change actions;] *{para 132.2 opt 1 b. vi. from Section G SCT}*
- g. [In order to receive funding from the GCF for the implementation of the agreement, a Party must:
  - i. Be a Party to this agreement;
  - ii. Have fulfilled its reporting requirements as described in section I of the agreement;] *{para 114 opt 2 SCT}*
- h. [The SCF shall be further strengthened by enhancing its work on coherence and coordination and on rationalizing the Financial Mechanism;] *{para 117 SCT}*
- i. **Regarding issues related to access:**
  - i. [There is a need for: the [simplification,] improvement [,prioritization,] [and rationalization] of access[, including direct access, especially] for the LDCs and SIDS; and/or the harmonization of approval and accreditation processes between various channels and institutions leveraging potential non-climate-specific financing mechanisms and institutions; and/or the operation of all funds under the Convention to be transparent, competitive and based on rules, with operating criteria underpinning rules that are compatible with the requirements of private investors, in order to effectively stimulate co-investment; and/or information on how all disbursements include provisions for ‘climate proofing’ measures; and/or arrangements between thematic bodies of the Convention and the GCF to be strengthened;]] *[[Proposals for decisions related to anchoring institutions under the agreement] iii, vii. 3. SCT]*

30. **TIMING OF FINANCE RELATED REVIEWS** [*Decides that, with regard to finance-related reviews as set out in Article/paragraph 46 of Part III:*
- a. [The review of [climate finance][the financial support provided under the agreement] shall be subject to a triennial review;] *[para 87 SCT]*
  - b. [The scale of the provision of finance shall be reviewed every [five][four] years;] *[para 89 c. SCT]*
31. **SHORT-TERM COLLECTIVE GOAL (TIMING)** [*Decides that the short-term collective quantified goal [of USD 200 billion per year by 2030 committed to by developed country Parties]<sup>51</sup> [shall][should] be determined [every five years starting in 2020 on the basis of a floor of USD 100 billion per year;]* *[para 89 g. SCT]*
32. **COORDINATION** [*Decides that coordination is to be further enhanced among contributors and between institutions[, including through the process initiated as per decision 10/CP.19;]* *[Proposals for decisions related to anchoring institutions under the agreement] x. SCT]*
33. **FAST-TRACKING OF URGENT ACTION** [*Recognizes the need for a special mechanism in the agreement to fast-track urgent action required to assist the most vulnerable countries that are already experiencing existential challenges from climate change.*] *[para 81 opt 1 81.1 j. SCT]*

## **[G. Technology development and transfer]**

34. **TECHNOLOGY NEEDS ASSESSMENT** [*Decides to strengthen the technology needs assessment (TNA) process<sup>52</sup> to support the operationalization of this agreement by:*
- a. Enhancing the implementation of the outcomes of the TNA process;
  - b. Aligning TNAs more closely with bankable finance projects and improving TNAs to result in implementable projects;
  - c. Linking TNA to other processes under the Convention, such as NAMAs and NAPs, as appropriate;] *[para 131.5 i. - iii. SCT]*
35. **STRENGTHENING INSTITUTIONAL ARRANGEMENTS** [*Decides that the governing body [may][shall] provide further guidance to [and strengthen] the [Technology Mechanism] [institutional arrangements for technology [development and transfer]] established under the Convention and serving this agreement, taking into account the specific needs of [developing countries][Parties not included in annex X] and countries with special circumstances in Africa, the LDCs and SIDS and promoting needs-based development, access, management and control, emphasizing the most marginalized; the guidance provided by the governing body shall not conflict with the guidance provided by the COP;]* *[chapeau of para 132.2, and opt 1 a. ii. and iii. SCT]*
36. **SUPPORT OPERATIONALIZATION AND DELIVERY** [*Decides that the [TEC and the CTCN] [Technology Mechanism] shall support the operationalization and delivery of the commitments related to technology development and transfer in this agreement, including provisions on accounting;]* *[para 132.2 chapeau of opt 1 a., and i SCT]*
37. **ENHANCING COOPERATION** [*Decides that the Technology Mechanism shall enhance cooperation and synergy with other institutional arrangements under [and outside] the Convention [and stakeholders, as well as the coherence and effectiveness of technology action and initiatives under the Convention] by:*
- a. Establishing linkages<sup>53</sup> between the Technology Mechanism, the Financial Mechanism and capacity-building institutions;
  - b. [Linking and/or guiding the Poznan strategic programme on technology transfer;]<sup>54</sup>
  - c. [Establishing provisions or measures related to other technology initiatives or regional centres;]
  - d. [Enhancing the role of the private sector to support the implementation of the Technology Mechanism;]

<sup>51</sup> NOTE: For provisions on the short-term collective quantified goal see Article/paragraph 47 option 1 f. of Part III.

<sup>52</sup> NOTE: As per decision 17/CP.20, the TEC is mandated to provide guidance on enhanced implementation of the results of TNAs, and to provide an interim report on its preliminary findings on this matter to SB43.

<sup>53</sup> NOTE: In accordance with decision 1/CP.18, the TEC provided recommendations to COP 20 on the linkages between the Technology Mechanism and the Financial Mechanism. As there was no agreement at COP 20 on this matter, the COP agreed to include the agenda item in the provisional agenda for COP 21.

<sup>54</sup> NOTE: SBI 40 and 41 invited the TEC to evaluate the Poznan strategic programme on technology transfer with the aim of enhancing the effectiveness of the Technology Mechanism and to report on its findings. The TEC will provide a final report on this matter to COP 21 through SBI 43.

- e. [Facilitating the role of public research and development, incentives for commercial research and development, the development of technologies and the reaching of economies of scale;] *{para 132.2 opt 1 b. i. - v. SCT}*
38. **PERIODIC ASSESSMENT OF INSTITUTIONAL ARRANGEMENTS** [*Decides that* [the governing body] [an ad hoc review and monitoring mechanism shall be established and] shall conduct a periodic assessment of the effectiveness and adequacy [and implementation] of the [Technology Mechanism] [institutional arrangements] for technology development and transfer. [The [Technology Mechanism] [institutional arrangements] shall improve their performance, and be mandated new functions, as needed, in accordance with the result of the assessment;] *{para 132.2 opt 1 b. vii. and opt c. SCT}*

## **[H. Capacity-building]**

39. **GUIDED BY THE CAPACITY-BUILDING FRAMEWORK** [*Reaffirms that* capacity-building shall be guided by the framework for capacity-building in developing countries established by decision 2/CP.7;] *{para 135 b. SCT}*
40. **MRV AND CAPACITY-BUILDING** [*Decides:*
- a. [To [use][establish] the INDC preparation and MRV processes of capacity-building support against needs identified by Parties, such that **the lack of** capacity is not a barrier to **the** implementation beyond 2020]; *{para 135 f. ii. SCT}*
  - b. To develop national capacity with regard to international MRV requirements; *{para 135 f. iii. SCT}*
  - c. **To** support preparatory and readiness programmes, including [on climate finance][through the Financial Mechanism;] *{para 135 f. iv. SCT}*
41. **INSTITUTIONAL ARRANGEMENTS TO SERVE AGREEMENT** [*Decides that* [the Durban Forum on Capacity-building established by decision 2/CP.17][and][the institutional arrangements on capacity-building established under the Convention] shall serve **the** agreement by: ] *{para 138.1 SCT}*
- a. Enhancing the monitoring and review of the effectiveness of capacity-building [by sharing experiences, best practices and lessons learned regarding the implementation of capacity-building activities]; *{para 138.1 a. SCT}*
  - b. Identifying and addressing capacity gaps in [developing countries][Parties not included in annex X]; *{para 138.1 b. SCT}*
  - c. Enhancing the coordination between institutions established under the Convention and **the** agreement as it relates to their work and mandates on capacity-building;] *{chapeau of para 138.1 c. SCT}*
42. **GUIDANCE TO THE DURBAN FORUM** [*Recommends that* the governing body provide further guidance to the Durban Forum on Capacity-building and assign specific functions, as appropriate;] *{para 138.1 c. i. SCT}*
43. **REVIEW OF OUTCOMES** [*Further recommends that* the governing body regularly review the outcomes of the Durban Forum **meetings** and take appropriate action;] *{para 138.1 c. iii. SCT}*
44. **NEW INSTITUTIONS** [*Option 1: INTERNATIONAL CAPACITY-BUILDING MECHANISM:*
- 44.1. **OBJECTIVE:** *Decides that* the international capacity-building mechanism<sup>55</sup> shall, inter alia:
    - a. Assess support received for capacity-building against needs identified by developing country Parties;
    - b. Facilitate the effective implementation of capacity-building actions at the national and regional levels;
    - c. Promote coherence between existing institutions and mechanisms established under the Convention and this mechanism;
    - d. Assess the effectiveness of the delivery of capacity-building support;
    - e. Facilitate capacity-building at the national and regional levels; *{para 139.2 opt (b) SCT}*
  - 44.2. **COMPONENTS AND FUNCTIONS** [*Further decides that* the international capacity-building mechanism shall comprise:
    - a. A capacity-building committee with the following functions:
      - i. MRV of support received for capacity-building against needs identified by [developing country Parties][Parties not included in annex X];

<sup>55</sup> NOTE: Regarding the establishment on the international capacity-building mechanism see Article/paragraph 75 option 1 of Part III.



- ii. Facilitation of the effective implementation of capacity-building interventions at the national and regional levels;
  - iii. Provision of normative guidance on capacity-building related issues to inform other institutions and mechanisms established under the Convention;
  - iv. Promotion of coherence **of the work of** relevant institutions and mechanisms established under the Convention;
  - v. Facilitation **of efforts** of developing country Parties to elaborate plans and strategies for achieving climate resilience and sustainable development trajectories in accordance with their national priorities and legislation;
- b. An evaluation mechanism with the function of assessing the effectiveness of the delivery of capacity-building;
  - c. Regional capacity-building centres to facilitate building capacity at the national and regional levels;
  - d. An institute for capacity-building to operate as a consortium of tertiary institutions in all major regions of the world to build capacity in [developing countries][Parties not included in annex X] as a means of strengthening the ability and effectiveness of mitigation and adaptation actions;
  - e. A capacity-building coordination centre to stimulate **and** foster cooperation on capacity-building, enhance and support capacity-building **and** assist developing countries in areas of capacity-building in accordance with their respective capabilities and national circumstances and priorities. The centre will have the following functions:
    - i. Compilation of information from relevant sources, including from the comprehensive review and outcomes of the Durban Forum on Capacity-building;
    - ii. Analysis of information pertaining to capacity-building to identify, inter alia, gaps and needs and other relevant trends;
    - iii. Development and dissemination of tools and methodologies for the enhanced delivery of capacity-building;
    - iv. Development of tools for MRV of capacity-building;
    - v. Matching of identified capacity needs with possible sources of capacity-building support from governments, the private sector, intergovernmental organizations, academic institutions and non-governmental organizations;
    - vi. Close collaboration with other relevant bodies and processes under the Convention, including, but not limited to, the CTCN and the Adaptation Committee;
    - vii. Close collaboration with other intergovernmental organizations involved in capacity-building;
  - f. An advisory body of the centre to give guidance to the centre on how to prioritize and address requests from developing countries and, in general, monitor, assess and evaluate the performance of the centre;
  - g. A network of regional centres, academic institutions, private and public sector bodies and NGOs interested and involved in climate change capacity-building;] *[para 139.2 opt (a) SCT]*

**Option 2:** Strengthening and improving existing institutions; *[para 139 opt 3 SCT]*

**Option 3:** Enhance the role of the private sector in the delivery of capacity-building; *[para 139 opt 4 SCT]*

**Option 4:** No provisions on the establishment of new institutions;] *[para 139 opt 2 SCT]*

## ***[I. Transparency of action and support]***

45. **GUIDANCE ON THE ELABORATION OF RULES** [*Decides to* elaborate the [rules][modalities, standards and guidelines] related to transparency [and accounting] of action and support, [including the [use of market mechanisms]][**transferable mitigation outcomes**], and **contribution of** the land sector in relation to mitigation [commitments][contributions].] which: *[para 151 chapeau of opt 1, chapeau of para 152, and para 153 SCT]*
- a. After gathering experience with the agreed transparency system and assessing whether improvement is needed, [adjust][enhance][ensure] the development of the existing MRV arrangements and accounting rules, building on the experience of existing MRV arrangements, to fit the objectives and purposes of the agreement; *[para 151 opt 1 a. SCT]*
  - b. Ensure harmonization and coordination of existing data systems as well as methodological consistency and commonality in defining and tracking the [commitments][contributions]; *[para 151 opt 1 b. SCT]*

- c. Use common guidelines related to reference levels elaborating the modalities for how methodological consistency should be ensured and under which circumstances changes to reference levels may occur; *{para 151 opt 1 d. SCT}*
  - d. Use common reporting templates wherever applicable and beneficial for enhancing transparency; *{para 151 opt 3 d. SCT}*
  - e. Use comparable accounting mechanisms for support based on common [templates] [methodologies] and a common methodology for MRV for [developed countries][Parties included in annex X] [Annex II Parties][Parties included in annex Y][all countries in a position to do so]; *{para 151 opt 1 j. SCT}*
  - f. Place greater emphasis on the effectiveness of support and include better provisions for reporting on the use of international support and results achieved with support; *{para 151 opt 1 k. SCT}*
  - g. Address the need for a common agreed definition of climate finance and inconsistencies in climate finance data by:
    - i. Providing clarity on which type is most appropriate for which action;
    - ii. [Building on the work done by the Organisation for Economic Co-operation and Development Research Collaborative and the SCF on methods for measuring and tracking private climate finance][Building on the work of the SBSTA]; *{para 151 opt 1 l. iv. SCT}*
  - h. [Provide the necessary flexibility to Parties through the use of tiers or ‘opt out’ provisions;] *{para 140 opts 1 and 2 h. SCT}*
  - i. Recognize the importance of GHG by sources and removals by sinks resulting from land-use change and forestry activities; *{para 151 opt 3 g. SCT}*
  - j. Promote understanding and environmental integrity of efforts to reduce or limit GHG; *{para 24.1 from Section D SCT}*
  - k. Are consistent with IPCC principles of transparency, accuracy, consistency, completeness and comparability; *{para 24.2 from Section D SCT}*
  - l. Appropriately accommodate Parties’ national circumstances and capabilities;] *{para 24.3 from Section D SCT}*
46. **FURTHER GUIDANCE ON THE ELABORATION OF RULES** [*Further decides to elaborate* the rules and guidelines related to transparency of action and support, taking into account the following: *{para 151 chapeaus of opts 1 - 3 SCT}*
- a. Tailoring the post-2020 transparency arrangements to promote its objective; *{para 151 opt 3 a. SCT}*
  - b. Parties [shall][are encouraged to] [account for][include] all [significant] [major] [emission sources and sinks, pools and gases in their contribution][sources of anthropogenic emissions and removals in their [commitment][contribution], as defined by IPCC key categories], and the accounting shall be increasingly comprehensive over time; *{para 151 opts 3 f. i. and 5 a., and para 39 opt 3 39.1 b. from Section D SCT}*
  - c. For [major sources and sinks, pools and gases][key categories of emissions and removals] that are not included, Parties [shall][should][other][are encouraged to] include an explanation for their exclusion, and [shall][should][other] strive to include these over time; *{para 151 opt 3 f. i. and ii., opt 5 a., and para 39 1 c. from Section D SCT}*
  - d. All Parties [shall][should][other] use [[common] [methodologies] [guidance and guidelines] and] [common] metrics [accepted][specified] by the IPCC [in the latest assessment report] and [agreed upon][adopted] [determined] by the [governing body][COP], unless otherwise decided by the COP [to determine their][ for the estimation of] greenhouse gas emissions and removals; *{para 149, para 150, para 151 opt 1 c. opts (a) and (b), para 151 opt 3. f. iii., and para 39 opt 3 39.1 h. from Section D SCT}*
  - e. [To ensure consistency,] [Parties are not to change their][Parties should use the same] accounting approach or methodologies or baseline [during][throughout] the time frame, [including in the base year or other reference point and commitment period,] except in the case of technical corrections] [Consistent methodologies should be used for the estimation and reporting of mitigation actions and outcomes over time;] *{para 151 opt 3 f. iv., and para 39 opt 3 39.1 d. and 39.1 e. from Section D SCT}*
  - f. [Parties are to have projected baselines transparently assessed] [Projected reference levels and other dynamic baselines should be subject to technical assessment prior to the commencement of the [commitment][contribution] period to encourage their transparency, completeness, consistency, accuracy and comparability]; *{para 151 opts 1 h. and 3 f. v., and para 39.1 f. from Section D SCT}*
  - g. Parties that use market-based approaches **are** to meet standards that deliver real, additional, verifiable and permanent emission reductions, avoid double counting of effort and result in a net mitigation benefit; *{para 151 opt 3 f. vi. SCT}*
  - h. Once a [gas, sector, category, activity, area of land or pool][source, sink, or activity] is accounted towards a commitment, it [shall continue to be accounted for in the future][ it should not

- subsequently be excluded from accounting without an explanation of why it has been excluded]; *{para 151 opt 3 f. vii., and para 39 opt 3 39.2 b. from Section D SCT}*
- i. Parties shall define transparently the methodologies, rules and assumptions used to frame their commitments, in particular those used to calculate the ‘business as usual’ projections and work towards common methodologies and rules over time; *{para 151 opt 3 f. viii. SCT}*
  - j. Parties should be allowed to make corrections to their reference levels if they were higher than what occurred, to ensure that sink credits are earned **only** for climate performance directly related to anthropogenic measures and not to unexpected macroeconomic circumstances; *{para 151 opt 3 f. ix. SCT}*
  - k. Where the expert review identifies that methodologies adopted by the governing body for the estimation of emissions and removals have not been used appropriately by a Party, appropriate technical corrections shall be calculated by the expert review; *{para 142 opt 2 SCT}*
  - l. Parties [may exclude, or otherwise manage,] [should strive to exclude] the effect of non-anthropogenic factors;] *{para 151 opt 3 e., and para 39 opt 3 39.2. f. from Section D SCT}*
  - m. Definitions of forest, land use and activities should be used consistently over time; *{para 39 opt 3 39.2 c. from Section D SCT}*
  - n. Parties may apply the principles and methodologies of existing approaches under the Convention and its Kyoto Protocol to recognizing mitigation outcomes in the land sector, in accordance with IPCC guidance where applicable;] *{para 39 opt 3 39.2 d. from Section D SCT}*
47. **REPORTING ON MITIGATION EFFORTS** [*Decides* that, in relation to mitigation [commitments][contributions][actions] Parties [shall][should][other] report on the following: *{chapeau of para 47 GNT}*
- 47.1. A national inventory report containing estimated emissions and removals, in accordance with IPCC guidance as adopted by the COP; *{para 47.1 from Section D GNT}*
  - 47.2. Progress towards achievement of a Party’s NDC; *{para 47.2 from Section D GNT}*
  - 47.3. Policies and measures; *{para 47.3 from Section D GNT}*
  - 47.4. Projections of estimated emissions and removals;] *{para 47.4 from Section D GNT}*
48. **FACILITATIVE EXAMINATION OF NDCS** [*Also decides* that the facilitative examination of Parties’ progress towards their nationally determined [contribution][commitments] [shall][should][other] include the following components: *{para 48 from Section D GNT}*
- 48.1. Any Party may submit electronically, through the secretariat, written questions to the Party concerned in advance of the facilitative examination; *{para 48.1 from Section D GNT}*
  - 48.2. During a meeting of the Parties, Parties will undergo a facilitative examination with the participation of all Parties. The examined Party may make a brief oral presentation, which will be followed by oral questions from Parties and responses by the examined Party; *{para 48.2 from Section D GNT}*
  - 48.3. A summary report, including the proceedings referred to in paragraph 48.1 and 48.2 above;] *{para 48.3 from Section D GNT}*
49. **MANDATE OF THE SCF** [*Reaffirms* the mandate of the SCF under the COP to assist the COP in exercising its functions with respect to the MRV of support provided to developing country Parties;] *{para 160 SCT}*
50. **STRENGTHEN THE MANDATE OF THE SCF** [*Decides to* continue and further strengthen the mandate of the SCF in relation to the MRV of support and ensure that commitments and the provision of support by developed country Parties are implemented and complied with and verified through a robust verification system, and facilitate the comparison of the MRV of all types of support provided with the needs expressed and identified by developing country Parties;] *{para 140 opt 4 c. SCT}*
51. **ENSURING MRV OF SUPPORT** [*Decides that* [all Parties, in accordance with their common but differentiated responsibilities,][Annex II Parties][Parties included in annex Y][All countries in a position to do so][Parties] [shall][should][other] ensure transparency of support by: *{chapeau of para 150 SCT}*
- a. Providing biennial reports, by [Annex II Parties][Parties included in annex Y][All countries in a position to do so] and Parties in a position to do so on adaptation support, indicating the level of support they are providing to [developing country Parties][Parties not included in annex X], in particular the LDCs, SIDS and countries in Africa, so as to inform a regular review by the governing body in line with science; *{para 150 c. SCT}*
  - b. Inviting international financial institutions to provide information on how their development assistance finance incorporates ‘climate proofing’ measures in all forms of support; *{para 150 d. SCT}*
  - c. Providing information on the level of financial support provided by developed country Parties for the purchase of intellectual property rights for developing country Parties to access environmentally sound technologies and thus enhance their action to tackle climate change;] *{para 150 f. SCT}*

52. **REPORTING ON SUPPORT** [*Further decides that:*

- a. Parties [shall][should][other] report on support provided and mobilized, and methodologies utilized; *{para 125 a. from Section F SCT}*
- b. All Parties [shall][should][other] report on the status of, and efforts to improve, their enabling environments and mainstreaming efforts; *{para 126 from Section F SCT}*
- c. Recipient Parties [shall][should][other] report on efforts to improve enabling environments, support received and estimated results of support received, and domestic resources committed or allocated; *{para 125 b. from Section F SCT}*
- d. **Option 1:** The governing body shall develop a structured dialogue to enhance reporting on support provided by developed country Parties. *{para 11 opt 1 from Section E SCT}*  
**Option 2:** Developed country Parties shall enhance reporting on the delivery of support for adaptation, including through national communications submitted pursuant to Articles 4 and 12 of the Convention. *{para 11 opt 2 from Section E SCT}*

53. **INFORMATION ON SUPPORT PROVIDED AND RECEIVED FOR ADAPTATION** [*Encourages* all Parties [shall][should][other] use existing channels to provide information, as appropriate, on support provided and received for adaptation actions in developing countries and on activities undertaken, including, inter alia, progress made, experiences, lesson learned, and gaps in the delivery of support, with a view to ensuring transparency and accountability and encouraging best practices;] *{para 6 opt 8 2<sup>nd</sup> sentence from Section E SCT}*

**[J. Time frames and process related to commitments/contributions/Other matters related to implementation and ambition]**

54. **TIMEFRAME** [The time frame of [commitments][actions] is as follows: *{Opt I para 168 opt 3 (chapeau) GNT / Opt I para 167 SCT}*

- Option (a):** [Five][10][X] years for all Parties [with a midterm review]; *{Opt I 168 opts (a), (g) and (i) GNT}*
- Option (b):** [Five years for [developed country Parties][Parties included in annex X] [only]] [and [10 years] [diversity of **time frames**] for [developing country Parties][Parties not included in annex X]] [subject to the provision of finance, technology and capacity-building support by developed country Parties];; *{Opt I 168 opts (d), (e), (h) and (l) GNT}*
- Option (c):** Five years, beginning in 2015, and an indicative 5 year commitment period; *{Opt I 168 opts (b) and (c) GNT}*
- Option (d):** [Five year [period] [contribution term] and a five-year consecutive indicative [term][period] [for mitigation] [for the mitigation component of each contribution pursuant to Section D]] [; annual or biennial time frame for means of implementation in line with national budgets; different time frame for adaptation]; *{Opt I 168 opts (f) and (k) GNT}*
- Option (e):** For a period to be determined by the governing body. *{Opt I 168 opt (j) GNT}*

55. **PERIODIC COMMUNICATION** [[Pursuant to Article 2 of the Convention,] [in accordance with the provisions of the Convention and in the light of its Article 4,] [all] Parties [shall][should][other] periodically communicate or update their proposed [commitments][contributions][, with developing country Parties doing so within the context of the basis of the provision of support. Such periodic communications shall take into account national circumstances and factors that affect the national determination of climate actions, such as public policy planning and execution cycles and domestic legislative requirements]; *{Opt I para 168 opts 1 (chapeau) and 2 (chapeau) GNT / Opt I para 167 (chapeau) SCT}*

- Option (a):** [Every five years for all Parties] [Every [10][X] years, with a midterm review]; *{Opt I para 168 opts (a) and (i) GNT}*
- Option (b):** Every five years for [developed country Parties][Parties included in annex X] [only] [and every 10 years for [developing country Parties][Parties not included in annex X]]; *{Opt I para 168 opts (d) and (e) GNT}*
- Option (c):** [Commitments shall be inscribed every five years, beginning in 2015. All Parties shall communicate proposed commitments 12–18 months prior to their inscription. The commitments will cover a five-year period, ending 10 years after the inscription year. Parties may also propose an indicative commitment covering a further five–year period, which can be confirmed or enhanced five years later, when formally inscribed (2020);][Every five years, indicating the [commitment][contribution][action] for the subsequent five-year period as well as an indicative [commitment][contribution][action] for the following five-year period;] *{Opt I para 168 opts (b) and (c) GNT}*
- Option (d):** [Every five years for the upcoming period and an indication for the following period only for mitigation] [The mitigation component of each contribution pursuant to section D shall include a

five-year contribution term and a five-year consecutive indicative term]: annual or biennial time frame for means of implementation in line with national budgets; different time frame for adaptation.] [The communication of the components pursuant to Article/paragraph 46 f<sup>56</sup> shall follow the processes and timelines required for national budgets, taking into account the agreed communication channels and relevant guidance developed under the Convention]; *{Opt I para 168 opts (f) and (k) GNT, and para 96 final sentence from Section F SCT}*

**Option (e):** By [2030][ 2025] for all Parties; *{Opt I para 168 opt (g) GNT}*

**Option (f):** By 2025 and/or 2030 for all [developed country Parties][Parties included in annex X] only, and with the diversity of end dates for [developing country Parties][Parties not included in annex X] [subject to the provision of finance, technology and capacity-building support by developed country Parties]; *{Opt I para 168 opts (h) and (l) GNT}*

**Option (g):** For a period to be determined by the governing body.] *{Opt I para 168 opt (j) GNT}*

56. **TIMING OF EX ANTE PROCESS** *[Decides that* the [ex ante consideration process][further facilitation of transparency and clarity][consultative [period][ process]] [shall][should][other] take place as follows: *{Opt I para 176 opt 3 chapeau of 176.3 GNT / Opt I para 175 opt 2 175.3 SCT}*

**Option (a):** In the year [in which][after] the [commitments][contributions][actions] are communicated; *{Opt I para 176 opt 3 176.3 opts (a) and (b) GNT}*

**Option (b):** In the [year][12 months] prior to the [inscription of the contribution in the agreement for mitigation and means of implementation][session at which the commitment would be inscribed]; *{Opt I para 176 opt 3 176.3 opt (c) GNT}*

**Option (c):** Each Party to go through a consultative period for four to six months after the submission of its intended INDC; *{Opt I para 176 opt 3 176.3 opt (d) GNT}*

**Option (d):** In 20xx for developed country Parties and later for developing country Parties; *{Opt I para 176 opt 3 176.3 opt (e) GNT}*

**Option (e):** For developed country Parties, [X months after the commitments are communicated][Y months prior to the inscription in the agreement] for mitigation and the provision of finance, technology and capacity-building. For developing country Parties, the starting time will depend on the provision of finance, technology and capacity-building support by developed country Parties;] *{Opt I para 176 opt 3 176.3 opt (f) GNT}*

57. **MODALITIES FOR EX ANTE PROCESS** *[Decides that:*

**Option 1:** Modalities and procedures for the [ex ante consideration process][further facilitation of transparency and clarity][consultative [period][process]] [shall][should][other] **include:** *{Opt I para 176 opt 3 176.5 GNT / Opt I para 175 opt 2 175.5 SCT}*:

- a. [A web platform][Two web platforms, one for developed country Parties and one for developing country Parties,] where Parties and other actors are able to pose questions; [Parties are encouraged to answer the questions that they receive]; [developed country Parties shall answer the questions that they receive within X months after the questions are received; developing country Parties are encouraged to participate in the web platforms and answer the questions that they receive subject to the financial, technological and capacity-building support from developed countries]; *{Opt I para 176 opt 3 176.5 a. GNT}*
- b. Consultations among Parties, including through [workshops and round tables][two sets of workshops and round tables, one for developed country Parties and one for developing country Parties]; *{Opt I para 176 opt 3 176.5 b. GNT}*
- c. A joint SBI and SBSTA programme to prepare recommendations for the COP [composed of two task forces, one for developed country Parties and one for developing country Parties]; *{Opt I para 176 opt 3 176.5 c. GNT}*
- d. A [technical body][panel][task force] to be established that undertakes analytical work, examines the adequacy and fairness of [commitments][contributions] and prepares recommendations; and/or on mitigation and means of implementation; *{Opt I para 176 opt 3 176.5 d. GNT}*
- e. Inputs to the process, including modalities for [the analysis, synthesis and/or compilation of the [commitments][contributions]] [two compilations of the commitments, one by developed country Parties and one by developing country Parties;] *{Opt I para 176 opt 3 176.5 e. GNT}*

**Option 2:**

- a. The secretariat shall:
  - i. Make publicly available on the UNFCCC website the INDCs as communicated by Parties;

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<sup>56</sup> NOTE: Article/paragraph 46 f. is situated in Part III.

- ii. Make a web page available on the UNFCCC website where questions can be posed by Parties and accredited observer organizations to other Parties about their INDCs, so as to enable the respective Parties to provide responses to those questions;
  - b. The secretariat shall also organize workshops in conjunction with the session to be held six months before the beginning of each cycle and the subsequent session with the objectives of:
    - i. Facilitating Party presentations of INDCs, and follow-up question and answer sessions for Parties and accredited observer organizations;
    - ii. Enhancing the clarity, transparency and understanding of the contributions and their aggregate effect;] *{paras 44.1 and 44.2 from Section D GNT}*
58. **TIMING OF REVIEW/ASSESSMENT** [**Option 1**: **Decides that** the [review][assessment][mechanism][aggregate consideration process] shall take place: *{Opt I para 187 GNT / Opt I para 186 SCT}*
- Option (a)**: Starting [in X]after the agreement has come into effect], every [one][two][four][five] years; *{Opt I para 187 opt 1 GNT}*
- Option (b)**: Starting in the year [20xx] and every year thereafter for developed country Parties; starting in the year [20xx] and every [two][four] years for developing country Parties; *{Opt I para 187 opt 2 GNT}*
- Option (c)**: Immediately following the publication of each IPCC assessment report; *{Opt I para 187 opt 3 GNT}*
- Option 2**: *{Opt I para 176 opt 4 GNT / Opt I para 175 opt 3 SCT}*
- 58.1. No later than [12] months after the entry into force of this agreement, the governing body shall start the consideration of the aggregate effect of the NDCs towards achieving the objective of the agreement, **as referred to in Article 2**, with a view to informing Parties in adjusting their contributions in order to enhance ambition; *{Opt I para 176 opt 4 176.1 GNT}*
- 58.2. The aggregate consideration process shall be concluded no later than [24] months after its beginning and thereafter be conducted periodically every five years until the ultimate objective of the Convention has been met;] *{Opt I para 176 opt 4 176.2 GNT}*
59. **FORM OF REVIEW/ASSESSMENT** [**Decides that** the [review][assessment][mechanism] should include: *{Opt I para 189 GNT / Opt I para 188 SCT}*
- a. International revisiting of the emission reduction commitments of [developed country Parties][Parties included in annex X]; *{Opt I para 189 a. GNT}*
  - b. Multilateral consideration of the commitments on finance, technology and capacity-building support of [developed country Parties][Parties included in annex X]; *{Opt I para 189 b. GNT}*
  - c. Domestic reflection and international understanding of enhanced action on mitigation and/or adaptation undertaken by [developing country Parties][Parties not included in annex X], in a manner that is non-punitive, non-intrusive and respects national sovereignties; *{Opt I para 189 c. GNT}*
  - d. A forum on lessons learned on the innovation of sustainable development pathways among all Parties; *{Opt I para 189 d. GNT}*
  - e. Review the adequacy of the mitigation commitments of all Parties; *{Opt I para 189 e. GNT}*
  - f. A 2020–2023 review and a 2027–2030 review subsequent to the 2013–2015 review;] *{Opt I para 189 f. GNT}*
60. **MODALITIES FOR REVIEW/ASSESSMENT** [**Decides that** the modalities [and organization of work] for the [review][assessment][mechanism] **[shall][should][other] include**; *{Opt I para 192 opt 2 GNT / Opt I para 191 opt 2 SCT}*
- a. The review referred to in Article 4, paragraph 2(d), of the Convention; *{Opt I para 192 a. GNT}*
  - b. The ambition mechanism under the Kyoto Protocol; *{Opt I para 192 b. GNT}*
  - c. IAR and ICA; *{Opt I para 192 c. GNT}*
  - d. The clarification of the quantified emission limitation and reduction commitments of [Annex I Parties] [Parties included in annex X] and the process of understanding the diversity of NAMAs of [non-Annex I Parties][Parties not included in annex X]; *{Opt I para 192 d. GNT}*
  - e. The 2013–2015 review; *{Opt I para 192 e. GNT}*
  - f. The multilateral consultative process for the resolution of questions regarding the implementation of the Convention, as set out in its Article 13: *{Opt I chapeau of para 192 f. GNT}*
- Option (a)**: Utilizing the existing IAR and ICA processes after further amending their mandates and guidance; *{Opt I para 192 f. opt (a) GNT}*
- Option (b)**: Utilizing the existing 2013–2015 review after further improving the modalities and organization of the work;] *{Opt I para 192 f. opt (b) GNT}*

## **[K. Facilitating implementation and compliance]**

### **Option I:**<sup>57</sup>

61. **MODALITIES** *[Recommends that the governing body, at its first session, adopt the following modalities relating to the compliance mechanism:*
- a. *[Membership][The composition of the Compliance Committee shall be based on equitable geographical representation, ensuring representation of SIDS; the body shall comprise X members; {Opt I para 193 d. i. and opt 5 2<sup>nd</sup> sentence SCT}*
  - b. *Decisions of the Compliance Committee shall be made by consensus where possible and, as a last resort, by a [two-thirds][three-fourths] majority;] {Opt I para 193 opt 5 3<sup>rd</sup> sentence SCT}*
  - c. *Triggers to commence a procedure:*
    - i. *Early warning for potential non-compliance;*
    - ii. *Technical expert teams triggering questions of implementation;*
    - iii. *Parties may trigger with respect to themselves or with respect to other Parties questions of implementation under articles [X, Y and Z]; {Opt I para 193 d. ii. SCT}*
62. **REPORTING TO GOVERNING BODY** *[Further recommends that the governing body, at its first session, decide that the Compliance Committee shall report annually to the governing body;] {last line underneath Opt III SCT / Opt I para 194 d. vi. and Opt III para 201 GNT}*

### **Option II:** [No specific provisions required.] *{Opt VI SCT}*

## **IV. [POSSIBLE ELEMENTS ON PRE-2020 AMBITION (WORKSTREAM 2)]<sup>58</sup>**

63. *[Invites each Party that has not already done so to ratify the Doha Amendment to the Kyoto Protocol and to make a pre-2020 mitigation pledge under the Cancun Agreement;]*
64. *[Invites Parties with an existing mitigation commitment/pledge to consider opportunities for enhancing mitigation outcomes as identified through the technical examination process;]*
65. *[Recognizes the need to further enhance finance, technology and capacity-building support to the efforts by developing country Parties related to pre-2020 action;]*
66. *[Reemphasizes its request to developed country Parties, in preparing their updated biennial submissions on strategies and approaches for scaling up climate finance for the period 2016–2020, to enhance the available quantitative and qualitative elements of a pathway, placing greater emphasis on transparency and predictability of financial flows;]*
67. *[Reiterates its request to the Standing Committee on Finance to further explore how it can enhance its work on the measurement, reporting and verification of support, based on the best available information on the mobilization of various resources, including private and alternative resources, through public interventions;]*
68. *[Agrees to further enhance the technical examination of opportunities with high mitigation potential, including those with adaptation, health and sustainable development co-benefits, in the period 2016–2020 with a focus on accelerating the implementation of actions;]*
69. *[Decides to continue this examination under the [COP] [Intergovernmental Preparatory Committee for the entry into force of the Paris Agreement];]*
70. *[Resolves to improve the access of, and participation by, developing country experts in the technical examination process;]*
71. *[Encourages Parties, Convention bodies, international institutions, and non-State actors to cooperate in facilitating the implementation of policy options and actions identified during the technical examination process;]*
72. *[Requests the secretariat to support and respond to this examination by:*
- a. *Updating, on an annual basis, the technical paper on the mitigation benefits of actions and on initiatives and options to enhance mitigation ambition;*

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<sup>57</sup> NOTE: Parts of Option I are included in Part I (Option I para. 42). See also Part III section K on facilitating implementation and compliance (para. 97).

<sup>58</sup> NOTE: A draft decision on workstream 2, which reflects submissions and expressed views by Parties, is available as a second tool ('Tool number 2'), ADP.2015.5.InformalNote.

- b. Preparing and publishing summaries for policymakers;
  - c. Strengthening inter-convention cooperation and coordination;]
73. [Acknowledging with appreciation the results of the Lima-Paris Action Agenda building upon the climate summit convened on 23 September 2014 by the United Nations Secretary-General and the growing contribution and importance of these efforts to international cooperation to address climate change;]
74. [Agrees to:
- a. Provide in conjunction with each meeting of the Conference of the Parties an opportunity for announcing actions, voluntary initiatives, and coalitions, including by international institutions and non-State actors, and for recognizing these efforts;
  - b. Provide meaningful and regular opportunities for the effective engagement of experts from Parties, relevant international organizations, civil society, indigenous peoples, women, youth, academic institutions, the private sector, and subnational authorities nominated by their respective countries;]
75. [Invites the COP President to further strengthen high-level engagement on the implementation of policy options and actions arising from the technical examination process;]
76. [Decides to conduct a technical examination of adaptation beginning in 2016, building on the lessons learned from the technical examination of opportunities with high mitigation potential, recognizing the unique characteristics, stakeholders, and needs of cooperative action on adaptation, and also recognizing the need to build on, without duplication, existing arrangements under the Convention;]
77. [Decides to conduct a periodic assessment of the technical examination of opportunities with high mitigation potential and the technical examination of adaptation with the aim of continuously improving their effectiveness.]

## V. [WORK PROGRAMME FOR THE INTERIM PERIOD PENDING THE ENTRY INTO FORCE OF THE AGREEMENT]

### [D. Mitigation]

78. **MECHANISMS WORK PROGRAMME Option 1**: [Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)], including on the rules, modalities, standards, processes and guidelines required to give effect to paragraph 9 above and Articles/paragraphs 14–19 of Part III; {para 39 chapeau of opt 1 and 39.6, chapeau of opt 2, and opt 5 39.2 and 39.3 GNT}

**Option 2**: No provisions on market mechanisms.] {para 39 opt 6 GNT}

79. **COOPERATIVE MECHANISM WORK PROGRAMME** [Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)] to give effect to paragraph 10 above; {para 45 GNT}

### [E. Adaptation and loss and damage]

80. **MODALITIES AND PROCEDURES** [Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)] on:
- a. Modalities and procedures referred to in Article 9 (option 5) of the draft agreement; {elements of para 2 opt 3 SCT}
  - b. Modalities and procedures related to communication of [commitments][contributions][commitments under Article 4 of the Convention][adaptation priorities][support][level of support needs][progress in enhancing adaptation action or integrating adaptation into planning, policies or action] referred to in Article 11 (option 2) of the draft agreement; {para 7 opt 2 SCT}
  - c. Modalities and procedures related to the relationship between [commitments][contributions][actions] and the NAP process referred to in paragraph 31 of Part III; {elements of para 2 opt 4 SCT}
  - d. Modalities and procedures related to enhanced support by [developed country Parties][annex X Parties][Annex II Parties][annex Y Parties][all [countries][Parties] in a position to do so] referred to in paragraph 60 d. of part III; {para 2 opt 3 SCT}



- e. Modalities and procedures related to sharing of information, knowledge, and lessons learned on adaptation practices referred to in paragraph 36 of part III. *[para 15 opts 1, 2 and 3 SCT]*

## **[F. Finance]**

81. **CRITERIA, MODALITIES AND OPTIONS FOR FINANCE SPECIFIC MATTERS** *[Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)] to:*
- a. *[Develop objective criteria to define which Parties are in a position to provide support;] [para 80 SCT]*
  - b. *[Develop modalities for leveraging and freeing up private finance to support the implementation of this agreement;] [para 113 bis a. viii. SCT]*
  - c. *[Explore further options to simplify access procedures to funds[, in particular for the LDCs and SIDS][from the GCF]; and/or develop, jointly with the COP, specific additional modalities for the operation of the GCF with respect to activities developed under this agreement;] [para 81 opt 1 81.2 f., para 116, and [Proposals for decisions related to anchoring institutions under the agreement] vii. 5. SCT]*
82. **WORK REGARDING SOURCES AND MRV FUNDING CHANNEL** *[Further decides that the governing body shall, [at its first session]:*
- a. *[Decide on a process to identify and implement new sources of finance for the implementation of this agreement, in particular for adaptation finance, and take a decision on these sources at its subsequent session;] [para 106.6 SCT]*
  - b. *[Establish a long-term finance channel under the GCF or the Global Environment Facility to build the MRV capacity of [developing country Parties][Parties not included in annex X] on a continuous basis;] [para 152 opt 2 e. from Section I SCT]*
83. **LEVEL OF SUPPORT FOR ADAPTATION** *[Requests the SBSTA to develop methodologies for taking the steps necessary to ensure that the level of support meets the needs for adaptation in [developing countries][Parties not included in annex X] in the context of the limit to global average temperature increase referred to in Article 3 of the draft agreement;] [para 6 opt 1 from Section E SCT]*

## **[G. Technology development and transfer]**

84. **TECHNOLOGY WORK PROGRAMME** *[Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)] on:*
- a. *Strengthening the TNA process as referred to in paragraph 34 above; [para 131.5 i. SCT]*
  - b. *Enhancing cooperation and synergy of the Technology Mechanism with other institutional arrangements as referred to in paragraph 37 above; [para 132.2 opt 1 b. SCT]*

## **[H. Capacity-building]**

### **Option 1:**

85. **OPERATIONALIZATION OF THE CAPACITY-BUILDING MECHANISM** *[Decides/requests [(chapeau with mandate, including any specifications of body and timing for any further work) in order] to adopt modalities and procedures for the operation of the international capacity-building mechanism at its XX session with a view to the mechanism becoming operational as soon as possible after 2015 [to prepare all countries for the implementation of this agreement by 2020];*  
*[para 139.3 SCT]*

**Option 2:** *No provisions on the establishment of new institutions;] [para 139 opt 2 SCT]*

## **[I. Transparency of action and support]**

86. **ELABORATION OF RULES FOR MRV OF SUPPORT** *[Decides/requests ... [(chapeau with mandate, including any specifications of body and timing for any further work)] to elaborate the rules related to transparency of support, including MRV and accounting, which shall include [para 151 chapeau of opt 2 SCT]:*
- a. *Developing methodologies on the accounting of support on finance, technology development and transfer and capacity-building provided by [developed country Parties][Parties included in annex X][all countries in a position to do so] to [developing country Parties][Parties not included in annex X], including common metrics on climate finance and quantifiable progress indicators on*

- technology transfer and capacity-building support provided by [developed countries][Parties included in annex X][all countries in a position to do so]; *{para 151 opt 2 a. SCT}*
- b. Revising and improving [and further elaborating] the common reporting format for reporting on financial support available and provided by [developed countries][Parties included in annex X][all countries in a position to do so] to developing countries; *{para 151 opt 2 b. SCT}*
  - c. Developing a common reporting format for reporting on the support for technology development and transfer and capacity-building provided by [developed country Parties][Parties included in annex X][all countries in a position to do so] to [developing country Parties][Parties not included in annex X]; *{para 151 opt 2 c. SCT}*
  - d. Revising the modalities and procedures of IAR in order to strengthen the review of the progress in the provision of financial, technological and capacity-building support by [developed country Parties] [Parties included in annex X][all countries in a position to do so] to [developing country Parties][Parties not included in annex X]; *{para 151 opt 2 d. SCT}*
87. **ELABORATION OF GUIDELINES FOR MRV OF ACTION AND SUPPORT** *{Also decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)]* to elaborate the rules and guidelines related to transparency of action and support, **no later than at its XX session (2017)**, including: *{para 49 and 151 opt 3}*
- a. Developing guidelines for biennial communications regarding: *{para 151 opt 3 b. SCT}*
    - i. National circumstances; *{para 151 opt 3 c. SCT}*
    - ii. The national inventory report of emissions and removals; *{para 151 opt 3 c. i. SCT}*
    - iii. A description of the Party's NDC; *{para 151 opt 3 c. ii. SCT}*
    - iv. Progress in achievement of the NDC, including mitigation actions and their effects, estimates of emissions from the land sector, and the use of units from international market-based mechanisms; *{para 151 opt 3 c. iii. SCT and para 49 from Section D GNT}*
    - v. Projections; *{para 151 opt 3 c. iv. SCT}*
    - vi. Provision of support, including on the provision of finance, technology transfer and capacity-building; *{para 151 opt 3 c. v. SCT}*
    - vii. Progress in assessing climate risks and vulnerabilities, and in enhancing adaptation action, including through national adaptation planning processes; *{para 151 opt 3 c. vi. SCT}*
  - b. Developing guidelines to assist Parties in assessing national climate change impacts, vulnerability and adaptation options; *{para 151 opt 3 h. SCT}*
  - c. The governing body [shall][may] [adopt further guidance on reporting on adaptation] [facilitate the sharing of information on progress in and experiences with preparing and implementing adaptation actions] [develop a structured dialogue to enhance communication of information on adaptation, in accordance with common but differentiated responsibilities and respective capabilities.] *{para 10 opts 1 and 2 SCT}*
  - d. Developing guidelines for the technical expert review of Parties' biennial communications; *{para 151 opt 3 i. SCT}*
  - e. Developing guidelines for a facilitative examination of Parties' progress towards their NDCs; *{para 151 opt 3 j. SCT}*
  - f. Elaborating further guidance related to the transparency framework of support while recognizing that it should evolve and improve over time; *{para 123 from Section F SCT}*
  - g. Developing guidelines with respect to the provision and receipt of support and international cooperation that: *{para 151 opt 3 k. SCT}*
    - i. Elicit information on support provided and received, including on: delivery, use and impact, sources, scale, channels and instruments; *{para 151 opt 3 k. i. SCT}*
    - ii. Provide transparency on the levels of financing, what financing is used for, which countries are benefiting and whether funds are new and additional; *{para 151 opt 3 k. ii. SCT}*
    - iii. Place greater emphasis on the effectiveness of support and reporting on the use of international support and results achieved with support; *{para 151 opt 3 k. iii. SCT}*
    - iv. Recognize that a variety of types of support may be appropriate; *{para 151 opt 3 k. iv. SCT}*
    - v. Consider the ongoing work under the SCF and the work of relevant bodies outside the Convention; *{para 151 opt 3 k. v. SCT}*

**[J. Time frames and process related to commitments/contributions/  
Other matters related to implementation and ambition]**

88. [*Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for further work)] on any further modalities regarding:*
- a. **COMMUNICATION:** The communication of [commitments][contributions][actions] *as referred to in Articles 35 and 36 of the draft agreement;*<sup>59</sup>
  - b. **ADJUSTMENTS:** A simplified procedure for adjustments as referred to in Article 37 of the draft agreement;]
  - c. **EX ANTE PROCESS** [An ex ante consideration process][further facilitation of transparency and clarity][a consultative [period][process]] as referred to in paragraphs 56 and 57 above;]<sup>60</sup>
  - d. **REVIEW/ASSESSMENT** [A strategic review of implementation][An aggregate ambition assessment][aggregate consideration process]<sup>61</sup>, to be [developed and adopted][agreed] [at the twenty-third session of the COP][by 2018], as referred to in paragraphs 58 to 60 above. *{para 176 opt 4 176.4 and para 192 GNT}*

**[K. Facilitating implementation and compliance]**

89. **Option 1:**

**DEVELOPMENT OF PROCEDURES AND MECHANISMS** [*Decides/requests ... [(chapeau with mandate, including any specifications of body and timing, for any further work)] on [procedures and mechanisms to [promote compliance][facilitate the implementation and enforcement of the provisions of the agreement] as referred to in Article 42 of the draft agreement, taking into consideration paragraphs 61 and 62 above] [strengthening implementation through enhanced transparency, including through the consideration of the multilateral consultative process under Article 13 of the Convention];] *{Opt I para 193 opts 2 and 4, and Opt IV para 193 SCT}**

**Option 2:**

No specific provisions required; *{Opt VI SCT}*

**VI. [INTERIM INSTITUTIONAL ARRANGEMENTS]**

90. **USE OF EXISTING CONVENTION BODIES** [*Stresses that the implementation of the work programme specified in this part requires making full use of existing Convention bodies and ensuring close coordination among all bodies;*]
91. **ESTABLISHMENT OF AN INTERGOVERNMENTAL PREPARATORY COMMITTEE (IPC)** [*Decides to establish an Intergovernmental Preparatory Committee to prepare for the entry into force of the [Paris Agreement] and the convening of the first session of its governing body;*]
92. **MEETING OF THE IPC** [*Also decides that the Intergovernmental Preparatory Committee shall meet in the first quarter of 2016 to organise its work for the implementation of the work programme specified in part V above and to prepare draft decisions to be recommended for adoption by the governing body;*]
93. **COORDINATION WITH OTHER BODIES** [*Further decides that the Intergovernmental Preparatory Committee shall coordinate its work with, and request input from, the SBSTA, the SBI and the other existing Convention bodies, as appropriate, in implementing the work programme taking fully into account their respective mandates;*]
94. **REPORT TO COP** [*Further decides that the Intergovernmental Preparatory Committee shall report and make recommendations to the Conference of the Parties on the implementation of the work programme specified above;*]

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<sup>59</sup> NOTE: On communication see also Articles/paragraphs 85 to 94 of Option I of Part III.

<sup>60</sup> NOTE: On an ex ante process see also Article/paragraph 95 of Option I of Part III.

<sup>61</sup> NOTE: On a [strategic review of implementation][aggregate ambition assessment] see also Article 41 of Option I of Part I and Article/paragraph 96 of Option I of Part III.

## VII. [ADMINISTRATIVE AND BUDGETARY MATTERS]

95. **ADDITIONAL RESOURCE REQUIREMENTS** [*Takes note* of the requirements for additional resources for the implementation of the relevant actions referred to in this decision;]
96. **URGENT NEED FOR ADDITIONAL RESOURCES** [*Emphasizes* the urgency of making additional resources available for the implementation of the relevant actions, including actions referred to in this decision and the implementation of the work programme to be implemented by the Intergovernmental Preparatory Committee from the first quarter of 2016;]
97. **CALL FOR VOLUNTARY CONTRIBUTIONS** [*Urges* Parties to make voluntary contributions for the timely implementation of this decision, noting the estimated budget requirement for 2016 of USD X;]
98. **ESTIMATE OF BUDGETARY IMPLICATIONS** [*Requests* the Executive Secretary to provide an estimate of the budgetary implications of the actions requested in this decision to be undertaken in 2017 for consideration by the SBI at its forty-fourth session, with a view to the SBI making a recommendation to the COP at its twenty-second session.]

# Part Three: Provisions whose placement requires further clarity among Parties in relation to the draft agreement or draft decision

## [A. Preamble]

- Pp1 **GUIDING PRINCIPLES** *[[Being guided by][In accordance with]* the principles of the Convention set out in its Article 3, including [in particular] that Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with historical responsibility[,][and] common but differentiated responsibilities, [and the provisions of Article 4 of the Convention] [evolving common but differentiated responsibilities and respective capabilities] [evolving economic and emission trends which will continue post-2020, in order to progressively enhance the levels of ambition],] *{pp4 opts (a) and (b) SCT, para 3 opt 2 GNT}*
- Pp2 **PREVIOUS COMMITMENTS** *[Recalling the commitments undertaken by Parties under the Convention in accordance with its Article 4,]* *{pp6 SCT}*
- Pp3 **ROLE OF THE KYOTO PROTOCOL** *[Acknowledging the role of the Kyoto Protocol,]* *{pp7 SCT}*
- Pp4 **COP/CMP DECISIONS** *[Recalling all the existing decisions adopted by the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, including, in particular, the agreed outcome pursuant to the Bali Action Plan and the Doha Amendment,]* *{pp8 SCT}*
- Pp5 **RIO+20 CONFERENCE** *[Also recalling the outcomes of the Rio+20 Conference entitled “The future we want”,]* *{pp9 SCT}*
- Pp6 **VIENNA CONVENTION** *[Recalling the Vienna Convention on the Law of Treaties,]* *{pp43 SCT}*
- Pp7 **STRENGTHENING THE REGIME** *[[Recalling] the provisions and ultimate objective of the Convention [and determined to strengthen the multilateral, rules-based regime [established by this agreement][under the Convention] [through its full, effective and sustained implementation from 2020] [to further enhance its full, effective and sustained implementation from 2020]],* *{pp5 opts (a) and (b) and pp41 SCT}*
- Pp8 **GLOBAL NATURE AND URGENCY OF CLIMATE CHANGE** *[[Acknowledging][Recognizing] that [climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires to be urgently addressed by all Parties][the global nature [and urgency] of climate change calls for the [widest possible] cooperation of all Parties, as well as their participation [and [enhanced][ambitious] action] in an effective and appropriate international response [with a view to accelerating the reduction in global greenhouse gas emissions][in accordance with [equity and] their common but differentiated responsibilities and respective capabilities, [in the light of different national circumstances][and their specific national and regional development priorities, [objectives and circumstances] [social and economic conditions,] with developed country Parties taking the lead]],]* *{pp10 opts (a), (b) and (c) and pp12 SCT}*
- Pp9 **ARS OF THE IPCC** *[Gravely concerned by the finding of the Fifth Assessment Report of the Intergovernmental Panel on Climate Change that it is extremely likely that human influence has been the dominant cause of the observed warming since the mid-twentieth century,]* *{pp11 SCT}*
- Pp10 **SCIENCE** *[Being guided by the best available scientific knowledge, including, [the assessment reports] [the Fifth Assessment Report] of the Intergovernmental Panel on Climate Change, and inputs and resources from Parties,]* *{pp13 SCT}*
- Pp11 **EMISSIONS GAP** *[Noting with grave concern the significant gap between the aggregate effect of Parties’ mitigation pledges in terms of global annual emissions of greenhouse gases up until 2020 and aggregate emission pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels,]* *{pp14 SCT}*
- Pp12 **DEEP GLOBAL CUTS** *[Recognizing that [deep][substantial] cuts in [global][anthropogenic] [greenhouse gas] emissions will be required to achieve the ultimate objective of the Convention [and the limit to global average temperature increase referred to in Article 3 of the draft agreement], and that such cuts must be achieved [through [net emission levels near zero gigatonnes of carbon dioxide equivalent or below in 2100] [zero emissions within the second half of this century] [by the mid-century][ within a time frame sufficient to allow ecosystems to adapt naturally to climate change so as to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner] [and emphasizing the urgency to address climate change]],]* *{pp15 opts (a) and (b) and pp17 SCT}*
- Pp13 **HISTORICAL AND CURRENT EMISSIONS** *[Noting that the largest share of historical and current global emissions of greenhouse gases has originated in developed countries, that per capita emissions in*

- developing countries are still relatively low and that the share of global emissions originating in developing countries will grow to meet their social and development needs,] *{pp15 opt (b) SCT}*
- Pp14 **TRANSITION TO LOW-CARBON ECONOMIES** *[Recognizing the importance of long-term efforts to transition to low-carbon economies, and mindful of the global temperature goal of 2 °C,] {pp16 SCT}*
- Pp15 **ECONOMY-WIDE EMISSION REDUCTION** *[Further recognizing that economy-wide emission reduction budgets provide the highest level of clarity, predictability and environmental integrity,] {pp18 SCT}*
- Pp16 **CARBON PRICING** *[Acknowledging that carbon pricing is a key approach for cost-effectiveness of the cuts in global greenhouse gas emissions,] {pp19 SCT}*
- Pp17 **LAND-USE SYSTEMS** *[Recognizing that the special characteristics of land-use systems, including the importance of food security, the diversity of global land management systems, and the need to manage multiple sustainability objectives may require particular consideration within actions under this agreement,] {pp20 SCT}*
- Pp18 **ADAPTATION AS A GLOBAL CHALLENGE** *[[Emphasizing][Noting] that adaptation is a global challenge [and a common responsibility that requires global solidarity and] [that] must be addressed with the same urgency as[, and in [[political][legal parity]] [balance] with,] mitigation, [and that enhanced action and international cooperation on adaptation is urgently required in order to enable and support the implementation of adaptation actions [aimed at reducing vulnerability and building resilience in [developing country Parties][Parties not included in annex X], taking into account the urgent and immediate needs of those [developing countries][Parties not included in annex X] that are particularly vulnerable][.][and recognizing that both climate-resilient development and adaptation to the impacts of climate change will be essential]],] {pp21 opts (a) and (b) SCT}*
- Pp19 **RELATIONSHIP BETWEEN ADAPTATION AND MITIGATION** *[Affirming that adaptation needs are a consequence of the temperature rise that results from inadequate mitigation action by all Parties and that adaptation is thus a global responsibility,] {pp23 SCT}*
- Pp20 **RELATIONSHIP BETWEEN ADAPTATION, MITIGATION AND LOSS AND DAMAGE** *[Emphasizing that the integral relationship between the level of mitigation action and the efforts of all Parties will be required to adapt to climate change and address loss and damage,] {pp22 SCT}*
- Pp21 **LOSS & DAMAGE AND ADAPTATION** *[Recognizing that loss and damage associated with the adverse impacts of climate change includes and in some cases involves more than what can be reduced by adaptation, and is therefore distinct from adaptation,] {pp24 SCT}*
- Pp22 **SCIENCE AND LOSS & DAMAGE** *[Also recognizing that the best available science acknowledges that even if warming is kept below 2 °C with high levels of adaptation, there will be residual loss and damage, in particular in developing countries,] {pp25 SCT}*
- Pp23 **STABILIZATION LEVELS AND IMPACTS** *[Further recognizing that the lower the greenhouse gas stabilization level achieved, the lower the consequent impacts of climate change,] {pp32 SCT}*
- Pp24 **SOCIAL AND ECONOMIC DEVELOPMENT** *[Reaffirming that responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impacts on the latter, taking into full account the legitimate priority needs of [developing countries][Parties not included annex X] and their right to equitable access to sustainable development and to achieving economic growth and eradicating poverty,] {pp37 SCT}*
- Pp25 **MEANS OF IMPLEMENTATION** *[Also reaffirming the need for [developed country Parties][Parties included in annex Y] to provide new, additional, adequate and predictable financial resources, including financial resources for the transfer of technology to and capacity-building in [developing countries][Parties not included in annex X] for addressing mitigation and adaptation needs and complying with their obligations under this agreement, while ensuring a balanced financial resources allocation between adaptation and mitigation,] [Recognizing that all Parties are responsible for the effective and efficient provision and use of support, and that finance, technology development and transfer and capacity-building are connected and should be treated holistically,] {pp27 and pp28 SCT}*
- Pp26 **CATALYZING TRANSFORMATIONAL CHANGE** *[Also recognizing that climate finance is flowing and will continue to flow, and that growing the base of donors, enhancing enabling environments, efficiently deploying support and leveraging private sector investment is critical to catalysing the transformational change required for our common effort to meet the objective stated in Article 2 of the Convention,] {pp29 SCT}*
- Pp27 **ARTICLE 6 OF THE CONVENTION** *[Reaffirming the importance of education, training, public awareness, public participation, public access to information and international cooperation on these matters for promoting changes in lifestyles, attitudes and behaviour needed to foster low-emission and climate-resilient development and to mobilize public support for climate policies and action,] {pp26 SCT}*

- Pp28 **ROLE OF PRIVATE SECTOR IN CAPACITY-BUILDING** [*Noting* the potential role of the private sector in supporting capacity-building and the need for enhanced coordination among donors and institutions,<sup>62</sup>] *{para 135 h opt (a) from Section H SCT}*
- Pp29 **CHALLENGES FACED BY SIDS AND LDCs** [*Recognizing* [the particular challenges faced by small-island developing States and the least developed countries and][the growing existential threat posed by the impacts of climate change to low-lying small island nations].] *{pp30 and pp31 SCT}*
- Pp30 **EQUALITY, ENVIRONMENTAL INTEGRITY AND RIGHTS** [[*Stressing*][*Acknowledging*] [that [Parties in] all actions to address climate change [and all the processes established under this agreement] should ensure [a gender-responsive approach][gender equality and intergenerational equity], take into account [environmental integrity][the protection of the integrity of Mother Earth], [and] [full] respect for [all] human rights,][ the right to development and the rights of [youth and] indigenous peoples, [[as well as [ensure][promote][the importance of] a] just transition of the workforce and the creation of decent work in accordance with nationally defined development priorities and strategies]].] *{pp33, pp34 and pp36 SCT}*
- Pp31 **POST-2015 DEVELOPMENT AGENDA** [*Recognizing* that all actions on climate change shall significantly contribute to the post-2015 development agenda of the United Nations with a particular focus on human rights, good governance, gender equality and the needs of particularly vulnerable groups.] *{pp35 SCT}*
- Pp32 **ACTION BY NON-STATE ACTORS** [*Recognizing* that [cooperative] action by and among subnational authorities, intergovernmental organizations, civil society, indigenous peoples, local communities, the private sector, financial institutions and Parties can [catalyse and significantly enhance][strengthen] [the impact of policy] implementation by Parties in **terms of** reducing emissions, reducing vulnerability and building resilience to the adverse effects of climate change.] *{pp40 opts (a) and (b) SCT}*
- Pp33 **SUSTAINABLE SOCIAL AND ECONOMIC DEVELOPMENT** [*Also reaffirming* that all [developing countries][Parties not included annex X] need access to the resources required to achieve sustainable social and economic development and that, in order for [developing countries][Parties not included annex X] to progress towards that goal, their energy consumption will need to grow, taking into account the opportunities for achieving greater energy efficiency and for reducing greenhouse gas emissions, including through the application of new technologies on terms that make such an application economically and socially beneficial.] *{pp38 SCT}*
- Pp34 **HEALTH**[*Recognizing* that actions to address climate change contribute to the attainment of the highest possible level of health and that climate change policies and health policies should be mutually supportive.] *{pp39 SCT}*

### [C. *General/Objective*]<sup>63</sup>

1. **GUIDING PRINCIPLES** [Actions to implement this Agreement, shall be guided by [Article 3 of the Convention] [and] the following:
  - 1.1. [Parties' efforts should be undertaken on the basis of equity and in accordance with their historical responsibility and common but differentiated responsibilities and respective capabilities reflecting different national circumstances.] *{para 5 opt 2 5.4, elements of paras 3 and 5 GNT}*
  - 1.2. [[Commitments][Contributions][Actions] of [developing country] Parties [especially those] particularly vulnerable to the adverse effects of climate change, especially the LDCs and SIDS, to reflect their efforts in the context of their specific needs and special situations.] *{para 9 GNT}*
  - 1.3. [**The aim of** achieving universal participation.] *{elements of para 2 GNT}*
  - 1.4. [[Parties with the greatest responsibility and highest capability to demonstrate leadership][Leadership demonstrated by any Party to be recognised along with the need to incentivize and enable such leadership][In accordance with Article 4 of the Convention, [developed country Parties][Parties included in annex X] [**shall**][**should**][**other**] take the lead in fully implementing existing obligations and commitments under the Convention in relation to emission reduction and the provision of financial, technology and capacity-building support to [developing country Parties][Parties not included in annex X]].] *{para 8 GNT}*
  - 1.5. [**The aim of** strengthening the multilateral rules-based regime under the Convention.] *{elements of para 2 GNT}*

<sup>62</sup> NOTE: Some Parties are of the view that this issue should be addressed in the capacity-building section.

<sup>63</sup> NOTE: Some Parties are of the view that the objective (Article 2 of Part I) should be accompanied by a further elaboration of general provisions.

- 1.6. [Parties have the **responsibility** to ensure that activities within their own jurisdiction and control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.] *{para 4 GNT}*
- 1.7. [Unilateral measures not to constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.<sup>64</sup>] *{para 11 opt 1 GNT}*
- 1.8. [All Parties shall ensure:
- a. Respect for and the protection, promotion and fulfilment of human rights for all;
  - b. Gender equality and the full and equal participation of women in all climate actions and decision-making processes;
  - c. A just transition of the workforce that creates decent work and quality jobs;
  - d. The integrity of Mother Earth;
  - e. The right to development;
  - f. The rights of indigenous peoples.]] *{elements of para 15 GNT}*
2. **HIGHEST LEVEL OF AMBITION AND PROGRESSION** [[All Parties] [Each Party] [shall][should][other] take action at the highest level of [mitigation] ambition[, reflecting its national circumstances,] and progressively increase that level of ambition.] *{para 7 opts 1 and 2 GNT}*
3. **ACHIEVING THE OBJECTIVE** [All Parties shall take action and cooperate to enable economic development to proceed in a sustainable manner consistent with the **limit to global average temperature increase referred to in Article 3 of the draft agreement**, which entails: *{para 5 chapeaus of opts 1-3, and para 5 opt 2 5.1 GNT}*
- 3.1. [Ensuring significant global greenhouse gas emission reductions over the next few decades [and near-zero emissions of carbon dioxide (CO<sub>2</sub>) and other long-lived greenhouse gases by the end of the century, in accordance with the findings of the Intergovernmental Panel on Climate Change.]] *{para 5 opt 1 5.1 opts (a) - (d) GNT}*
  - 3.2. [Ensuring resilience to and adaptive capacity for the adverse effects of climate change while recognizing the local, national and global dimensions of adaptation and that adaptation **is being** addressed with the same urgency as mitigation.] *{para 5 opt 1 5.2, opt 2 5.2 and opt 2 5.5 GNT}*
  - 3.3. [Ensuring that all investments are resilient to climate change and consistent with sustainable development, and ensuring the adequacy of financial, technology and capacity-building support for developing countries towards achieving the objective of the Convention.] *{para 5 opt 1 5.3 and opt 2 5.3 GNT}*
  - 3.4. [**Dividing** a global emission budget among all Parties in accordance with historical responsibilities, ecological footprint, capabilities and state of development.] *{para 7 opt 4 GNT}*
  - 3.5. [**Recognition** that the level and pace of mitigation [ambition][efforts] will determine the extent to which Parties will need to adapt and address loss and damage and the associated costs thereof, as well as the need to explore holistic and mutually reinforcing approaches to enhancing mitigation and adaptation efforts and to increase the overall level of ambition, which will depend on the extent of financial, technology and capacity-building support provided by [developed country Parties [and Parties in a position to do so]][Parties included in annex Y] to [developing country Parties [and Parties included in Annex I undergoing the process of transition to a market economy]][Parties not included in annex X].]] *{para 6 GNT}*
4. **INDIVIDUAL EFFORTS** [**Option 1**: All Parties [shall][should][other] prepare, maintain, communicate and implement [mitigation] [commitments] [contributions] in accordance with the provisions of this agreement; such [commitments] [contributions] are to be considered, [formalized] [finalized] and reviewed in accordance the relevant provisions.<sup>65</sup> *{para 10 opts 1 and 2 GNT}*
- Option 2**: All developed country Parties shall prepare, communicate, implement and enhance commitments on mitigation and provisions of finance, technology, and capacity-building support to developing country Parties.
- Developing country Parties will prepare, communicate and implement enhanced actions on mitigation and adaptation, in the context of sustainable development, premised on an enhanced provision of finance, technology and capacity-building support by [developed country Parties] [Parties included in annex Y]. *{para 10 opt 3 GNT}*

<sup>64</sup> NOTE: Some Parties are of the view that there should be no reference to unilateral measures in Part I. *{para 11 opt 2 GNT}*

<sup>65</sup> NOTE: For provisions related to section J see Articles 35 to 41 of Part I , paragraphs 54–60 and 88 of Part II and Articles/paragraphs 85–96 of Part III.



**Option 3:** [Parties [shall][should][other] enhance their actions and contributions in accordance with Article 4 of the Convention]. *{para 7 opt 3 GNT}*

5. **ACTION BY NON-STATE ACTORS** [All actors, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples are encouraged to scale up their actions and provide further opportunities for Parties to reduce emissions and/or to decrease vulnerability and build resilience to the adverse effects of climate change, without prejudice to the provisions of the Convention.<sup>66</sup>] *{para 13 opt 1 GNT}*

#### [D. Mitigation]

6. **OPERATIONALIZING THE LONG-TERM MITIGATION GOAL** [[In the context of the long-term objective referred to in Article 3 of the draft agreement,] Parties' [differentiated] efforts [shall][should][other] take the form of:

**Option 1: PEAKING** [A peaking of global [and national] GHG emissions as soon as possible [recognizing that, in accordance with emissions peaking for [developed countries][Parties included in annex X] in 2015, those [countries][Parties] shall aim to reduce net emissions to zero by 2050][with full decarbonization by 2050 for developed countries and a sustainable development pathway for [developing countries][Parties not included in annex X]] [with an aim of zero net emissions by 2050, in the context of equitable access to sustainable development], noting that the time frame for peaking may be longer in [developing countries][Parties not included in annex X] [in the context of equitable access to sustainable development] [, bearing in mind that social and economic development and poverty eradication are the first and overriding priorities of [developing countries][Parties not included in annex X]. [For developed countries, this goal should be quantitative and time-bound and for developing countries peaking should be aspirational.] *{para 17.2 opt 1, opt(a) iv. and v., opt 1 a. opt (b), and para 17.2 opt 2 GNT}*

**Option 2: ZERO EMISSIONS:** A long-term zero emission sustainable development pathway consistent with [the findings of the best and latest available science][and the findings of the IPCC,] [and] [a global reduction in GHG emissions [to [net] zero][[of at least][ 40–70][50][70–95] per cent below the [1990][2010] level] by 2050 [and a continued decline in emissions thereafter] [and reaching [[near] zero][negative] emissions of CO<sub>2</sub> eq. [or below][ and other long-lived GHGs by the end of the century] [by [the period 2060–2080][2100]] a stabilization of the concentration of GHGs in the atmosphere at or below 350 ppm of CO<sub>2</sub> eq] [in accordance with common but differentiated responsibilities and respective capabilities][, historical responsibilities, capabilities, and the state of development, while addressing vulnerabilities and in a cooperative manner] [in the context of equitable access to sustainable development] [, bearing in mind that social and economic development and poverty eradication are the first and overriding priorities of developing countries][; developing countries to combine adaptation and mitigation to reduce climate change and its impacts]. *{para 17.2 opt 1 a. i. – iii. and vi. – viii. and 17.2 opt 1 c. GNT}*

**Option 3: EMISSION BUDGET:** A global emission budget [informed by national estimates] to be divided among all Parties in accordance with the principles and provisions of the Convention so as to limit global warming in this century to below 1.5 °C in accordance with the IPCC assessment. The distribution of the global emission budget should be undertaken in accordance with historical responsibilities, ecological footprint, capabilities and state of development.] *{para 17.2 opt 1 b. GNT}*

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<sup>66</sup> NOTE: Some Parties are of the view that there should be no provision on non-State actors. *{para 13 opt 2 GNT}*

## 7. FEATURES OF INDIVIDUAL EFFORTS

**Option 1:** Each Party's mitigation [commitments][contributions][actions] [shall][should][other] be nationally determined [, based on national circumstances and capacities]. *{para 21.12, para 21.5 opt 1 and para. 21 opt 1 (chapeau) GNT}*

**Option 2:** [In accordance with the principles of the Convention and its Article 4,] Parties [shall][should][other] prepare differentiated mitigation [commitments][contributions][actions], with [developed country Parties][Parties included in annex X] to take the lead and [developing country Parties][Parties not included in annex X] to be provided flexibility. *{para 21 opt 3 (chapeau) and opt 7 (chapeau) GNT}*

### **Option 3:**

7.1. In accordance with Article 4, paragraphs 1, 3, 4, 5 and 7, of the Convention, developing country Parties should commit to undertake diversified enhanced mitigation actions during the period 2021–2030. Such nationally-determined diversified enhanced mitigation actions may be based on and be more ambitious than their NAMAs under the Bali Action Plan. They may include, inter alia, relative emission reductions; intensity targets; REDD-plus activities and other plans, programmes and policies; joint mitigation and adaptation approaches; net avoided emissions, or be manifested as adaptation co-benefits, in accordance with the Parties' special circumstances and specific needs. They will be communicated and implemented in the context of sustainable development, subject to and enabled by the provision of adequate finance, technology and capacity-building support from developed countries in accordance with Article 4, paragraph 7, of the Convention, in a measurable, reportable, and verifiable manner. *{para 21.5 opt 3 GNT}*

7.2 In accordance with Article 4, paragraph 2, of the Convention, developed country Parties shall commit to undertake absolute emission reduction targets during the period 2021–2030 in accordance with [a global emission budget including] their historical responsibility, through quantifiable, economy-wide mitigation targets, covering all sectors and all GHGs, implemented domestically, which can be aggregated and which are comparable, measurable, reportable and verifiable, with the type, scope, scale and coverage more ambitious than those undertaken under the Convention and its Kyoto Protocol during the pre-2020 period, and communicated and implemented without any conditions. *{para 21.1 opts 5 and 6 GNT}*

### **Option 4:**

Parties' mitigation [commitments][contributions][actions] [shall][should][other] be based on the following: *{para 21.5 opt 2 GNT}*

- a. Common but differentiated responsibilities and respective capabilities, equity and national circumstances and capacities; *{para 21.5 opt 2 GNT}*
- b. Parties [shall][should][other] include one of the following options, in accordance with their common but differentiated responsibilities, national circumstances, development levels and capabilities, recognizing that the emissions of [developing countries][Parties not included in annex X] will grow to meet their social and development needs: a quantified, economy-wide, absolute emission limitation or reduction target in relation to a baseline year; a quantified, economy-wide emission limitation or reduction target relative to a projection of its emissions; a quantified, economy-wide emission limitation or reduction target relative to a unit of gross domestic product (GDP) in relation to a previous year; a quantified, economy-wide emission limitation or reduction target per capita; or non-economy-wide actions: *{para 21.5 opt 2 GNT}*
  - i. [[Developed country Parties][Parties included in annex X] [shall][should][other] take the lead in accordance with Article 3, paragraph 1, and Article 4, paragraph 2, of the Convention through quantified, economy-wide, absolute emission reduction [targets][commitments]; *{para 21.5 opt 2 GNT}*
  - ii. [Developing country Parties][Parties not included in annex X], which have been provided with means of implementation, [shall][should][other] prepare, communicate and implement a diversity of enhanced net mitigation [commitments][contributions][actions] in accordance with Article 3, paragraph 1, of the Convention and in the context of sustainable development, ranging from economy-wide absolute limits on [net] emissions, relative emission reductions, intensity targets, NAMAs, low-emission development plans and strategies and sectoral mitigation plans and strategies taking into consideration paragraph X above; *{para 21.5 opt 2 GNT}*
  - iii. [Developing country Parties][Parties not included in annex X] [shall][should][other] take a diversity of nationally determined actions in accordance with their specific needs and special circumstances as stated in Article 3, paragraph 2, of the Convention, including net avoided emissions, or also manifested as adaptation co-benefits, where appropriate; *{para 21.5 opt 2 GNT}*
  - iv. [Developing country Parties][Parties not included in annex X] [shall][should][other] prepare their actions in accordance with Article 3, paragraph 1, of the Convention and their

- circumstances and capacities through NAMAs, subject to the provision of means of implementation and in accordance with Article 4, paragraph 7, of the Convention; *{para 21.5 opt 2 GNT}*
- v. [Major economies] [and [non-Annex I Parties][Parties not included in annex X] that are in a position to do so] [shall][should][other] take on quantified economy-wide emission reduction [targets] [commitments]; *{para 21.5 opt 2 b. v. and vi. GNT}*
  - vi. For all Parties on the basis of categories [that are] updated over time [on the basis of][taking account of] evolving emissions and economic trends]; *{para 21.5 opt 2 GNT}*
  - vii. All Parties shall enhance their mitigation commitments under Article 4, paragraph 1, of the Convention. Parties shall formulate, implement, regularly update, communicate and submit for assessment national commitments to reduce GHG emissions. Parties with additional commitments under Article 4, paragraph 2, of the Convention shall adopt commitments of a type, scope, scale and coverage at least as stringent as in the previous implementation period.]] *{para 21.5 opt 2 GNT}*
8. **LDCs/SIDS** [LDCs and SIDS may [prepare,] [communicate] [[and] implement] [non-economy wide] [low-emission development] strategies, plans or actions.] *{para 21.5 opt 2 b. viii., and para 21.1 opt 4 GNT}*
  9. **QUANTIFIABILITY** [Parties' mitigation [commitments][contributions][actions] [shall][should][other] be:
 

**Option 1:** Quantified or quantifiable, able to be aggregated, and transparent, comparable and/or verifiable, recognizing the provisions of Article/paragraph 8 above. *{para 21.1 opt 1 and para 21.1 opt 4 GNT}*

**Option 2:** Quantified or quantifiable, and to consider a fair and equitable distribution of the global emission budget in accordance with a compound index of countries' participation in such a budget, and be transparent, comparable and/or verifiable. *{para 21.1 opt 2 GNT}*

**Option 3:** Quantified, able to be aggregated, and comparable, measurable, reportable and verifiable for [developed country Parties][Parties included in annex X], with the type, scope, scale and coverage more ambitious than those undertaken under the Convention and its Kyoto Protocol during the pre-2020 period; Quantified, quantifiable or qualified in a measurable, reportable and verifiable manner for [developing country Parties][Parties not included in annex X] and based on their NAMAs under the Bali Action Plan.] *{para 21.1 opt 3 GNT}*
  10. **LONG-TERM TRAJECTORY** [Mitigation [commitments][contributions][actions] [shall][should][other] include for [all Parties][[developed country Parties][Parties included in annex X]] an [indicative] long-term trajectory [consistent with Article 3 of the draft agreement] [to the extent possible] [, with [developed country Parties][Parties included in annex X] to take the lead [and communicate their [commitments][contributions][actions] in absolute terms] [and make an adequate and equitable contribution to achieving the ultimate objective of the Convention as set out in its Article 2][and [developing country Parties][Parties not included in annex X] to be encouraged to develop a long-term green and low-carbon development strategy, plan or programme, as appropriate][noting that [developing country Parties][Parties not included in annex X] may need flexibility in indicating such long-term trajectories]][, with special consideration for the LDCs and SIDS].] *{para 21.3 opts 1 - 4 GNT}*
  11. **INDIVIDUAL EFFORTS OVER TIME** [[All] Parties' mitigation [commitments][contributions][actions] [shall][should][other] become quantified economy-wide emission reduction [budgets][targets] [commitments] at some point in the future in accordance with [their common but differentiated responsibilities and respective capabilities, historical responsibilities] [national circumstances,] development levels and capabilities].] *{para 21.5 opt 2 b. vi., para 21.9 GNT}*
  12. **CONDITIONALITY** **Option 1:** Each Party [shall][should][other] communicate [and implement] mitigation [commitments][contributions][actions] specifying an unconditional portion, and may also include a conditional one. *{para 21.6 opt 3 GNT}*

**Option 2:** All Parties' mitigation [commitments][contributions][actions] [shall][should][other] be communicated and implemented without conditions[; developing country Parties may specify additional levels of mitigation conditioned on enhanced levels of support]. *{para 21.6 opts 1 and 6 GNT}*

**Option 3:** Mitigation [commitments][contributions][actions] of [developed country Parties][Parties included in annex X] [shall][should][other] be [prepared] communicated and implemented without conditions; mitigation [commitments][contributions][actions] of [developing country Parties][Parties not included in annex X] [shall][should][other] be prepared, communicated and implemented subject to the provision of finance, technology development and transfer and capacity-building. [Developing country Parties][Parties not included in annex X] may specify additional enhanced levels of mitigation [commitments][contributions][actions] in accordance with different levels of enhanced support from [developed country Parties][Parties included in annex Y].] *{para 21.6 opts 2, 4 and 5 GNT}*

13. **CONSISTENT WITH FURTHER GUIDANCE** [Parties' mitigation [commitments][contributions][actions] [shall][should][other] be consistent with any further guidance agreed by the governing body.] *{para 21.14 GNT}*

**[Option 1 (paragraphs 14 - 19 below):**

14. **USE OF MARKET MECHANISMS**

[In [[cooperating to achieve] [meeting their] [commitments][contributions][actions]] [promoting compliance], Parties may make use of [[economic instruments **including**] market mechanisms] [mitigation outcomes [transferred between Parties][achieved in other Parties]], in accordance with [the provisions on transparency of action and support as contained in **Section I**] [accounting rules [, provisions] [and standards] [developed] [adopted by the governing body] [in particular][designed]] to ensure:

- a. [Environmental integrity][and the integrity of [commitments][contributions][actions]];
- b. **That** double counting of effort is **avoided**;
- c. That [cooperative arrangements deliver] real, permanent, additional and verified internationally transferable mitigation outcomes [**are delivered**];
- d. That a net decrease and/or avoidance of emissions is achieved;
- e. [**That** the use of market mechanisms **is** supplementary to domestic action] [and] [a cap will apply to ensure that mitigation commitments are the main domestic actions] [domestic action shall account for the majority of the emission reductions required to fulfil each Party's **mitigation** [commitments][contributions][actions]];
- f. That use of market mechanisms [shall][should] contribute to the sustainable development of the host country;
- g. A [share of the proceeds][levy] from the use of market mechanisms is used to [assist developing country Parties that are particularly vulnerable to climate change to meet the costs of adaptation][generate resources]

*{para 39 chapeau of opt 1 i., 39.1 f. – h., 39.2, 39.4, and 39.6, para 39 chapeau of opt 2 and 39.1, para 39 opt 5 39.1 and 39.4, and para 194 Opt 1 opt 1 d. iv. from Section K GNT}*

15. **MECHANISMS THAT MAY BE USED** [In [meeting their **mitigation** [commitments][contributions][actions]] [promoting compliance], Parties may make use of :

- a. **Option (a):** Market mechanisms; *{para 152 opt 1 g. opt (a) from Section I GNT}*  
**Option (b):** The mechanisms defined in Articles 6 and 12 of the Kyoto Protocol and mechanisms defined in the Convention; *{para 152 opt 1 g. opt (b) from Section I GNT}*
- b. Units emanating from UNFCCC-approved mechanisms, including REDD-plus mechanisms; *{para 39 opt 1 i. GNT}*
- c. Market activities if they meet standards to be defined that deliver real, permanent, additional and verified mitigation outcomes, avoid double accounting of effort, achieve a net decrease and/or avoidance of GHG emissions and are in conformity with these standards; *{para 152 opt 1 g. from Section I GNT}*
- d. Mitigation outcomes and units emanating from mechanisms outside the UNFCCC provided that they meet conformity requirements established by the COP.] *{para 39 opt 1 iii. GNT}*

16. **CENTRAL MECHANISM [Option (a) (this para only)]:** A centrally governed market mechanism [shall be created][**is hereby defined**] under the Convention that builds on the existing market mechanisms. *{para 39 opt 1 39.3 GNT}*

**ECONOMIC MECHANISM Option (b) (16.1 to 16.5 below):** An economic mechanism is hereby defined. *{para 39 opt 4 GNT}*

16.1. The purpose of the economic mechanism shall be to facilitate the fulfilment of **mitigation** [commitments][contributions][actions] by Parties with quantified economy-wide absolute targets for the mitigation component and to incentivize developing country Parties to take on such targets over time. *{para 39 opt 4 39.1 GNT}*

16.2. The economic mechanism shall be comprised of: *{para 39 opt 4 39.2 GNT}*

- a. An emissions trading system (ETS) under **which** Parties with quantified economy-wide absolute targets for the mitigation component of their NDC may participate, on a voluntary basis, in the ETS for the purpose of fulfilling their respective NDC. Any such trading shall be supplemental to domestic actions for the purpose of meeting their targets; *{para 39 opt 4 39.3 GNT}*
- b. An enhanced Clean Development Mechanism (CDM-plus) under **which** Parties with quantified economy-wide absolute targets for the mitigation component of their NDC may, on a voluntary basis, use the certified emission reductions accruing from such project activities for the purpose of fulfilling their respective NDC **and** any such accruing shall be supplemental to domestic actions

for the purpose of meeting their targets. Developing country Parties will benefit from project activities resulting in certified emission reductions on a voluntary basis. *{para 39 opt 4 39.4 GNT}*

- 16.3. The economic mechanism shall be subject to the authority and guidance of the COP. *{para 39 opt 4 39.5 GNT}*
- 16.4. CDM-plus shall be supervised by an executive board. *{para 39 opt 4 39.6 GNT}*
- 16.5. The COP shall define the relevant principles, modalities, procedures and guidelines, in particular for verification, reporting and accountability of the economic mechanism. *{para 39 opt 4 39.7 GNT}*
17. **EXECUTIVE BODY** *[Decides to define an executive body under the COP [by adopting its terms of reference at COP 22].] {para 160 from Section I GNT}*
18. **MANDATE TO EXECUTIVE BODY** *[Also decides that the executive body shall make recommendations on the modalities and procedures for implementing Article/paragraph 84 and paragraphs 9.2 d. and e. and ensuring that these modalities and procedures are met, for consideration and adoption by the COP.] {para 159 from Section I GNT}*
19. **SYNERGY BETWEEN MECHANISMS** *[The governing body shall establish, building on the work conducted under the SBSTA regarding the framework for various approaches, means for cooperative arrangements, to be defined and accounted for under the agreement, that strengthen and create synergies between mechanisms under the Convention and its related legal instruments and mechanisms established or to be established, jointly or individually, by Parties, and avoid the double counting of efforts, including:*
- i. The Financial Mechanism;
  - ii. The Technology Mechanism;
  - iii. The flexibility mechanisms established by Articles 6 and 12 of the Kyoto Protocol;
  - iv. The new market-based mechanism defined in decision 2/CP.17, paragraph 83;
  - v. Alternative policy approaches, such as joint mitigation and adaptation;
  - vi. [A REDD-plus mechanism] [The Warsaw Framework for REDD-plus];
  - vii. A mechanism for climate resilience and sustainable development;
  - viii. A joint mitigation and adaptation mechanism for the integrative and sustainable management of forests;
  - ix. Subnational, national and regional emissions trading schemes. *{para 212 GNT}*

**Option 2 (to paragraphs 14-19 above):** No provisions on market mechanisms. *{para 39 opt 6 GNT}*

20. **JOINT MITIGATION AND ADAPTATION APPROACHES** *[[In their actions] [All] Parties [shall][should][other] take into account [alternative policy approaches to results-based actions [and payments] such as] joint mitigation and adaptation approaches for the integral and sustainable management of forests[[, climate change resilience and sustainable development]]for the protection of the integrity of Mother Earth]].] {para 21.5 opt 2 c., para 23 and para 38 GNT}*
21. **ACTIONS IN LAND-USE SECTOR** **[Option 1]:** In meeting their mitigation [commitments][contributions][actions], Parties may make use of actions in the land-use sector, [including in accordance with the relevant decisions of the Conference of the Parties<sup>67</sup>] in accordance with [the provisions on transparency of action and support as contained in section I] [accounting rules developed by the governing body] [the rules and provisions adopted by the governing body]. *{paras 37 and 39 chapeau of opt 1 GNT}*
- Option 2:** No provisions on actions in the land-use sector. *{para 39 opt 6 GNT}*
22. **REPORTING** *[Parties [shall][should][other] report on their mitigation [commitments][contributions][actions] in line with Section I.] {chapeau of para 47 GNT}*
23. **REVIEW** *[[Each Party's][Parties'] [successive] [proposed] mitigation [commitments][contributions] [actions][shall][should][other] be reviewed in accordance with Section I. {para 19 opt 3, para 21 opt 2 (chapeau) and para 27 opts 1 and 4 GNT}*
24. **FACILITATIVE EXAMINATION** *[Parties [shall][should][other] undergo a facilitative examination of their progress towards meeting their mitigation [commitments][contributions][actions], as set out in paragraph 48.] {para 48 GNT}*
25. **RESPONSE MEASURES** **[Option 1]:** Parties [shall][should][other] analyse and give full consideration to what actions are necessary to meet the needs arising from the impacts of the implementation of response

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<sup>67</sup> Including decisions 9/CP.19 to 15/CP.19, designated as the Warsaw Framework for REDD-plus.

measures related to the mitigation commitments taken on, particularly the specific needs and concerns of [developing country Parties][Parties not included in annex X ].

**Option 2:** Strengthen existing arrangements by establishing a cooperative mechanism (platform) under the Convention to manage the transition to low GHG pathways, which would identify and then measure the impacts of response measures, and which would use existing tools as much as possible and further develop tools to address identified gaps and ensure their operationalization:

**Option (a):** The governing body shall develop and adopt modalities for:

- a. An [international][cooperative] mechanism under the Convention to manage the transition to low GHG pathways that would identify and then measure the impacts, and which would use existing tools as much as possible and develop further tools to address identified gaps and ensure their operationalization:
  - i. A no-incident arrangement to be included to safeguard economic development in [developing countries][Parties not included in annex X];
  - ii. In accordance with Article 4, paragraphs 8–10, of the Convention.
- b. An international institution;
- c. A permanent forum under the SBSTA.

**Option (b):** No new arrangements for response measures within this agreement.

**Option 3:**

In the context of achieving the objective of the Convention along with sustainable development, Parties shall give full consideration to what actions are necessary under the Convention, including actions related to funding, insurance and the transfer of technology, to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures, in accordance with the principles and provisions of the Convention, and taking into consideration that poverty eradication and social and economic development are the first and overriding priorities of developing country Parties.

The COP shall strengthen existing arrangements by establishing a cooperative mechanism under the Convention to address the impacts of the implementation of response measures, including by identifying and measuring impacts of and gaps in implementation, and to recommend specific actions to avoid and minimize negative consequences, in particular in terms of support to developing country Parties and the development and implementation of specific tools to address identified gaps.] *{para 41 GNT}*

26. **ECONOMIC AND SOCIAL ISSUES** [Parties will also consider economic and social issues, including the just transition of the workforce and the creation of decent work and quality, decent jobs in accordance with nationally defined development priorities and strategies.] *{para 42 GNT}*
27. **INTERNATIONAL TRANSPORT** [In meeting the objective of limiting global average temperature increase as referred to in Article 3 of the draft agreement, Parties agree on the need for global sectoral emission reduction targets for international aviation and maritime transport and on the need for all Parties to work through the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO) on developing global policy frameworks for meeting these targets.] *{para 40 GNT}*

**[E. Adaptation and loss and damage]**

28. **GUIDANCE FOR COLLECTIVE EFFORTS** [The long-term vision on adaptation]<sup>68</sup> is based on:
  - a. Science, including, inter alia, Intergovernmental Panel on Climate Change (IPCC) findings on the negative impacts of climate change;
  - b. The urgent need for adaptation considering that the effects of climate change may persist for many centuries even if emissions are to stop;
  - c. Historical cumulative greenhouse gas emissions, even with current and future mitigation taken;
  - d. Prioritizing developing country Parties, which are the most vulnerable to the adverse effects of climate change;
  - e. Developed country Parties support to developing country Parties pursuant to Article 4 of the Convention;
  - f. Developing country needs for building resilience of the most vulnerable, linked to pockets of poverty, livelihoods and food security in developing countries;

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<sup>68</sup> NOTE: See Article 8 (option 2) of Part I.

- g. Initiatives, actions and programmes that are nationally determined by developing countries and supported by developed country Parties.] *{para 1 opt 1 SCT}*
29. **GLOBAL GOAL FOR ADAPTATION** [**The global goal for adaptation further:**<sup>69</sup>
- a. [Establishes a platform for all Parties to communicate their efforts towards achieving the global goal on adaptation, as well as for the exchange and sharing of best practices on the formulation and implementation of adaptation measures;]
  - b. [Acknowledges that historical emissions and the level and pace of both current and future mitigation efforts will determine the extent to which Parties will need to adapt to the adverse effects of climate change and address loss and damage resulting therefrom and the associated costs thereof;]
  - c. [Notes that since adaptation efforts will need to be undertaken far in advance of the temperature rise, planning for and undertaking adaptation should be based on an evaluation of temperature scenarios that are expected to result from particular levels of mitigation action;]
  - d. [Agrees that in order to determine levels of adaptation support (finance, technology, and capacity) required for a given commitment period, the ex ante assessment of aggregate mitigation action and associated temperature rise shall be used as a basis, including in the consideration of nationally determined needs for adaptation.] *{para 1 opt 6 a. – d. SCT}*
30. **ENHANCING INDIVIDUAL EFFORTS** [Each Party **[shall][should][other]** enhance its efforts to:
- a. Undertake assessments of climate change impacts and vulnerability;
  - b. Prioritize action with respect to the people, places, ecosystems and sectors that are the most vulnerable to climate change impacts;
  - c. Strengthen governance and enabling environments for adaptation;
  - d. Monitor, report, evaluate and learn from adaptation plans, policies and programmes.] *{para 2 opt 5 SCT}*
31. **INDIVIDUAL EFFORTS AND NATIONAL ADAPTATION PLANNING PROCESSES** [[Commitments][contributions] [actions] **[shall][should][other]** be [consistent with][informed by] the NAP process subject to modalities and procedures to be developed and adopted by the governing body:
- a. NAPs provide the basis for all countries to assess vulnerabilities and identify and implement adaptation measures; *{para 5 opt 1 SCT}*
  - b. NAPs are a key strategic framework for adaptation planning, the determination of adaptation priorities and adaptation support and needs, as well as for guiding the integration and implementation of adaptation;
  - c. NAPs **[shall][should][other]** go [beyond planning and mainstreaming][into concrete actions on the ground][into implementation][beyond integrating], by defining modalities for support and implementation;
  - d. Ensure that the NAP process **is** undertaken[ in a participatory and inclusive manner, building on existing community-driven and traditional adaptation efforts,] in all interested [developing countries][Parties not included in annex X], [in particular][including] in SIDS and the LDCs, and in Africa;
  - e. Articulation of NAPs and NAMAs, as appropriate, to promote climate resilience and sustainable development trajectories.] *{para 5 opt 1 b. - f. SCT}*
32. **INDIVIDUAL EFFORTS – LEVELS OF AMBITION** [Parties that include an adaptation component in their NDCs may do so pursuant to one or more of the following levels of ambition for enhancing climate change resilience:
- a. Implementation of the mainstreaming of adaptation measures aimed at ensuring sustainable development pathways of countries' actions;
  - b. Implementation of actions beyond those currently undertaken by Parties under the Convention or paragraph 12 of decision 1/CP.20;
  - c. In cooperation with the international community, advance global adaptation efforts for areas that are beyond Parties' national capacities.] *{para 4 opt 6 SCT}*
33. **ENHANCING COMMUNICATIONS** [All Parties **[shall][should][other]** enhance cooperation to improve national communications and biennial communications so that they can more effectively capture and

<sup>69</sup> NOTE: See Article 8 (option 1) of Part I.

support national adaptation planning processes and, as a result, facilitate accountability and the exchange of knowledge, lessons and good practices.] *{para 8 2<sup>nd</sup> sentence SCT}*

34. **MONITORING AND EVALUATION** *[Option 1: Monitoring and evaluation[, including reporting and learning from plans, policies and programmes] [should be][is] a country-driven and country-specific process that would not impose any additional burden on [developing country Parties][Parties not included in annex X][developed country Parties][annex X Parties] [,and would be supported complementarily by developed country Parties][and shall be strengthened and/or institutionalized:*
- a. Strengthen and improve climate-related research and systematic observation and provide enhanced support;
  - b. Consider indicators for governance and planning;
  - c. Monitor gaps in adaptation as well as needs under different scenarios;
  - d. Monitoring and evaluation to focus on the provision and adequacy of support;
  - e. Assessment of adaptation support available from developed country Parties in relation to the needs of developing countries, taking into account cooperative actions and recognition of past investments by developing countries. *{para 14 opts 1, 3 1<sup>st</sup> sentence, 4 and 5 SCT}*
- Option 2: Monitoring and reporting should be on progress and experiences, lessons learned, good practices and on gaps and opportunities more broadly.] {para 14 opts 2 and 3 SCT}*
35. **RESEARCH AND SYSTEMATIC OBSERVATION** *[All Parties commit to:*
- a. [Increase efforts to promote][improve] systematic observation [and climate-related research] [in order to provide decision-makers at the national and regional levels with improved climate-related data and information;] *{para 14 opt 6 and para 18 SCT}*
  - b. Enhance national capacity in the area of scientific, technical and other research in accordance with the provisions of Article 4, paragraph 1(g), and Article 5 of the Convention.] *{para 14 opt 6 SCT}*
36. **SHARING INFORMATION** *[In carrying out their commitments under Article 6(b) of the Convention, [all] Parties [shall][should][other][, through the secretariat,] [share][[enhance learning on adaptation][cooperate to build resilience and adapt to the adverse effects of climate change] through the sharing of] [best practices,] information, knowledge and lessons learned on adaptation practices[, subject to modalities and procedures to be [adopted][developed]].] {para 15 opts 1, 2 and 3 SCT}*
37. **ROLE OF EXISTING INSTITUTIONS** *[Institutional arrangements [on][relevant to] adaptation, including the Adaptation Committee and the (LEG), and to loss and damage under the Convention shall serve this agreement and support [developing country] Parties in the implementation of their adaptation [commitments][contributions][actions] under this agreement.] {para 21 SCT}*
38. **ROLE OF THE ADAPTATION COMMITTEE** *[The Adaptation Committee shall be the lead body on adaptation under this agreement.] {para 23 SCT}*
39. **ROLE OF THE ADAPTATION FUND** *[The Adaptation Fund shall serve as the adaptation window to the GCF[, and promote funding for joint mitigation and adaptation actions, ensuring additional, predictable, accessible and adequate funds by developed to developing countries].] {para 26 SCT}*
40. **NEW INSTITUTIONAL ARRANGEMENTS**
- 40.1. *[[A subsidiary body for adaptation to enhance the implementation of adaptation action, to provide the COP and its other subsidiary bodies with timely information and advice on matters relating to the Convention and to assist the COP in the assessment of the review of the effective implementation of adaptation and of the timely and adequate support on adaptation by developed county Parties to developing country Parties.] {para 27 opt 1 a. SCT}*
  - 40.2. *[An adaptation registry that builds on NAP Central to:<sup>70</sup>*
    - a. Record and showcase and/or recognize national adaptation actions, contributions and programmes;
    - b. Enhance cooperation on finance, technology and capacity-building support;
    - c. Pool information on the work of institutional arrangements under the Convention and make that information accessible to Parties;
    - d. Monitor and identify progress and gaps in adaptation from a global perspective.] *{para 27 opt 1 b. SCT}*
  - 40.3. *[An international clearing house and registry to act as the repository for NAPs, adaptation methods, a roster of adaptation experts, biennial adaptation support reports, and for information on technology and capacity-building for adaptation.] {para 27 opt 1 c. SCT}*

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<sup>70</sup> See Article 38 (option 7) of Part I.



- 40.4. [A global knowledge platform for adaptation to work on, inter alia:
- a. Facilitating collection, sharing and management of relevant data and information on adaptation actions;
  - b. Providing information on progress of adaptation actions from a global perspective;
  - c. Fostering the exchange of knowledge, lessons learned and best practices from adaptation actions;
  - d. Promoting the development of methodologies, metrics and indicators for adaptation actions.] *{para 27 opt 1 d. SCT}*
- 40.5. [An adaptation mechanism to integrate the existing mechanisms associated with adaptation and loss and damage, to provide the COP and its other subsidiary bodies with timely information and advice on matters relating to the Convention, and to assist the COP in the assessment of the review of the effective implementation of adaptation as well as for timely and adequate support on adaptation from developed country Parties to developing country Parties.] *{para 27 opt 1 e. SCT}*
- 40.6. [An institutional arrangement established for the climate resilience and sustainable development mechanisms.] *{para 27 opt 2 SCT}*

### **[Loss and Damage]**

#### **Option I:**

41. [Reference to the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts.] *{Opt I para 28 SCT}*

#### **Option II: (proposed as a separate chapter on loss and damage): [Article X: Loss and damage]**

##### **DEFINING A LOSS AND DAMAGE MECHANISM UNDER THE AGREEMENT**

41. [An international mechanism to address loss and damage is hereby defined under this agreement.] *{Opt II para 28 SCT}*
42. [The purpose of the mechanism shall be to promote and support the development and implementation of approaches to address loss and damage associated with the adverse effects of climate change.] *{Opt II para 29 SCT}*
43. [The international mechanism on loss and damage shall draw upon and further develop the work undertaken pursuant to decisions 3/CP.18, 2/CP.19 and 2/CP.20, including the development of modalities and procedures for the mechanism's operation and support. It will involve, as appropriate, existing bodies and expert groups under the Convention, as well as relevant organizations and expert bodies outside the Convention, and be informed by relevant precedents in international law.] *{Opt II para 30 SCT}*
44. [The international mechanism on loss and damage shall be subject to the authority and guidance of the governing body.] *{Opt II para 31 SCT}*
45. [The governing body shall, at its first session, initiate a process to develop approaches to address irreversible and permanent damage resulting from human-induced climate change, and shall endeavour to complete this process within four years.] *{Opt II para 32 SCT}*

#### **Option III: (proposed as a separate chapter on loss and damage)**

41. **LINKAGES BETWEEN MITIGATION, ADAPTATION AND LOSS AND DAMAGE** [Parties recognize that inadequate mitigation and insufficient adaptation lead to more loss and damage and that financial and technical support shall be made available to vulnerable developing countries and communities to address loss and damage to both extreme events and slow onset events.] *{Opt III para 28 SCT}*
42. **PURPOSE OF THE MECHANISM AND ACTION BY PARTIES** [The purpose of the loss and damage mechanism is to implement approaches to address loss and damage associated with the impacts of climate change, including, inter alia, extreme events and slow onset events, in developing countries that are particularly vulnerable to the adverse effects of climate change. To this end, Parties are encouraged to develop early warning systems and risk management plans for both extreme events and slow onset events and communicate them to the secretariat as part of their national communications, in accordance with the modalities and procedures to be developed and adopted by the governing body.] *{Opt III chapeau of para 29 and a. SCT}*
43. **COMPENSATION** [The governing body shall commence a process no later than at its first meeting to establish a compensation regime for support for developing country Parties, particularly the LDCs, SIDS and countries in Africa affected by slow onset events.] *{Opt III para 30 SCT}*
44. **WARSAW INTERNATIONAL MECHANISM TO SERVE THE AGREEMENT** [The Warsaw International Mechanism shall serve this agreement as a process with its modalities and procedures to be developed and adopted by the governing body]. *{Opt III para 31 SCT}*

45. **FURTHER MANDATE FOR THE WARSAW INTERNAL MECHANISM** [As part of its work, the Warsaw International Mechanism shall develop guidelines for a comprehensive approach to climate risk management.] *{Opt III para 33 SCT}*

**Option IV:**

41. [No new institutional arrangements on loss and damage are required for the purposes of this agreement. The Warsaw International Mechanism [to be strengthened separately from the agreement][is sufficient].] *{Opt V para 28 SCT}*

**[F. Finance]**

46. **PROVISION OF FINANCE – CLARITY AND SCALE** [[The importance of providing] Clarity on the [level of support, in particular financial support, that will be provided to [developing countries][Parties not included in annex X] to allow for the enhanced implementation of the Convention, in particular with regard to adaptation,][scaling up of resources] [shall][**should**][**other**] be [recognized as] a [crucial element in creating the necessary conditions for the enhanced participation of developing countries in the global effort to combat climate change and adapt to its adverse effects][key component of the agreement on post-2020 commitments]: *{paras 84 and 85 SCT}*
- a. [[Climate finance][Financial support provided under the agreement] [shall][**should**][**other**] be [regularly] scaled up [to provide the financing, access to technology and capacity-building necessary to meet the goal of **limiting global average temperature increase as referred to in Article 3 of the draft agreement**, [and to build economies, societies and ecosystems that are resilient to climate change] in line with the needs of [developing countries] [Parties not included in annex X]][and shall be subject to a review [in accordance with the modalities and procedures to be developed by the governing body]];] *{paras 87 and 88 SCT}*
  - b. [The scale of [provision of finance][financial resources] [shall][will] be [[progressively increased][regularly [and systematically]][periodically] [updated][scaled up] [and based on the needs of developing country Parties [over time]][in line with a process to regularly update the scale of support in the context of the **limit to global average temperature increase referred to in Article 3 of the draft agreement**][in accordance with the need for tackling climate change in developing countries]and] [periodically] reviewed [in [the light of][line with] [a][the] [on the basis of an][in relation to regular] [dynamic] assessments of the needs of developing countries [and gaps in the delivery of financial resources [to developing countries]] [in accordance with modalities and procedures to be developed by the governing body]] [and in the context of the **limit to global average temperature increase referred to in Article 3 of the draft agreement**]][Regular assessments and reviews shall be conducted on scaling up levels of ambition in both mitigation and adaptation taking into account evolving needs identified by developing country Parties];] *{para 81 opt 1 81.1 e., 81.2 c., opt 3 g., and paras 85 a., 89 c., 89 i. and 106 opt 2 c. SCT}*
  - c. [A [clear] process for [the determination of the level of resources required to **meet the goal of limiting global average temperature increase as referred to in Article 3 of the draft agreement**][periodic reviews and assessment of the finance goal on the basis of the needs assessments of developing country Parties, addressing gaps in the delivery of resources and in line with the **limit to global average temperature increase referred to in Article 3 of the draft agreement**] shall be [conducted][established under this agreement] [in accordance with the modalities and procedures to be developed by the governing body];] *{paras 85 b. and 86 SCT}*
  - d. [A periodic process for assessing the needs of developing countries to implement the Convention, including through this agreement, is established; the assessment process will be based on country Parties' submissions and other relevant reports and will be performed every four years in alignment with the replenishment cycles of the operating entities of the Financial Mechanism [in accordance with the modalities and procedures to be developed by the governing body]; the outcomes of the process should serve as input to the replenishment process;] *{para 90 SCT}*
  - e. [Each developed country Party and other Parties in a position to do so commit to communicate on an [annual][biennial] basis in the post-2020 period the scaled-up, quantified financial contribution they will provide to support developing countries in the effective implementation of mitigation and adaptation action, in the light of the transformational goal and the global goal set forth in **the draft agreement**,<sup>71</sup> which shall be considered and reviewed in accordance with section J;] *{para 98 SCT}*

<sup>71</sup> NOTE: See Article 12 (Option 4) of Part I.

- f. [[All Parties with a commitment under Article 4, paragraph 3,][In accordance with the principles] of the Convention [developed country Parties] [shall prepare, maintain, communicate and implement a financial component in][will submit] their [intended] nationally determined contributions [of financial resources in their INDCs][, including, as appropriate, quantified financial pledges, targets and actions to mobilize climate finance for developing countries and to assist the implementation of the NDCs of developing countries, primarily through the Financial Mechanism of the Convention]. Developing country Parties [will submit their requirements for funds in their INDCs, for the same cycle][may clarify in their NDCs the extent to which the implementation of their NDCs is dependent upon the provision of international financial support, technology transfer and capacity-building, including particular gaps and needs in this regard.]]  
*{paras 96 and 97 SCT}*
47. **QUANTIFIED/INDIVIDUAL COMMITMENTS** [*Option 1*: [The provision of finance [committed by developed country Parties,] to be based on a floor of USD 100 billion per year [, and shall take into account the different assessment of climate-related finance needs prepared by the secretariat and reports by other international organizations]][The scale of resources provided by developed country Parties shall be based on a percentage of their GNP of at least (X per cent) taking into consideration the following][Climate finance provided by developed country Parties shall be based on a quantified target taking into consideration the following]: *{chapeau of para 89 and a. SCT}*
- a. Based on an ex ante process to [commit][identify] quantified support [relative to][commensurate with] the required effort [reflected in the adaptation and mitigation goals] and in line with the needs of [developing countries][Parties not included in annex X]; *{para 89 b. SCT}*
  - b. [Based on clear burden-sharing arrangements among [developed country Parties][Annex II Parties][Parties included in annex Y] [Parties in a position to do so, considering evolving capabilities][all countries in a position to do so] to identify the flows of [public] financial support from [developed countries][Parties included in annex X], including through the application of an assessed scale of contributions from [developed countries][Parties included in annex X][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so];] *{para 89 d. SCT}*
  - c. Based on a [clear] road map with individual annual commitments for public funding [from developed country Parties] in the post-2020 period [or][and trajectory and] pathways with annual expected levels of climate finance [towards][for] achieving short-term quantified goals; *{para 89 f. SCT}*
  - d. [Based on an agreed percentage formula for the calculation of the contributions of [[Annex I Parties] [Parties included in annex X] and differentiated [developing country][Parties not included in annex X]] [Parties in a position to do so considering evolving capabilities] [all countries in a position to do so] on the basis of GDP or other indicators];] *{para 89 h. SCT}*
  - e. [Including aggregate and enhanced [specific] [individual] [commitments] [contributions] by [developed country Parties][[Annex II Parties][Parties included in annex Y], complemented by other Parties in a position to do so] [Parties in a position to do so, considering evolving capabilities] [all countries in a position to do so];] *{para 89 e. SCT}*
  - f. [A short-term collective quantified goal [of USD 200 billion per year by 2030 should be committed to by developed country Parties], [which][that] defines [how] the expected, scaled-up climate finance level for the post-2020 period [shall][should] be determined in order to enhance the predictability of the provision of climate finance, indicating specific levels of funding from public sources to be provided[; this goal shall be regularly reviewed, and updated.]] *{para 89 g. SCT}*
- Option 2*: Agreement not to specify [individual][quantified] commitments, quantified targets or specific indicators for the post-2020 period.] *{para 89 opt 2 SCT}*
48. **SOUTH-SOUTH COOPERATION** [On the basis of solidarity and common sustainable development priorities and in accordance with their national circumstances and capabilities, developing country Parties are encouraged to prepare, maintain, communicate and implement South–South cooperation initiatives encompassing finance, technology development and transfer and capacity-building with a view to assisting the implementation of the INDCs of other developing countries.][South–South cooperation [shall][should][other] be encouraged [which [shall][should][other] be voluntary, free of monitoring and can be [supplementary][complementary], but not substitute commitments of [Parties included in [Annex I][annex X] to the Convention][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so], while acknowledging that South–South cooperation is not a commitment of Parties under the Convention]].] *{para 81 opt 4 d., and paras 99 and 104 ter SCT}*
49. **COLLECTIVE EFFORTS** [All Parties to cooperate in the implementation of this agreement in order to:
- a. Support the enhanced ambition of all Parties through the provision of support from [Annex II Parties][Parties included in annex Y][Parties in a position to do so, considering evolving

- capabilities][all countries in a position to do so] to [developing country Parties][Parties not included in annex X];
- b. Enable Parties' best efforts based on their respective capabilities, foster country ownership and achieve sustainable development.] *{para 82 SCT}*
50. **LEVERAGING PRIVATE FINANCE** [All Parties [shall][should][other] commit to cooperate on leveraging private finance and/or to [mobilize][utilize] public funds and means to facilitate and encourage private investment in accordance with their capabilities, recognizing that private-sector financing is complementary to, but not a substitute for, public-sector financing where public finance is needed:
- i. A mechanism to attract private sector investment in projects, with clear definitions, respective roles and guidance on the mechanism, so as to achieve a useful balance of public and private sources, ensuring reasonable returns and full transparency;
  - ii. Efforts undertaken by export credit agencies to help investors manage risk;
  - iii. A clear signal to the private sector at all levels to contribute to the mobilization of climate finance and to reorient financial flows and trigger the required investments and involvement, including of local private sectors;
  - iv. Public-sector finance to catalyse and avoid crowding out private-sector investments, ensuring that private-sector investment is not displaced, with the efficient use of public resources and effective public policies to be the key focus of post-2020 cooperative efforts among middle- and higher-income countries;
  - v. Need for strong public–private partnerships, which should be subsidized and incentivized;
  - vi. Be strategic and in line with national priorities and laws and be profitable for the private sector.] *{para 113 bis a. i. - vi. SCT}*
51. **EFFORTS OF NON-STATE ACTORS** [Efforts of subnational and local governments, subregional entities and the private sector [shall][should][other] be recognized.] *{para 83 SCT}*
52. **INVESTMENTS** [[A collective goal for support to be achieved by all Parties in order to][All Parties will aim to contribute to the] transition to a world in which all investments are directed at resilient and low-emission actions, and where finance, technology transfer and capacity-building that promote low-emission and resilient actions prevail.] *{para 101 SCT}*
- a. [Parties [are encouraged] to [take steps to] [reduce][eliminate] [international support][public incentives] [for][phase down] high-carbon investments[, [including][and] international fossil fuel subsidies];] *{paras 102, 103 and 113 bis d. SCT}*
  - b. [Parties to promote continuous efforts to 'climate-proof' investments, including relevant international public finance flows;] *{para 102 bis SCT}*
  - c. [Parties shall work with and through national and international financial institutions in order to align investment decisions and policies with the objective of the Convention as stated in its Article 2 and to facilitate low-emission and climate-resilient pathways;] *{para 104 SCT}*
  - d. [[Adaptation] Investments of [developing countries][Parties not included in annex X] [all Parties] [in supporting transformational change][and domestic adaptation actions undertaken by developing country Parties without support from developed country Parties] [shall][should][other] be recognized as part of their contributions [to the global effort to [address][respond to] climate change].] *{paras 1 opt 6 and 4 opt 2 f. from Section E, and para 81 opt 2 81.1 c. SCT}*
53. **ENABLING ENVIRONMENTS** [**Option 1**: [All Parties][Policy actions by governments] [, with respect for countries' national prerogative to choose their domestic climate policies,] [[shall][should][other] be encouraged][commit] [[shall][should][other] be catalysed] [such as] to [enhance][develop and improve][build] [effective] enabling environments [for the enhanced mobilization of support][in order to further mobilize private finance for scaling up climate finance, where donor countries should mitigate the risk of the private sector by public intervention, and recipient countries should make efforts to improve their enabling environments to attract investments][, recognizing the importance of implementing low-carbon, climate-resilient development strategies and NAPs]][through: *{para 105 chapeau of opt 1, opt 3, and paras 105 bis and 105 ter SCT}*
- a. Enhanced national regulatory frameworks, including policies and measures;
  - b. The dedication of sufficient domestic resources by countries seeking support;
  - c. Putting in place conditions to mobilize, attract and absorb climate-related investments;
  - d. The provision of a price signal for emission reductions, including through payments for verified emission reductions; *{para 105 opt 1 a. - d. SCT}*
  - e. Enhanced enabling environments for private-sector investment in adaptation]. *{para 113 bis a. vii. SCT}*

- Option 2:** Agreement not to specify the enhancement of enabling environments as a commitment or obligation of Parties.] *{para 105 opt 2 SCT}*
54. **FUNDING FOR ADAPTATION** [Financing for adaptation [shall][should][other] be provided in the form of multilateral and/or bilateral financing, [including via][with a significant share of new multilateral funding for adaptation to be channelled through the Green Climate Fund]: *{para 106 chapeaux of opts 1 and 2 SCT}*
- 54.1. A balanced allocation between adaptation and mitigation[, or a 50:50 balance between the support provided for adaptation and mitigation, or] at least 50 per cent of support to be provided for adaptation activities[, including financing for joint mitigation and adaptation approaches, plans and actions]. *{para 106 opt 1 106.1 and opt 2 a. SCT}*
- 54.2. **Option (a): Financing for adaptation may come from** diverse sources, including private sources, engaged in the provision of financing for adaptation, with public finance to constitute the key instrument in increasing support for adaptation:
- a. Identification of sources and prioritization of public funding, as well as increase of private sector financial contributions for adaptation;
  - b. Encourage the International Civil Aviation Organization and the International Maritime Organization to develop a levy scheme to provide financial support for the Adaptation Fund;
  - c. In establishing the levy scheme, ICAO and IMO are encouraged to take into consideration the needs of developing countries, particularly the LDCs, SIDS and countries in Africa heavily reliant on tourism and the international transport of traded goods. *{para 106 opt 1 106.5 opt (a) SCT}*
- Option (b):** [[Financial resources provided by] developed country Parties shall [deliver][provide] [new], additional, adequate and predictable funding for adaptation [from public sources [and][with all financing for adaptation to be] on a grant basis][, [including][in particular] for the implementation of the Cancun Adaptation Framework [and adaptation-related provisions included in this agreement,] for building institutional capacity and appropriate legal frameworks [and appropriate institutional arrangements such as the climate resilience and sustainable development mechanism]].] [Public sources [shall][should][other] be the primary source of finance, with [supplementary][complementary] funding to be drawn from [private and/or alternative][additional] sources.] [Developed country Parties shall channel a substantial share of public climate funds to adaptation activities with prioritization of the most vulnerable developing countries, especially the LDCs and SIDS.] *{para 81 opt 1 81.1 d., part of 81.2 a., opt 3 d. and part of f., para 106 opt 1106.5 opt (b) and opt 2 a., and para 113 opt 1 d. SCT}*
- 54.3. The use of levies for adaptation funding from any market-based mechanisms; *{para 106.2 SCT}*
- 54.4. Financial risk management instruments; *{para 106.3 SCT}*
- 54.5. The Adaptation Fund, the Least Developed Countries Fund (LDCF) and the Special Climate Change Fund (SCCF), including through support for enabling the mobilization of private-sector financial flows for adaptation investments, with the GCF providing assurance of support for countries' adaptation efforts.] *{para 106.4 SCT}*
55. **FUNDING FOR ADAPTATION** [Notes that levels of adaptation finance provided by developed countries should be commensurate with meeting the costs of adaptation in developing countries, particularly those in Africa, the least developed countries, and small island developing States, in accordance with developed country Party obligations under Article 4, paragraph 4, of the Convention.] *{para 1 opt 6 e. from Section E SCT}*
56. **FUNDING FOR ADAPTATION** [The provision of support for NAPs [shall][should][other] build on progress made by the LDCF, the SCCF, the GCF, the Adaptation Fund, the LEG, the Adaptation Committee and multilateral and bilateral organizations and agencies.] *{para 5 opt 1 e. from Section E SCT}*
57. **FUNDING FOR ADAPTATION** [[Developing countries][Parties not included in annex X] are not in a position to make financial commitments or contributions to any institutional or international mechanisms.] *{para 4 opt 2 f. from Section E SCT}*
58. **SUPPORT FOR ADAPTATION** [Adaptation [commitments][contributions][actions][commitments under Article 4 of the Convention] of [developing country Parties][Parties not included in annex X][all Parties] [shall][should][other] be supported by predictable, grant-based, long-term, additional and measurable finance, [safe, appropriate and environmentally sound] technology and capacity-building support from [developed country][annex X] Parties, [Parties included in Annex II to the Convention (Annex II Parties)][annex Y Parties], and/or all Parties in a position to do so[, articulated as mitigation actions as appropriate].] *{para 6 opt 9 from Section E SCT}*
59. **SUPPORT FOR ADAPTATION** [The absence of national adaptation strategies and plans shall not be an impediment to eligibility for financial, technological and capacity-building support for adaptation actions.] *{para 7 opt 1 from Section E SCT}*
60. **SUPPORT FOR ADAPTATION** **Option 1:** [Developed country Parties][annex X Parties][Annex II Parties][annex Y Parties][all [countries][Parties] in a position to do so] [commit to][shall][should][other]: *{para 6 opt 2 from Section E SCT}*

- a. Fulfil their obligations under Article 4, paragraphs 3, 4 and 5, of the Convention, noting provisions in its Article 4, paragraphs 7, 8 and 9, in accordance with Article 8 (opt 1) and 9 of the draft agreement; *{para 6 opt 4 a. from Section E SCT}*
- b. Take the lead in combating climate change and its adverse effects and commit under Article 4 of the Convention to support country-driven processes and proposals of developing countries; *{para 6 opt 3 from Section E SCT}*
- c. Undertake the steps necessary to ensure that the level of support meets the needs for adaptation in [developing countries][Parties not included in annex X] in the context of the limit to global average temperature increase referred to in Article 3 of the draft agreement; *{para 6 opt 1 from Section E SCT}*
- d. [Enhance their][Provide] support for adaptation [on the basis of the short-term, medium-term and long-term adaptation needs and regularly updated needs assessments, taking into account the evolving needs of developing countries and mitigation action of developed countries,] subject to the modalities and procedures to be developed and adopted by the governing body; *{para 2 opt 4 2<sup>nd</sup> sentence and para 6 opt 4 from Section E SCT}*
- e. Ensure the effective implementation of arrangements for adaptation through the provision of sufficient, adequate, predictable, transparent and additional support to [developing country Parties][Parties not included in annex X] in the context of Article 4, paragraphs 3–5 and 7, of the Convention; *{para 6 opt 2 c. from Section E SCT}*
- f. Provide means of implementation for supporting ambitious adaptation action; *{para 6 opt 5 1<sup>st</sup> sentence from Section E SCT}*
- g. [Ensure][Enhance] the provision of new and additional, adequate and predictable financial resources and the transfer of [safe and appropriate] technology and capacity-building to meet the costs in [developing countries][Parties not included in annex X] of addressing the adverse effects of climate change[, including the agreed full incremental costs of implementing adaptation measures taken in accordance with commitments under Article 4, paragraph 1, of the Convention,] and to enable [developing countries][Parties not included in annex X] to enhance their [adaptation actions][actions to adapt to climate change] to [achieve sustainable development][ensure their resilience][reduce vulnerability]; *{para 6 opts 2 a., 4 b. and 6 2<sup>nd</sup> sentence from Section E SCT}*
- h. Support [developing country Parties][Parties not included in annex X] to strengthen and implement climate-related research and systematic observation; *{para 14 opt 3 from Section E SCT}*
- i. Support developing countries in assessing adaptation needs in terms of finance, technology and capacity-building [and monitor gaps in adaptation under different scenarios]; support activities shall be monitored and evaluated periodically; *{para 6 opt 8 1<sup>st</sup> sentence from Section E SCT}*
- j. Formulate adaptation support plans, including the overall objectives, milestones, and sources of finance for supporting adaptation actions in [developing countries][Parties not included in annex X] in terms of finance, technology, and capacity-building, so as to address the urgent needs of [developing countries][Parties not included in annex X] and ensure long-term support. *{para 6 opt 2 b. from Section E SCT}*
- k. Provide at least USD 50 billion per year during the period from 2020 to 2025 and at least USD 100 billion per year by [2020][2030] for the adaptation activities of [developing countries][Parties not included in annex X] in order to fulfil the obligations under Article 4, paragraphs 4, 5, 8 and 9, of the Convention. Such funds need to be incremental, additional and predictable; *{para 6 opt 5 2<sup>nd</sup> sentence from Section E SCT}*
- l. Support the LDCs in the implementation of national adaptation plans and the development of additional activities under the LDC work programme, including the development of institutional capacity by establishing regional institutions to respond to adaptation needs and strengthen climate-related research and systematic observation for climate data collection, archiving, analysis and modelling; *{para 6 opt 7 from Section E SCT}*

**Option 2:** [Developed country Parties’][annex X Parties’] [commitments][contributions][actions] [commitments under Article 4 of the Convention] [shall][should][other] be in accordance with the relevant provisions of the Convention, [reflecting][and reflect] their obligation to support adaptation in [developing countries][Parties not included in annex X] in accordance with realizable temperature scenarios, in particular in SIDS and the LDCs. *{para 6 opt 6 1<sup>st</sup> sentence from Section E SCT}*

61. **FUNDING FOR TECHNOLOGY DEVELOPMENT AND TRANSFER** [[Support][Financial resources] provided [by developed country Parties] to [developing country Parties][Parties not included in annex X] for technology development and transfer and support provided to the Technology Mechanism to ensure the effective implementation of technology to be channelled [primarily] through the [GCF][operating entities of the Financial Mechanism][, [taking into account the roles of the public and private sectors in mobilizing

- finance for technology][primarily from public sources, with supplementary funding to be drawn from private sources]].] *{para 107 SCT}*
62. **FUNDING FOR CAPACITY-BUILDING AND ARTICLE 6 OF THE CONVENTION** [Funding for capacity-building [as well as measures to develop, adopt and implement policies, strategies, regulations and/or action plans on climate change education, training, public awareness, public participation and public access to information in [developing country Parties][Parties not included in annex X]] [shall be provided by developed country Parties to developing country Parties and channelled through the Financial Mechanism for the implementation of climate change actions in line with COP decisions and Article 6 of the Convention, in an adequate and predictable manner]:
- 62.1. To be provided by [[developed country Parties][Parties included in annex X] and other Parties] [Parties in a position to do so, considering evolving capabilities][all countries in a position to do so] and organizations in a position to do so, in an adequate and predictable manner;
- 62.2. To be primarily channelled through the Financial Mechanism, taking into account the potential role of the private sector in supporting capacity-building and the need for enhanced coordination among donors and institutions [with the public sector bearing the main responsibility [for the provision of funding], and private funding being only complementary].] *{para 109, and para 136 h. opt (b) from Section H SCT}*
63. **FUNDING FOR REDD-PLUS / FINANCING FOR FOREST** [[[Funding for REDD-plus][Forest financing] to be adequate, predictable and sustainable, with financing continuing to be provided[, including via][by] [developed country Parties] [[[Annex II Parties][Parties included in annex Y] and Parties in a position to do so][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so], private and non-market-based sources and results-based finance]][Developed country Parties and/or Annex II Parties and/or all Parties in a position to do so shall support the implementation of the Warsaw Framework for REDD-plus through the provision of finance from both public and private sources];] *{para 110 opts 1, 2 and 3 SCT}*
- a. [Results-based payments for REDD-plus activities should be transferred to developing country Parties through, inter alia, the Green Climate Fund and/or the new market-based mechanism in accordance with the Warsaw Framework for REDD-plus.] *{para 111 SCT}*
- b. [Climate finance shall][should][other] facilitate needs-based financing for joint mitigation and adaptation for the integral and sustainable management of forests and other sectors.] *{para 111 bis SCT}*
- c. [Developing country Parties implementing REDD-plus activities may utilize the positive incentives and results-based finance provided in accordance with the Warsaw Framework for REDD-plus and any other related decisions to support the implementation of their nationally determined contributions (NDCs).] *{para 112 SCT}*
64. **SOURCES** *[Option 1]*: [Financial resources [shall][should][other] be [mobilized and] provided [by developed country Parties to developing country Parties].][Funding for climate finance shall come primarily from public sources, including grant-based funds.][Public [sources][sector financing] [from developed country Parties[? direct budget contributions]] shall be the primary source of resources, [with supplementary funding to be drawn from [private][alternative] sources [in developed countries]]]; other sources are to be considered supplementary.][Funding from private and/or other sources shall in no way diminish the obligation of developed country Parties to provide financial assistance to developing country Parties in accordance with the terms of the Convention and this agreement. Funding from private and/or other sources shall be deemed to be entirely supplemental to funding from public sources.] *{para 113 opts 1 and 3, and Opt II para 79 SCT}*
- a. Stressing that public sources are the main source of finance, and given the scale of resources needed and the type of investments required, governments to work more closely together with the private sector; *{para 113 opt 1 a. SCT}*
- b. [Developed country Parties][Parties included in annex X][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so] shall incentivize the private sector to provide funding to [developing countries][Parties not included in annex X]; *{para 113 opt 1 b. SCT}*
- c. [Other financial sources in developed country Parties] [Different [public] sources] to be considered on the basis of clear criteria in order to avoid incidence [on][and ensure fiscal sovereignty of] [developing countries][Parties not included in annex X], and [[to] ensure] the sustainability, predictability and additionality of [public] [sources][resources] [to be clarified].] *{para 113 opts 1 c. and 3 last sentence SCT}*
- Option 2:** [The mobilization of finance may come] from a wide variety of sources, including public, private and alternative sources, recognizing the need for a diversity of sources and instruments to suit recipients' [priorities and] changing economic circumstances [with different types of financing for different activities

and public sources for specific areas, given the limited potential for private investment, in particular in the most vulnerable countries and the LDCs.] *{para 113 opt 2 SCT}*

- a. [A tax on oil exports from [developing][Parties not included in annex X] to [developed countries][Parties included in annex X][Parties in a position to do so, considering evolving capabilities][all countries in a position to do so] **[shall][should][other]** be established;
  - b. An international renewable energy and energy efficiency bond facility **[shall][should][other]** be established.]] *{para 113 bis b. and c. SCT}*
65. **INSTITUTIONAL ARRANGEMENTS** [The related funds established under the Kyoto Protocol will also serve as instruments of the legal agreement. This will also apply to all the rules and guidelines developed by the COP and the CMP in relation to the operation of the financial mechanism, its operating entities and associated funds and to the decisions related to the transparency and MRV of support[, with the GCF acting as the main operating entity of the financial mechanism]; *{para 114 chapeau of opt 1 2<sup>nd</sup> sentence SCT}*
- a. [The operating entities of the financial mechanism shall serve this agreement in line with their respective mandates, under the guidance of the COP and the **governing body of the** agreement;] *{para 114 opt 1 a. SCT}*
  - b. [The operating entities of the Financial Mechanism and other funds under the Convention, in particular the GCF and the Adaptation Fund, shall be replenished with sustainable resources to allow them to provide adequate support to developing countries;] *{para 118 SCT}*
  - c. [Financing loss and damage;] *{para 114 opt 1 c. SCT}*
  - d. [The climate resilience and sustainable development (CRSD) mechanism is established to promote climate resilience and sustainable development trajectories that combine adaptation to and mitigation of climate change and its impacts, articulating the means of implementation of the Convention, linking the provision of finance, transfer and development of technology, and capacity-building, and enhancing the actions of developing countries to achieve the objective of the Convention. To this end, the CRSD mechanism shall articulate the work of the financial mechanism, the technology mechanism and the capacity-building mechanism. Funding for sustainable development trajectories shall be provided by developed countries to developing countries through the CRSD mechanism, articulating the means of implementation, particularly in terms of funding for mitigation and adaptation, following a needs-based approach, and for technology transfer and development and capacity-building;] *{paras 114 d. and 108 SCT}*
  - e. [Institutional arrangements for REDD-plus finance [as per decision 10/CP.19];] *{para 114 e. SCT}*
  - f. [The financial mechanisms shall continue to provide financial support from developed country Parties to assist developing country Parties in implementing the Convention and this agreement, and to establish windows of funds among the financial mechanisms established under the Convention, including, inter alia:
    - i. The Adaptation Fund;
    - ii. The Loss and Damage Fund;
    - iii. The Least Developed Countries Fund;
    - iv. Funds supporting the transfer of technology.]] *{Opt II para 81 SCT}*
66. **GREEN CLIMATE FUND** [The GCF [acting as the main operating entity of the Financial Mechanism for the implementation of this agreement] shall be strengthened [by ensuring predictable, sustainable and adequate resources, including through the following resources] as follows: *{chapeau of para 119 SCT}*
- a. Developed country Parties to provide a list of specific [amounts][percentages] reflecting the required share of climate finance to be provided to the GCF, subject to review and in [accordance with Article 11 and the arrangements between the COP and the Fund][in line with the principle of burden-sharing among developed country Parties]; *{para 119 a. SCT}*
  - b. The GCF replenishment shall be based on a specific financial target linked to the overall financial goal, in line with the **limit to global average temperature increase referred to in Article 3 of the draft agreement** and the gap in the provision of finance to developing countries, [and] in the context of the needs assessment and the **limit to global average temperature increase referred to in Article 3 of the draft agreement**; *{para 119 d. SCT}*
  - c. [Developed country Parties to provide 1 per cent of their gross domestic product per year from 2020 to the GCF;] *{para 119 e. SCT}*
  - d. Funding windows to be established by the GCF on technology development and transfer, [REDD-plus] and loss and damage.]] *{para 119 c., [Proposals for decisions related to anchoring institutions under the agreement] vii. 1. and 2. SCT}*



67. **STANDING COMMITTEE ON FINANCE** [The SCF shall assist the governing body of this agreement[, in cooperation with existing bodies and activities under the Convention].] *{para 117, [Proposals for decisions related to anchoring institutions under the agreement] viii. SCT}*
68. **FUNDING FOR THE WARSAW INTERNATIONAL MECHANISM** [[[Support][New and additional finance, independent of adaptation budgets,] [shall][should][other] be provided for the financing and operationalization][Developed country Parties and/or other Parties in a position to do so to support the implementation, through the provision of finance] of the Warsaw International Mechanism [and for alternative policy approaches to results-based actions such as through the joint mitigation and adaptation mechanism for the integral and sustainable management of forests, and the climate resilience and sustainable development mechanism].] *{paras 106 opt 2 b. and 120, and Opt III para 32 from Section E SCT}*
69. **FUNDING FOR REPORTING** [[[Annex II Parties][Parties included in annex Y] and other Parties in a position to do so][Parties in a position to do so[, considering evolving capabilities]][all countries in a position to do so] [developed country Parties] [shall][should][other] provide [Parties in need of assistance][developing country Parties][Parties not included in annex X] with financial, technical and capacity-building support in order for them to efficiently and effectively fulfil the reporting requirements of this agreement.] *{paras 106 opt 2 d. and 124 SCT}*

### **[G. Technology development and transfer]**

70. **GLOBAL GOAL FOR TECHNOLOGY** [A global goal of technology development and transfer shall be established in order to meet the technology requirements for achieving an emission pathway consistent with **the limit to global average temperature increase referred to in Article 3 of the draft agreement** and for considerably improving the adaptation capacity of developing countries. Under this global technology goal, developed countries shall commit to conduct regular assessment on technologies that are ready for transfer, make the list of ready-to-transfer technologies, set target for supporting the development and transfer of each technology to developing countries, and mobilize resources to deliver the support.<sup>72</sup>] *{para 128 1<sup>st</sup> and 2<sup>nd</sup> sentences SCT}*
71. **FRAMEWORK FOR ENHANCED ACTION** [Parties, in accordance with the principles and provision of the Convention, in order to promote and enhance technology development and transfer and facilitate the implementation of the Convention, shall establish a framework for enhanced action on technology development and transfer under the 2015 agreement to undertake technology assessments, to facilitate various options for enabling developing country access to technologies, to address financing for the implementation of technology needs of developing countries, and to address barriers and create appropriate enabling environments for technology development and transfer.] *{para 130 SCT}*
72. **INDIVIDUAL EFFORTS [Option 1:**
- 72.1. **ADDRESSING BARRIERS BY DEVELOPED COUNTRIES** [Developed country Parties][Parties included in annex X] [shall][should][other] undertake steps to address barriers to accessing technology [and know-how] and to:
- a. Establish and strengthen their necessary policy frameworks in order to facilitate the removal of barriers and enable and accelerate technology development and transfer to [developing country Parties][Parties not included in annex X];
  - b. [Leverage enhanced support from the private sector for technology development and transfer to [developing country Parties][Parties not included in annex X]] [Promote access to public sector technology and promote development and transfer to developing country Parties];
  - c. Provide financial and human resources and institutional and technical support for technology development and transfer to [, and for the development and enhancement of endogenous capacities and technologies of] [developing country Parties][Parties not included in annex X]. *{paras 131.1 and 131.3 SCT}*
- 72.2. **ADDRESSING BARRIERS BY DEVELOPING COUNTRIES** [Developing country Parties][Parties not included in annex X], with the support of [developed country Parties][Parties included in annex Y][all countries in a position to do so], [shall][should][other] undertake steps to address barriers to [equal access to] [access] technology and to establish and strengthen their national structures, policy frameworks, institutions and capacity in order to enable and accelerate the **strengthening of** endogenous capacity for the absorption, development and transfer of technologies in developing countries, and endogenous technology development and transfer, attract investments and enhance country ownership and innovation[, building on traditional technologies already used by local

<sup>72</sup> NOTE: See also Article/paragraph 96.1 of Part III below, which is related to this provision.

communities, including women, and according to their needs and capacities, so as to be able to build and develop their own technological base[including those stemming from traditional knowledge systems of indigenous peoples and local communities]; *{para 131.2 SCT}*

72.3. **ACCESS AND INNOVATION** [All Parties] [Developed country Parties], in accordance with the principles of and obligations under the Convention, [shall][should][other] establish means to facilitate and promote access to and the deployment, application and diffusion, including transfer, of safe, appropriate and environmentally, economically and socially sound adaptation and mitigation technologies, practices and processes, while promoting, enhancing and rewarding innovation in technologies [and on the basis of the strengthening of sustainable development trajectories and poverty eradication]; *{para 131.4 SCT}*

**Option (i):**

- a. In accordance with Article 4 [, paragraphs 3, 5 and 7,] of the Convention, [developed country Parties][Parties included in annex Y][all countries in a position to do so] [shall][should][other] provide financial resources to address barriers created by intellectual property rights (IPRs) and facilitate access to and the deployment of technology, including, inter alia, by utilizing the Financial Mechanism and/or establishing a funding window under [the GCF [to meet the full costs of IPRs of environmentally sound technologies and know-how, and such technologies will be provided to developing country Parties free of cost in order to enhance their actions to address climate change and its adverse impacts]] [the operating entities of the Financial Mechanism] [and the climate resilience and sustainable development mechanism]; *{para 131.4 opt (i) a. and d. SCT}*
- b. An international mechanism on IPRs [shall][should][other] be established to facilitate access to and the deployment of technology to [developing country Parties][Parties not included in annex X];
- c. Other arrangements [shall][should][other] be established to address IPRs, such as collaborative research and development, shareware, commitments related to humanitarian or preferential licensing, fully paid-up or joint licensing schemes, preferential rates and patent pools. *{para 131.4 opt (i) b. and c. SCT}*

**Option (ii):** Parties recognize that IPRs create an enabling environment for the promotion of technology innovation in environmentally sound technologies.

**Option (iii):** IPRs are not to be addressed in this agreement.

**Option (iv):** Developed country Parties [shall][should][other] make available intellectual property (IP) through multilateral institutions as a public good, through purchase of IP. *{para 131.4 opts (ii) – (iv) SCT}*

72.4. **TECHNOLOGY NEEDS ASSESSMENT** [Developing country Parties][Parties not included in annex X], with the support of [developed country Parties][Parties included in annex Y][all countries in a position to do so], [shall][should][other] conduct an assessment of their technology needs on the basis of their national circumstances and priorities [and [shall][should][other] update the same periodically] with a view to ensuring nationally determined and environmentally, economically and socially sound resulting project proposals, [and to effectively implement the outcomes of such an assessment] in order to support the implementation of this agreement. Developed country Parties shall provide support for developing country Parties to improve their capacities for conducting technology [needs] assessments;<sup>73</sup> *{chapeau of para 131.5 SCT}*

72.5 **RESEARCH, DEVELOPMENT AND DEMONSTRATION** [All Parties] [Global participative collaboration] [enabled] [led] by [Annex II Parties][Parties included in annex Y][developed country Parties][all countries in a position to do so] [shall][should][other] accelerate [global collaboration on] the research, development [and][,] demonstration [and the scaling-up of the implementation] of technologies. *{chapeau of para 131.6 SCT}*

- a. [Developed country Parties][Parties included in annex Y][All countries in a position to do so] [shall][should][other] provide support to [developing country Parties][Parties not included in annex X], including financial and intellectual support, to accelerate the research, development and demonstration of technologies, including endogenous technologies;
- b. Modalities for a global collaborative programme on the research, development and demonstration of technologies [shall][should][other] be established, attracting and integrating relevant stakeholders;

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<sup>73</sup> NOTE: More detailed provisions related to this Article/paragraph are contained in paragraph 34 of Part II.

- c. Climate change related technologies may be prioritized, special modalities will be worked out under IPRs, and innovative modalities for a technology transfer mechanism will be put in place for developing countries for INDCs or otherwise for mitigation and adaptation;
- d. Technology assessment to ensure civil society participation with a gender perspective, and integrate a multilateral, independent and participatory evaluation of technologies for their social, economic and environmental impacts. *[para 131.6 a. – d. SCT]*

72.6. **INDIVIDUAL EFFORTS – TECHNOLOGY COMPONENT** All Parties with a commitment under Article 4, paragraph 5, of the Convention shall prepare, maintain, communicate and implement a component related to technology development and transfer to developing countries as well as to capacity-building, including, as appropriate, actions, policies and measures for technology development and transfer to developing countries and to promote capacity-building, with a view to assisting the implementation of the NDCs of developing countries. *[para 131.7 SCT]*

72.7. **COLLECTIVE COOPERATION** Developed country Parties shall cooperate with developing country Parties on enhancing technology development and transfer to enable developing country Parties to effectively implement their NDCs under the Convention and this agreement pursuant to Article 4, paragraph 7, of the Convention. *[para 131.8 SCT]*

**Option 2:** No commitments on technology in the agreement. *[para 131 opt 2 SCT]*

73. **INSTITUTIONAL ARRANGEMENTS TO SERVE THE AGREEMENT** [The [Technology Mechanism] [and] [[any] institutional arrangements for technology [development and transfer]] established under the Convention [, including the TEC and the Climate Technology Centre and Network (CTCN)] [including the climate resilience and sustainable development mechanism,] shall [serve this agreement by facilitating enhanced action on technology development [and] [,] transfer [and know-how] in order to achieve the objectives of this agreement] [support Parties in implementing their [commitments][contributions] under this agreement].] *[paras 132 and 132.1 SCT]*

## **[H. Capacity-building]**

74. **Option 1:**

74.1 **OBJECTIVE** [Capacity-building [shall][should][other] be undertaken until [developing country Parties][Parties not included in annex X] have acquired the capacity to enhance and fully implement climate change actions under the Convention [in accordance with][subject to] the [provision of additional sustainable and predictable] means of implementation provided by [developed country Parties] [Annex I Parties][annex X Parties] and [Annex II Parties][annex Y Parties][all countries in a position to do so] under the Convention [through the appropriate mechanisms including the climate resilience and sustainable development mechanism].] *[para 135 f. v., g. and h. SCT]*

74.2. **FOCUS** [In support of the implementation of this agreement, capacity-building may address, inter alia, the following areas:

- a. [The development of climate policies;]
- b. [The mobilization of private sector capital and public engagement;]
- c. The promotion of public awareness and education;
- d. [The strengthening of domestic institutions and the creation of enabling environments;]
- e. Integrating capacity-building activities [into mitigation and adaptation programmes][into all other elements];
- f. The strengthening of traditional knowledge systems for adaptation, including those of indigenous peoples and local communities.] *[para 136 a. –f. SCT]*

**Option 2:** [No general provisions on capacity-building.] *[para 134 – 136, Opt 2 SCT]*

75. **NEW INSTITUTIONS**

**Option 1: ESTABLISHMENT AND OBJECTIVE OF THE CAPACITY BUILDING MECHANISM** [Building on previous and ongoing work and lessons learned from current institutional arrangements on capacity-building established under the Convention, including the Durban Forum on capacity-building,] [An][an] international capacity-building mechanism is hereby established. *[para 139 opt 1 SCT]*

The purpose of the international capacity-building mechanism under this agreement, funded through the Financial Mechanism of the Convention and linked to technology- and adaptation-related institutions established under the Convention, shall be to enhance the capacity of [developing country Parties][Parties not included in annex X] to plan and implement mitigation and adaptation actions, including human skills development for the strengthening of domestic institutions, technology innovation and the development of

endogenous technologies, and to make a structured assessment of the capacity needs of [developing countries][Parties not included in annex X] and match them with support. *{para 139.1 SCT}*

**Option 2:** Strengthening and improving existing institutions. *{para 139 opt 3 SCT}*

**Option 3:** Enhance the role of the private sector in the delivery of capacity-building. *{para 139 opt 4 SCT}*

**Option 4:** No provisions on the establishment of new institutions. *{para 139 opt 2 SCT}*

## **[I. Transparency of action and support]**

76. **SCOPE** **Option 1:** Each Party [shall][should][other] provide, through their biennial communications, verifiable, transparent, consistent, complete, accurate and comparable information, in accordance with previous decisions of the COP, on the implementation of its [commitments][contributions][actions], including in relation to mitigation, adaptation, finance, technology development and transfer and capacity-building: *{para 147 SCT}*
- a. [A consistent time series of national inventories of emissions and removals; *{para 144 opts 2 b. i. and 6 a. SCT}*
  - b. Progress made towards the achievement of mitigation [commitments][contributions] ; [, including specific information related to the type of mitigation commitment adopted by the Party and how this progress is consistent with the Party's long-term strategy for a low GHG;] *{para 144 opts 2b ii and 6 b. SCT}*
  - c. [Monitoring and evaluation of adaptation][Information on vulnerability to climate change impacts, on policy frameworks and on the progress of implementation addressing vulnerability, such as national adaptation programmes, plans and policies for developing and implementing adaptation strategies and [actions][measures];] *{para 144 opt 2 b. iii. SCT}*
  - d. [Tracking the [delivery of][progress made in relation to the provision of support, including for adaptation and the outcomes achieved through support][Delivery, use and impact of support, as well as on the implementation of enabling environments;] *{para 144 opts 2 b. iv. and 6 d., para 150 c., and para 123 from Section F SCT}*
  - e. Progress towards achieving climate-resilient sustainable development; *{para 144 opt 6 c. SCT}*
  - f. Progress towards improving enabling environments and mainstreaming efforts for transformation to a low GHG and to climate-resilient investments. *{para 144 opt 6 e. SCT}*

### **Option 2:**

- a. Each [developed country Party][Party included in annex X] shall provide information on: its quantified economy-wide emission reduction target, its policies and actions for implementing that target, adaptation actions, research, development and demonstration actions related to climate-friendly technologies and [the provision of financial resources and development and transfer of technology and] capacity-building actions, as well as other relevant information, in order to ensure the provision of consistent, transparent, comparable, accurate and complete information by [developed country Parties][Parties included in annex X]. The information on the provision of support, [including for adaptation] in the form of finance, technology transfer and capacity-building to developing country Parties shall be provided using common accounting and reporting methodologies and adhering to UNFCCC accounting and reporting guidelines to ensure that the information is consistent, transparent, comparable, accurate and complete; *{para 147.1, 147.2, 147.3 and 150 c. SCT}*
  - b. Each developing country Party should provide information on its actions for addressing climate change consistent with the level of support received. Developing country Parties are encouraged to communicate information, as appropriate, in a consistent, transparent, complete and accurate manner, taking into account their specific national and domestic circumstances.] *{para 147.5 SCT}*
77. **INTERNATIONAL CONSULTATIVE ASSISTANCE** [Parties that include an adaptation component in their NDCs under Article/paragraph 32 above may access international consultative assistance as follows: *{para 143 SCT}*
- a. Parties referred to in Article/paragraph 32 (a) and (c) above that require adaptation in order to support their sustainable development and that require international assistance in the implementation of their adaptation contributions, respectively, may, on a voluntary basis, include in their national communications and BURs information related to the progress of the implementation of their adaptation contributions; *{para 143 a. SCT}*
  - b. Parties referred to in Article/paragraph 32 (b) above that are capable of implementing adaptation actions beyond those currently undertaken may, on a voluntary basis, submit action plans for how they intend to implement their adaptation contributions and request the secretariat to maintain a list of these action plans in an information document that is made available online.] *{para 143 b. SCT}*

78. **GENERAL ACCOUNTING PRINCIPLES** [The establishment and implementation of mitigation commitments shall be guided by the following **transparency and** accounting rules, applicable to all Parties:][In accounting for progress towards meeting their **mitigation** [commitments][contributions][actions], including their use of market mechanisms and of the land sector<sup>74</sup> Parties shall apply the accounting principles:] *{para 151 chapeau of opt 5, and para 39 opt 3 from Section D SCT}*
- i. Accounting rules shall be applied under the Convention, building on experience, providing consistent, transparent, comparable, accurate and complete information; *{para 49 from Section D SCT}*
  - ii. Net changes in emissions of GHG by sources and removals by sinks recognized towards [commitments][contributions] should be real, additional, permanent and verifiable; *{para 39.1 a from Section D SCT}*
  - iii. Common guidelines taking into account evolving respective capabilities and different national circumstances related to the reporting of information shall be developed by the governing body.] *{para 144 opt 6 SCT}*
79. **ACCOUNTING FOR INDIVIDUAL EFFORTS:** [Parties [shall][should][other] account for their efforts to reduce or limit GHG emissions in line with agreed accounting [framework][principles].] *{para 24 from Section D SCT}*
80. **ACCOUNTING PRINCIPLES FOR LAND USE** [The accounting of GHG by sources and removals by sinks resulting from land-use change and forestry activities for understanding mitigation contributions and progress in achieving targets, commitments and implementing actions, [shall][should][other] apply the following accounting principles: *{para 151 opt 1 f. SCT}*
- i. Parties shall include both anthropogenic emissions by sources and removals by sinks for any land-use category or activity included in their commitment; *{para 151 opt 5 a. SCT}*
  - ii. Both emissions and removals should be accounted for in assessing progress towards the [commitment][contribution]; *{para 39 opt 3 39.2 a. from Section D SCT}*
  - iii. Accounting of land use shall use carbon stock changes over time and exclude carbon stocks, and enable the impact of natural disturbances to be addressed; *{para 151 opt 5 b. SCT}*
  - iv. Parties may exclude emissions and removals resulting from natural disturbances, in accordance with the most recent IPCC guidance; *{para 39 opt 3 39.2 e. from Section D SCT}*
  - v. Parties shall base their accounting for the land-use sector on realistic and meaningful reference levels building on existing guidance under the Convention and its instruments.<sup>75</sup>] *{para 151 opt 5 c. SCT}*
81. **ACCOUNTING PRINCIPLES FOR MARKET MECHANISMS** [**Option 1:** The transparency framework shall [facilitate][ensure] the use of mitigation outcomes resulting from [[international][national]] market-based mechanisms in the accounting of each Party's [commitments][contributions]. The use of market [activities] [mechanisms defined in Articles 6 and 12 of the Kyoto Protocol and mechanisms defined in the Convention] in relation to mitigation commitments [shall][should][other] ensure that mitigation outcomes traded internationally and used against commitments meet standards [to be defined] that deliver real, permanent, additional and verified mitigation outcomes, avoid double accounting of [effort] [mitigation actions towards their [commitments][contributions] [, are [claimed][used] only once], achieve a net [decrease][mitigation benefit] and/or avoidance of GHG and are in conformity with these standards; *{para 140 opts 1 and 2 e, para 151 opt 1 g., and para 39 opt 3 39.1 g. and 39.3 a from Section D SCT}*
- Option 2:** No new arrangements for elaborating guidelines related to transparency of action and support and MRV for market measures within this agreement.] *{para 151 opt 4 SCT}*
82. **ACCOUNTING PRINCIPLES FOR SUPPORT** [[The safeguarding of **transparency and the** accounting of support, including for adaptation and means of implementation, [shall][should][other] respect][An effective MRV of support mechanism, including of all means of implementation, shall be developed following a regular cycle of climate finance on the basis of] the following principles: *{para 151 i., and para 124 from Section F SCT}*
- a. *Finance*
    - i. Include and enhance information [through annual reporting on delivery of climate finance by [developed country Parties][Parties included in annex X]], in accordance with previous decisions of the COP, on support provided and received, including on: delivery, use and impact, sources, scale, channels and instruments; *{para 151 opt 1 l. i. and iii. SCT}*
    - ii. Provide transparency on the levels of financing, what financing is used for, which countries are benefiting, and whether funds are new and additional; *{para 151 opt 1 l. ii SCT}*

<sup>74</sup> NOTE: Some Parties are of the view that there should be no provisions on market mechanisms and actions in the land sector. *{para 39 opt 6 from Section D SCT}*

<sup>75</sup> NOTE: Some Parties are of the view that there should be no provisions on actions in the land-use sector. *{para 39 opt 6 SCT}*

- b. *Technology development and transfer*
    - i. [Be overseen by the TEC] [Facilitated by the [TEC] [Technology Mechanism]] *{para 151 opt 1 m. i. SCT}*
    - ii. Develop common format and methodologies for technology support reporting. *{para 151 opt 1 m. ii. SCT}*
  - c. *Capacity-building*
    - i. Be on the basis of the impact and knowledge created in [developing country Parties][Parties not included in annex X] against performance indicators at the national level and/or by a committee on capacity-building; *{para 151 opt 1 n i. SCT}*
    - ii. Be conducted against needs identified by developing country Parties; *{para 151 opt 1 n ii. SCT}*
    - iii. Include an assessment of the effectiveness of capacity-building activities on the basis of performance indicators at the international level; *{para 151 opt 1 n iii. SCT}*
    - iv. Be supported by the Durban Forum on capacity-building and the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention.] *{para 151 opt 1 n. iv. SCT}*
83. **MRV MECHANISM FOR SUPPORT** [A mechanism for the MRV of support from developed country Parties to developing country Parties shall be established. The objective of this mechanism shall be to address the need for the accurate accounting of the provision of funds from developed country Parties to developing country Parties in order to assess compliance with finance obligations for mitigation, adaptation, technology transfer and capacity-building, with a view to ensuring the robustness and transparency of the Financial Mechanism of the Convention. This mechanism shall be guided by the following: *{para 151 opt 2 f. SCT}*
- a. Measurement shall address those funds exclusively aimed at enabling and supporting enhanced action on mitigation, adaptation, technology development and transfer, report drafting and capacity-building of developing country Parties, from public, private, bilateral, multilateral and alternative sources; *{para 151 opt 2 f. i. SCT}*
  - b. In the case of funds provided for multiple purposes, only the share provided solely for climate change shall be counted towards climate change finance; *{para 151 opt 2 f. ii. SCT}*
  - c. Mobilization of funds through leverage and/or official development aid shall be considered complementary and will not be counted as climate finance; *{para 151 opt 2 f. iii. SCT}*
  - d. Mobilization of funds in developed countries for administrative purposes that is indirectly related to the provision of climate change funds to developing countries will not be considered climate finance; *{para 151 opt 2 f. iv. SCT}*
  - e. A Financial Support Registry shall be established and will be universally accessible in order to ensure inclusiveness and transparency for all Parties; *{para 151 opt 2 f. v. SCT}*
  - f. The origin, intermediaries and characteristics of funds, including funds from private, public, bilateral, multilateral and alternative sources, technology transfer and capacity-building, shall be reported by Parties to the COP through Annex I national communications, additional information submitted by developed and developing countries, including in their national communications, and the annual reports of the operating entities of the Financial Mechanism, among others; *{para 151 opt 2 f. vi. SCT}*
  - g. Reporting of climate-related support must follow a common, internationally agreed format and be approved by the COP in order to allow for comparability, assessment and analysis by the SCF and by all non-Annex I and Annex I Parties. The format must include information on funded actions, the amount effectively disbursed against obligations under the Convention, the amount of new and additional funds, the sector, the financial channels, the time frame and the instruments (including, inter alia, grants, concessional loans and capital); *{para 151 opt 2 f. vii. SCT}*
  - h. The source and character of funds shall allow for traceability on the part of non-Annex I Parties; *{para 151 opt 2 f. viii. SCT}*
  - i. Developing country Parties that receive funding shall be able to certify the funds received and report on the effective use of the funds.] *{para 151 opt 2 f. ix. SCT}*
84. **TRACKING SYSTEM** [Decides that a common accounting and tracking rules system is hereby established for the purpose of safeguarding environmental integrity and avoiding double counting of internationally transferable mitigation outcomes of cooperative arrangements. It includes: *{para 154 SCT}*
- a. The coherent and comprehensive accounting through the system of double-entry bookkeeping, where the Party that acquires an internationally transferable mitigation outcome has to subtract it from its emissions and where the host Party of this transferred mitigation outcome has to add it to

- its emissions when reporting on the progress towards their [commitments][contributions]; *{para 154 a. SCT}*
- b. The comprehensive recording of activities covered by cooperative arrangements resulting in internationally transferable mitigation outcomes, either at the UNFCCC level or at the national level, with transparent, comprehensive and publicly available information in English, ensuring synergies with existing UNFCCC tools and processes; *{para 154 b. SCT}*
  - c. For internationally transferable mitigation outcomes resulting in units: *{para 154 c. SCT}*
    - i. The use of a registry under the responsibility of each Party to the Convention that must meet technical standards, or the use of an account in a central registry under the UNFCCC for countries that do not have the capacity or do not wish to administer their own registry, ensuring synergies with existing UNFCCC infrastructures; *{para 154 c. i. SCT}*
    - ii. The use of an international transaction log to be implemented and operated by the secretariat, to interconnect registries, to guarantee that transfers of units that have successfully passed the conformity checks are unique, identifiable and reconcilable, and to contribute to the avoidance of double issuance, double use or double counting of emission [reductions][avoidance], ensuring synergies with existing UNFCCC infrastructures; *{para 154 c. ii. SCT}*
    - iii. The issuance of the internationally transferable mitigation units by the executive body or by a designated national authority of the host country Party under close scrutiny of the executive body and the secretariat for emission reductions that have successfully passed the conformity checks; *{para 154 c. iii. SCT}*
  - d. For internationally transferable mitigation outcomes not resulting in units, the use of a system of confirmation and tracking by the secretariat or the executive body of the amount of emission reductions to be accounted for in another country Party in such a way that the functions are comparable to and coherent with the ones performed under Article/paragraph 84 (c) above.] *{para 154 d. SCT}*

***[J. Time frames and process related to commitments/contributions/ Other matters related to implementation and ambition]***

**Option I:**

85. **SCOPE** *[Option 1]*: The scope of the [commitments][contributions][actions] will: *{Opt I para 173 opt 1 GNT / Opt I para 172 opt 1 SCT}*

**Option (a)**: Be nationally determined; *{Opt I para 173 opt 1 opt (a) GNT}*

**Option (b)**: Be defined in the provisions of this agreement; *{Opt I para 173 opt 1 opt (b) GNT}*

**Option (c)**: Include mitigation, adaptation, finance, technology and capacity-building, and transparency of action and support; *{Opt I para 173 opt 1 opt (c) GNT}*

**Option (d)**: Include mitigation [only] [, recognizing that commitments on adaptation, finance, technology and capacity-building, and transparency of action and support are subject to separate provisions of this agreement.] *{Opt I para 173 opts (d) and (e) GNT}*

**Option 2**: Implementation and ambition are related to: *{Opt I para 173 opt 2 GNT / Opt I para 172 opt 2 SCT}*

- a. Mitigation, adaptation, finance, technology and capacity-building; *{Opt I para 173 opt 2 a. GNT}*
- b. For [developed country Parties][Parties included in annex X] : mitigation and finance, technology and capacity-building support to [developing country Parties][Parties not included in annex X] for their mitigation and adaptation actions; *{Opt I para 173 opt 2 b. GNT}*
- c. For [developing country Parties][Parties not included in annex X]: mitigation and/or adaptation.] *{Opt I para 173opt 2 c. GNT}*

86. **DURATION** [The agreement is for enhanced action to implement the Convention during the period from 1 January 2021 to 31 December 2030. The governing body will consider launching a process before 2030 to adopt a further arrangement for the post-2030 enhanced action to implement the Convention, including an amendment to this agreement.] *{Opt I para 167 GNT/ Opt I para 166 SCT}*

87. **TIMING OF COMMUNICATION** *[Option 1]*: Parties [shall][should][other] [communicate] [submit] [their proposed [commitments][contributions][actions] [INDC]: *{Opt I para 170 opt (a), and chapeau of para 44 from Section D GNT / Opt I para 169 SCT}*

**Option (a)**: At least 12 months, but not earlier than 18 months, prior to their [formalization][finalization]. *{Opt I para 170 opt a. GNT}*

**Option (b)**: No earlier than 12 months before and no later than 6 months before the beginning of each cycle, to allow for sufficient time for consultations. *{para 44 from Section D GNT}*

**Option 2:** Developed country Parties that only communicate their commitments for 2025 shall communicate no later than 20xx their commitments for 2030; developed country Parties that only communicate their commitments for 2030 shall communicate no later than 20xx their [commitments for 2025] [plans, policies and measures on the implementation of their commitments from 2026 to 2030];

Developing country Parties will communicate their post-2020 enhanced action [no later than 20xx][when new, additional and adequate finance, technology and capacity-building support is available]. *{Opt 1 para 170 opt (b) GNT}*

**Option 3:** Parties' mitigation [commitments][contributions][actions] should be communicated in accordance with Article 12 of the Convention and through arrangements to be further elaborated and adopted by the COP on the basis of the agreed outcome pursuant to the Bali Action Plan. *{para 27 opts 2 and 5 from Section D GNT}*

88. **UPFRONT INFORMATION** [Pursuant to Article 36 of the draft agreement, when communicating their [commitments][contributions][actions], Parties [shall][should][other] provide information as follows: *{Opt 1 para 174 GNT / Opt 1 para 173 SCT}*

**Option 1:** Upfront information that facilitates the clarity and transparency and understanding of those [commitments][contributions][actions]: *{Opt 1 para 174 chapeau of opt 1 GNT}*

**Option (a):** On the basis of the relevant arrangements for reporting information resulting from the Bali Action Plan (as detailed in decision x/CP.x). *{Opt 1 para 174 opt 1 a. GNT}*

**Option (b):** (As detailed in decision x/CP.x) [, including a description of why the Party considers that its commitment is an ambitious and fair contribution to reaching the goal of limiting global average temperature increase as referred to Article 3 of the draft agreement in accordance with provisions agreed by the COP]. *{Opt 1 para 174 opt 1 b. GNT}*

**Option 2:** The information provided in accordance with Article 12 of the Convention should be further elaborated on the basis of the relevant arrangements for reporting information adopted at the previous sessions of the COP, including those resulting from the Bali Action Plan<sup>76</sup> and decision 1/CP.20. *{Opt 1 para 174 opt 2 GNT}*

**Option 3:** Facilitates the clarity, transparency and understanding of those contributions, to include:

- a. Reference point (including, as appropriate, a base year); *{Opt 1 para 174 opt 3 a. GNT}*
- b. Time frames and/or periods for implementation; *{Opt 1 para 174 opt 3 b. GNT}*
- c. Scope and coverage; *{Opt 1 para 174 opt 3 c. GNT}*
- d. The percentage of national emissions covered and overall quantified emission reductions anticipated; *{Opt 1 para 174 opt 3 d. GNT}*
- e. To the extent the land sector is included, a specification of how the Party will account for all significant lands, activities, pools and gases; *{Opt 1 para 174 opt 3 e. GNT}*
- f. If the Party intends to use market mechanisms, a description of the intended use (including source and type) and how the Party intends to avoid double counting; *{Opt 1 para 174 opt 3 f. GNT}*
- g. For any emission projection, 'business as usual' projection or intensity target a description of assumptions and methodological approaches (including key data sources); *{Opt 1 para 174 opt 3 g. GNT}*
- h. How the Party considers that its INDC is fair and ambitious; *{Opt 1 para 174 opt 3 h. GNT}*

The [governing body] may modify the above list through decisions adopted by consensus.

Parties are also invited to include information on their existing and/or anticipated laws and other measures that are relevant to the implementation of their mitigation contributions at the domestic level. *{Opt 1 para 174 opt 3 GNT}*

**Option 4:** Be accompanied by information aimed at enhancing the clarity, transparency and understanding of these [commitments][contributions][actions] [including, as appropriate, quantifiable information on the reference point (including as appropriate, a base year), time frames and/or periods for implementation, scope and coverage, planning processes, assumptions and methodological approaches including those for estimating and accounting for anthropogenic GHG emissions and, as appropriate, removals, and information on how the Party considers that its intended nationally determined contribution is fair and ambitious in the light of its national circumstances, and how it contributes towards achieving the objective of the Convention as set out in its Article 2]; *{para 21.2 GNT}*

89. **TIMING OF FIRST REVISION** [Each Party shall revise and update the mitigation component of its first NDC no later than five years after the entry into force of this agreement by adjusting and/or confirming the

<sup>76</sup> As detailed in decisions 21/CP.19, 24/CP.19, 18/CP.19, 19/CP.18, 12/CP.18, 1/CP.18, 2/CP.17, 5/CP.17, 1/CP.16, 13/CP.9, 17/CP.8, 4/CP.5.



- consecutive five-year contribution term and communicating a new consecutive five-year indicative term, taking into account the aggregate consideration process.<sup>77</sup>] *{Opt I para 169 GNT / Opt I para 168 SCT}*
90. **TIMING OF SUBSEQUENT REVISIONS** [Each Party shall [thereafter revise and update] [communicate successive proposed mitigation commitments] [the mitigation component of its subsequent NDCs] at least [12][X] months [and no more than 18 months] before [they are to be inscribed, considered and formalized as commitments] [the expiration of the existing commitment] [the end of each five-year contribution term by adjusting and/or confirming the next five-year contribution term and communicating a new consecutive five-year indicative term, taking into account the aggregate consideration process.<sup>78</sup>].] *{para 27 opt 4 from Section D and Opt I paras 171 and 172 GNT / Opt I paras 170 and 171 SCT}*
91. **MAINTENANCE OF MITIGATION COMMITMENT** [All Parties shall maintain a mitigation commitment at all times by periodically updating in accordance with this section.] *{Opt I para 162 GNT}*
92. **TIMING OF ADOPTION** [Updated mitigation commitments shall be adopted at least X months before the expiration of the previous commitment by way of a simplified amendment procedure, as elaborated in section L.] *{Opt I para 179 GNT / Opt I para 178 SCT}*
93. **APPLICATION OF TRANSPARENCY DECISIONS** [Decisions taken pursuant to [reference to provisions addressing decisions of the COP on the transparency framework] shall apply in respect of nationally determined commitments to be communicated for subsequent commitment periods. Such decisions shall not apply retroactively.] *{Opt I para 182 GNT / Opt I para 181 SCT}*
94. **PUBLIC AVAILABILITY** [The secretariat [shall][should][other] make publicly available [[commitments][contributions][actions] [all national schedules]] upon communication [and keep, maintain and update accordingly]: *{para 33 from Section D and Opt I paras 175 and 178 opt 6 2<sup>nd</sup> sentence GNT / Opt I paras 174 and 177 opt 6 2<sup>nd</sup> sentence SCT}*
- Option (a):** A list of the schedules of Parties in an information document that is made available online. *{para 33 opt 2 from Section D GNT}*
- Option (b):** An online registry of national mitigation [commitments][contributions][actions], [without prejudice to the instrument of ratification, acceptance, approval or accession being deposited with the Depositary in accordance with the provisions of this agreement]; [this] registry shall be an integral part of the agreement. *{para 33 opts 1 and 3 from Section D GNT}*
- Option (c):** Separate online registries of national mitigation targets of developed country Parties and NAMAs of developing country Parties.] *{para 33 opt 4 from Section D GNT}*
95. **EX-ANTE PROCESS** **Option 1:** No [ex ante consideration process][ arrangements for further facilitating transparency and clarity] [consultative [process][ period]]. *{Opt I para 176 opts 1 and 2 GNT / Opt I para 175 opt 1 SCT}*
- Option 2:**
- 95.1. **PURPOSE:** After their communication, [commitments][contributions][actions] will be subject to [an ex ante consideration process][ further facilitation of transparency and clarity] a consultative [period][process]] in order to: *{Opt I para 176 opt 3 GNT / Opt I para 175 opt 2 SCT}*
- Facilitate understanding of the level of ambition and [equity] [fairness] of the [commitments][contributions] [and the **limit to global average temperature increase referred to in Article 3 of the draft agreement**] in the context of [a Party's long-term low-emission development pathway] [shared vision resulting from the Bali Action Plan and equitable access to sustainable development]; *{Opt I para 176 opt 3 opt (a) a. GNT}*
  - Assess the adequacy and [equity] [fairness] [of the] [aggregated contributions] [overall effects] compared with science, [as part of the principle-based reference framework][, in accordance with the historical responsibilities, leadership and current capabilities of developed country Parties, and taking into account the special circumstances, barriers and priority of economic and social development and poverty eradication of developing country Parties]; *{Opt I para 176 opt 3 opt (a) b. GNT}*
  - Enhance the clarity, transparency and understanding of the aggregate effect of the communicated INDCs; *{Opt I para 176 opt 3 opt (b) a. GNT}*
  - Assess the extent and availability of support from [Annex II Parties][Parties included in annex Y] to [non-Annex I Parties][Parties not included in annex X], and, in that context, the potential additional ambition of [non-Annex I Parties][Parties not included in annex X]; *{Opt I para 176 opt 3 opt (a) c. GNT}*

<sup>77</sup> NOTE: For provisions for an aggregate consideration process see Article 41 of Part I.

<sup>78</sup> NOTE: For provisions for an aggregate consideration process see Article 41 of Part I.

- e. [Assist countries] [Facilitate the efforts by Parties] that have not communicated their [intended nationally determined] [commitments][contributions] [up to that point]; *{Opt I para 176 opt 3 opts (a) d. and (b) b. GNT}*
- f. Facilitate [understanding][clarity] of the comparability [of effort of the [commitments][contributions][actions] and of the global aggregate commitment;] [of the commitments of [developed country Parties][Parties included in annex X], in accordance with their historical responsibilities, requirements of science and leadership in addressing climate change and the requirements of science]; *{Opt I para 176 opt 3 opts (a) e. and (c) a. GNT}*
- g. [[Address][understand][determine][discuss] deficits in the light of ambition required] [facilitate the analysis of national mitigation potential]. *{Opt I para 176 opt 3 opt (a) f. GNT}*
- h. Facilitate understanding of the diversity, barriers and needs of the enhanced actions undertaken by [developing country Parties][Parties not included in annex X], bearing in mind their first and overriding priority of economic and social development and poverty eradication. *{Opt I para 176 opt 3 opt (c) b. GNT}*
- 95.2. **NATURE:** Parties' [commitments][contributions][actions] to be considered on the basis of [[a consultative process] [a principle-based reference framework to be established] to ensure clarity, transparency and understanding of the [commitments][contributions][actions]] [existing arrangements and processes under the Convention]; *{Opt I para 176 opt 3 para 176.1 GNT / Opt I para 175 opt 2 175.1 SCT}*
- 95.3. **FEATURES:** The [ex ante consideration process][further facilitation of transparency and clarity][consultative [period][process]] [shall][should][other]; *{Opt I para 176 opt 3 para 176.2 GNT / Opt I para 175 opt 2 175.2 SCT}*
- a. Be science-based and informed by the assessments of the IPCC, moving to assessment reports every five years (e.g. 2019, 2024, 2029); *{Opt I para 176 opt 3 176.2 opts (a) a. and (b) a. GNT}*
- b. Be inclusive, consultative, facilitative, supportive, non-prescriptive, non-intrusive and non-punitive; *{Opt I para 176 opt 3 176.2 opts (a) b. and (b) b. GNT}*
- c. Be conducted in accordance with Article 4, paragraph 2(d), of the Convention; *{Opt I para 176 opt 3 176.2 opt (b) c. GNT}*
- d. [Reflect the differences in annex A and annex B][Reflect the differentiation between developed and developing country Parties]; *{Opt I para 176 opt 3 176.2 opt (b) d. GNT}*
- e. Be based on the existing experience from the clarification of the commitments of [developed country Parties][Parties included in annex X] and the understanding of the NAMAs of [developing country Parties][Parties not included in annex X]. *{Opt I para 176 opt 3 176.2 opt (b) e. GNT}*
- 95.4. **OUTCOME:** On the basis of the [ex ante consideration process][further facilitation of transparency and clarity] [consultative [period][process]]; *{Opt I para 176 opt 3 176.4 GNT / Opt I para 175 opt 2 175.4 SCT}*
- Option (a):** Each Party [shall][should][other] [consider [the recommendations resulting from the process] [adjustments on the basis of historical responsibilities and equitable sharing of global atmospheric resources and carbon space, in the context of imperatives of poverty eradication, universal energy access and sustainable development for developing countries.]] [make a reflection on the outcome of the process]. *{Opt I para 176 opt 3 176.4 opts (a), (b) and (f) GNT}*
- Option (b):** Each Party [shall][should][other] [revise][adjust] its [commitment][contribution] on a voluntary basis [upwards, through an adjustment procedure in accordance with decisions of the governing body]. *{Opt I para 176 opt 3 176.4 opts (c) and (d) GNT}*
- Option (c):** Parties will undertake top-down adjustments on the basis of a global carbon budget. *{Opt I para 176 opt 3 176.4 opt (e) GNT}*
- 95.5. **ADOPTION OF MODALITIES:** The [purpose,] modalities, procedures [and guidelines] of such [ex ante consideration][further facilitation of transparency and clarity][consultative [process][period]] shall be further developed, elaborated and adopted by the governing body [by its X session] [in accordance with the principles and provisions of the Convention, on the basis of the relevant existing arrangements under the Convention and its Kyoto Protocol and addressing mitigation, adaptation and provision of finance, technology and capacity-building support by developed country Parties to developing country Parties in a balanced, comprehensive and holistic manner.]. *{Opt I para 176 opt 3 176.5 and 176.6 opt (b) GNT / Opt I para 175 opt 2 175.5 and 175.6 opt (b) SCT}*
- 95.6 **REVIEW OF MODALITIES:** The governing body shall review, on a periodic basis, the modalities and procedures, with a view to ensuring adaptability, efficiency and effectiveness, taking into account the different characteristics of mitigation and means of implementation and the need to address them in a distinct manner over time. *{Opt I para 176 opt 3 176.6 opt (a) GNT / Opt I para 175 opt 2 175.6 opt (a) SCT}*

**Option 3:**

- 95.1. **ASSESSMENT FOR DEVELOPED COUNTRIES:** After their communication, [commitments] [contributions] by developed country Parties will be subject to an ex ante assessment process: *{Opt 1 para 176 opt 5 GNT / Opt 1 para 175 opt 4 SCT}*
- a. The purpose of the ex ante assessment of developed country Parties is to:
    - i. Assess the adequacy of the individual and aggregated commitments on mitigation and provision of finance, technology transfer and capacity-building to developing country Parties compared with a collective emission reduction target and a collective public finance target, as well as a global technology development and transfer goal and a global capacity-building goal of all developed country Parties;
    - ii. Determine deficits in the light of the ambition required on mitigation and provision of finance, technology transfer and capacity-building support to developing country Parties;
    - iii. Analyse the potential of mitigation and provision of support and address deficits in the light of the ambition required for developed country Parties;
    - iv. Analyse the comparability of the commitments on mitigation and provision of support by developed country Parties. *{Opt 1 para 176 opt 5 176.1 GNT}*
  - b. The ex ante assessment of developed country Parties shall be:
    - i. Based on a collective emission reduction target of all developed country Parties of X per cent below the 1990 level by 2030 in accordance with section D, and a collective public finance target of X per cent of the GDP per year of all developed country Parties by 2030 in accordance with section F, as well as a global technology development and transfer goal and a global capacity-building support goal in accordance with sections G and H;
    - ii. Informed by science and the historical responsibility of developed country Parties, including their per capita historical cumulative emissions in relation to the global temperature increase;
    - iii. Conducted in accordance with Article 4, paragraph 2(d), of the Convention. *{Opt 1 para 176 opt 5 176.2 GNT}*
  - c. On the basis of the ex ante assessment, each developed country Party shall revisit, revise and increase its commitment on mitigation and provision of finance, technology and capacity-building support, including by putting forward further targets, policies and measures. *{Opt 1 para 176 opt 5 176.3 GNT}*
- 95.2. **PROCESS FOR DEVELOPING COUNTRIES:** Developing country Parties are invited to participate in a facilitative process before or after their communication of the enhanced actions:
- a. The purpose of the facilitative process for developing country Parties is to understand and address the barriers to preparing, communicating and implementing the enhanced actions; *{Opt 1 para 176 opt 5 177.1 GNT}*
  - b. The facilitative process for developing country Parties should be:
    - i. On a voluntary basis;
    - ii. Supportive, non-prescriptive, non-intrusive, non-punitive and respectful of the national sovereignty of developing country Parties;
    - iii. Conducted in accordance with Article 4, paragraph 7, of the Convention. *{Opt 1 para 176 opt 5 177.2 GNT}*
  - c. After the facilitative process, developing country Parties are encouraged to communicate and implement their enhanced actions and consider further actions subject to the adequacy of finance, technology transfer and capacity-building support by developed country Parties. *{Opt 1 para 176 opt 5 177.3 GNT}*
- 96.
- 96.1. **THEMATIC REVIEWS:**
- {Mitigation:}* The COP shall review the adequacy of the sum of individual **mitigation** [commitments][contributions][actions] by Parties, the relation of the aggregate effort **in relation to the limit to global average temperature increase referred to in Article 3 of the draft agreement**, and the equity of relative efforts. On the basis of this review, the COP shall take appropriate action, which may include the adoption of amendments to the **mitigation** [commitments][contributions][actions]. *{para 28 from Section D GNT}*
- {Technology:}* The aggregate effect of the supported technology development and transfer shall be reviewed with a view to achieving the **goal to limit global average temperature increase as referred to**

in Article 3 of the draft agreement and considerably improving the adaptation capacity of developing countries. *{para 128 3<sup>rd</sup> sentence from Section G SCT}*

*{Capacity-building:}* The governing body shall periodically review the commitments of [developed country Parties][annex Y Parties][all countries in a position to do so] to provide capacity-building support to [developing country Parties][Parties not included in annex X] and take appropriate action, which may include the adjustment of such commitments in accordance with the identified national needs and priorities of the [developing country Parties][Parties not included in annex X]. *{para 139.1 c. ii. from Section H GNT / para 138 c. ii. SCT}*

96.2. **PURPOSE:** The purpose of the [review][assessment][mechanism] is: *{Opt 1 para 186 GNT / Opt 1 para 185 SCT}*

**Option 1:** To review [the effect][ambition and] the implementation of the [individual] [commitments] [contributions][actions] of [developed and developing country] Parties [respectively] as well as [the aggregate [effect] [ambition] of all Parties' commitments,] [overall effects of the measures taken pursuant to the Convention] in order to assess progress towards [operationalizing] [achieving] the [ultimate] objective of the Convention, as set out in its Article 2[, pursuant to Article 3 of the draft agreement] [and the shared vision resulting from the Bali Action Plan]. *{Opt 1 para 186 opts 1 and 2 GNT}*

**Option 2:** To review the individual and collective ambition of the commitments by developed country Parties compared with a collective emission reduction target and a collective public finance target of all developed country Parties, by 2030, as well as with a global technology development and transfer goal and a global capacity-building goal; and to review the adequacy of these goals. *{Opt 1 para 186 opt 3 GNT}*

**Option 3:** To:

- a. Track the performance of the implementation of the post-2020 enhanced action;
- b. Review the adequacy of the long-term aspect in the light of the objective of the Convention;
- c. Review the overall progress towards achieving the objective of the Convention;
- d. Consider the historical responsibilities of Parties in relation to the global temperature increase;
- e. Increase the level of ambition;
- f. Assess the level of risk and the adaptation needs associated with the effectively fulfilled aggregate mitigation commitments or the lack thereof.

*{Opt 1 para 186 opt 4 GNT}*

**Option 4:** A forward-looking assessment of the ambition and fairness of individual and aggregate mitigation commitments [for the current period] in relation to the below 2 °C objective [and the limit to global average temperature increase referred to in Article 3 of the draft agreement]. *{Opt 1 para 186 opt 5 GNT}*

96.3. **APPLICABILITY:** The [review][assessment][mechanism] shall be: *{Opt 1 para 188 GNT / Opt 1 para 187 SCT}*

**Option 1:** Applicable to [developed country Parties][Parties included in annex X]. *{Opt 1 para 188 opt 1 GNT}*

**Option 2:** Applicable to all Parties. *{Opt 1 para 188 opt 2 GNT}*

**Option 3:** Applicable to all Parties, as follows:

- a. Implementation and ambition of emission reduction commitments of [developed country Parties][Parties included in annex X];
- b. Adequacy and progress of finance, technology and capacity-building support from [developed country Parties][Parties included in annex X] to [developing country Parties][Parties not included in annex X];
- c. Implementation and further enhanced mitigation and/or adaptation action by [developing country Parties] [Parties not included in annex X]. *{Opt 1 para 188 opt 3 GNT}*

96.4. **INPUTS: Option 1:** The [review][assessment][mechanism] [shall][should][other] to be consistent with science, on the basis of equity and sustainable development, and informed by: *{Opt 1 para 190 GNT / Opt 1 para 189 SCT}*

- a. Each country's progress towards the achievement of its [commitments][contributions] [, including information from the national communications, biennial reports, inventories and national inventory reports of [developed country Parties][Parties included in annex X], as well as from the review reports and the IAR process; and information from national communications and BURs, as well as from the ICA process] [, aggregated global emission trends and the aggregate progress towards attaining the global goals established under this agreement ]; *{Opt 1 para 190 opts 1 a. and 2 a. GNT}*

- b. Assessments undertaken pursuant to other provisions of this agreement of the adequacy and progress related to adaptation and finance, technology and capacity-building support [from [developed country Parties][Parties included in annex X]]; *{Opt I para 190 opts 1 b. and 2 b. GNT}*
- c. [A process] [Arrangements] to facilitate the clarity, transparency and understanding of Parties' [commitments][contributions] [, whereby the ambition and fairness of Parties' mitigation commitments can be considered in the light of the **limit to global average temperature increase referred to in Article 3 of the draft agreement**]; *{Opt I para 190 opts 1 c. and 2 c. GNT}*
- d. The assessment reports of the IPCC; *{Opt I para 190 opts 1 d. and 2 d. GNT}*
- e. Information reported by Parties on the implementation of their [commitments][contributions], as set out in section I below (*Transparency of action and support*); *{Opt I para 190 opt 1 e. GNT}*
- f. Information communicated by Parties on their future [commitments][contributions], as set out in this section; *{Opt I para 190 opt 1 f. GNT}*
- g. A process of technical examination of mitigation potential, opportunities, [co-benefits of mitigation action] and policy options [to enhance the level of] [for enhancing mitigation] ambition; *{Opt I para 190 opts 1 g. and 2 h. GNT}*
- h. Inputs from non-State actors, relevant international organizations and international cooperative initiatives; *{190 opt 1 h. GNT}*
- i. Assessment against an equity reference framework by a technical panel of experts; *{Opt I para 190 opt 2 e. GNT}*
- j. The report on the 2013–2015 review and subsequent reviews; *{Opt I para 90 opt 2 f. GNT}*
- k. Reports of all of the existing subsidiary bodies under the Convention and new institutional arrangements established by this agreement; *{Opt I para 190 opt 2 g. GNT}*

**Option 2:** The aggregate consideration process shall be conducted consistent with science and on the basis of equity with a view to providing recommendations and information to Parties relevant to their adjusting of their NDCs so as to enhance ambition, and shall be guided by: *{Opt I para 176 opt 4 176.3 a. – f. GNT / Opt I para 175 opt 3 175.3 SCT}*

- a. A technical paper from the secretariat on the aggregate effect of the mitigation component of the NDCs communicated and registered pursuant to sections D and J;
- b. A synthesis report on the aggregate level of mobilization and provision of finance, technology development and transfer and capacity-building to developing countries, based on the registry referred to in section F and the information provided pursuant to section G;
- c. A synthesis report on adaptation actions and support, based on the registry referred to in section E;
- d. The most recent IPCC assessment report;
- e. Each Party's share in the global average temperature increase;
- f. The contribution of each Party to the **limit to global average temperature increase referred to in Article 3 of the draft agreement**. *{Opt I para 176 opt 4 176.3 a. – f. GNT / Opt I para 175 opt 3 175.3 SCT}*

96.5. **OUTCOMES** [On the basis of the [review][assessment][mechanism]: *{Opt I para 191 GNT / Opt I para 190 SCT}*

**Option 1:** The [governing body] [COP] shall recommend [adjustments to Parties' commitments in response to the findings of the [review][action], in order to harness unrealized opportunities to mitigate and adapt to climate change and to mobilize the necessary financial support] [further arrangements on implementing this agreement, on increasing the level of ambition from 2021 to 2030 and on enhancing the implementation of the Convention after 2030]. *{Opt I para 191 opts 1 and 2 GNT}*

**Option 2:** Parties [**shall**][**should**][**other**] [take into account the recommendations arising from the [review][assessment][mechanism] in preparing their successive [commitments][contributions] [actions]] [increase their level of ambition after the review] [accelerate the implementation of their respective commitments under the Convention], including: *{Opt I para 191 opts 3 (chapeau) and 4 (chapeau) GNT}*

**Option (a):**

- a. Adjusting existing [commitments][contributions][actions] upward or communicating more ambitious mitigation [commitments][contributions] related to climate change; *{Opt I para 191 opt 3 and 4 opt (a) a. GNT}*
- b. Addressing barriers to and constraints on implementation related to the provision of finance, technology and capacity-building support. *{Opt I para 191 opts 3 and 4 opt (a) b. GNT}*

**Option (b):**

- a. [Developed country Parties][Parties included in annex X] adjusting their existing [commitments][contributions] upward or communicating more ambitious [mitigation][finance,

technology and capacity-building] [commitments][contributions][policies][measures]; {Opt I para 191 opts 3 and 4 opt (b) a. and b. GNT}

- b. Addressing barriers and constraints of [developing country Parties][Parties not included in annex X] to implementation related to the provision of finance, technology and capacity-building support, and considering further action on implementation by [developing country Parties][Parties included in annex X]. {Opt I para 191 opts 3 and 4 opt (b) c. GNT}

96.6. **ADOPTION OF MODALITIES:** The governing body shall [agree on] [develop and adopt] modalities [and organization of work] for the [review][assessment] [mechanism] [aggregate consideration process] [no later than at its X session] [[on the basis of and] drawing on lessons learned from previous review processes under the Convention and its Kyoto Protocol] [in order to ensure the effectiveness of the [review][assessment][ mechanism];] {Opt I para 176 opt 4 176.4 and para 192 GNT / Opt I para 191 SCT}

**Option II:** {Opt II para 162 GNT / Opt II para 161 SCT}

85. **PERIODIC REVIEW** [There shall be a periodic review process of individual and aggregate commitments on mitigation, adaptation and support and both a review of the implementation of existing commitments and a consideration of future firm and indicative commitments. {Opt II para 162 GNT}

- a. The review process will begin with an assessment of the implementation of Parties' individual commitments on mitigation, adaptation and support;
- b. This process shall review the adequacy of aggregate commitments at least X years before the end of the implementation period;
- c. A technical panel of experts will undertake analytical work, examining inter alia the ambition and fairness of commitments on mitigation, adaptation and support, and prepare a report;
- d. The governing body shall consider the report and make recommendations including for the strengthening of future individual commitments in order to close the ambition gap;
- e. Parties shall inscribe firm commitments for the next five-year implementation period and indicative commitments for a further five years responding to the recommendations by the governing body.] {Opt II para 162 a. - e. GNT / Opt II para 161 a. - e. SCT}

**[K. Facilitating implementation and compliance]**

**Option I:**<sup>79</sup>

97. **ESTABLISHMENT, SCOPE AND ROLE** [[Decides to establish a][A] compliance mechanism [that is preventative and cooperative] [, including a [compliance committee][implementation committee][a standing body]] **for the purpose of** [assessing Party performance and] [assisting Parties in implementing their [commitments][contributions]] [and/or addressing] [facilitating, promoting and enforcing] compliance [issues] [with commitments under this agreement] [ensuring compliance of developed countries and facilitating implementation for developing countries] [in a manner that is primarily facilitative, transparent, expert-based, non-adversarial and non-judicial] [**is hereby established**]: {Opt I para 193 opts 1 (chapeau) and 2 (chapeau), opt 5 1<sup>st</sup> sentence, and Opt II chapeau of para 193 SCT}

- a. **The following** [commitments][contributions] [**shall**][**should**][**other**] **fall within the scope of the compliance mechanism:**

**Option (a):** All [commitments][contributions] in the agreement, including reporting;

**Option (b):** Specified [commitments][contributions], excluding adaptation, including reporting;

**Option (c):** Implementation of Parties' schedules and the submission of biennial communications;

**Option (d):** Mitigation, MRV and accounting commitments only.

{Opt I para 193 a. SCT}

- b. **The following** Parties [**shall**][**should**][**other**] **fall within the scope of the compliance mechanism:**

**Option (a):** All Parties;

**Option (b):** [Developed country Parties][Parties included in annex X] regarding their [commitments][contributions] on mitigation, finance, transfer of technology and capacity-building; {Opt I para 193 b. SCT}

- c. **Option (a):** The Compliance Committee [shall] have two separate branches, an enforcement branch [for Parties that have a quantified emission reduction commitment in annex A] and a facilitative branch [for commitments and strategies in annex B];[::] {Opt I elements of para 193 c. opts (a), (b) and (c), and Opt III para 193 SCT}

<sup>79</sup> NOTE: Parts of Option I have been included in Part I (para. 42 of Option I).

- i. [The role of the enforcement branch is to review compliance with commitments made by [developed country Parties][Parties included in annex X] and those [developing country Parties][Parties not included in annex X] that have made economy-wide quantified emission reduction commitments, with respect to their commitments on mitigation as well as their commitments with respect to adaptation, finance, technology transfer and capacity-building; *{Opt I para 193 c. opt (a), and Opt III para 194 SCT}*
- ii. The role of the facilitative branch is to review the implementation of contributions made by [developing countries][Parties not included in annex X] and to assist them in their efforts to meet these contributions; *{Opt I para 193 c. opt (a), and Opt III para 197 SCT}*
- iii. [The Compliance Committee may establish technical panels to assist it in its task.] *{Opt I para 193 c. opt (a) last sentence, and Opt III para 199 SCT}*

**Option (b):** Arrangements for the modalities of the [mechanism][committee] shall include:

- i. A mandatory compliance mechanism for the commitments of developed countries on mitigation, adaptation, finance, technology development and transfer, capacity-building, and transparency of action and support; *{Opt II para 193 a. SCT}*
- ii. A voluntary facilitative forum for developing countries for enhanced action on mitigation, adaptation and transparency of action. *{Opt II para 193 b. SCT}*

**Option (c):** The [compliance mechanism [shall][should][other] include a standing, non-political, expert body of members who [shall][will] serve in their individual capacity responsible for facilitating and promoting compliance with the obligations under this agreement][Compliance Committee shall consist of one body for facilitation]; *{Opt I para 193 c. opts (d) and (e) SCT}*

**Option (d):** The compliance mechanism [shall][should][other] consist of platforms to deal with early warning, facilitation and enforcement. *{Opt I para 193 c. opt (f) SCT}*

- d. The enforcement branch of the compliance committee shall review:
  - i. Biennial reports;
  - ii. Reports of technical expert teams that have undertaken reviews as part of the international assessment and review process.] *{Opt III para 195 SCT}*
- e. Measures and/or consequences to be applied or actions to be taken:

**Option (a):** Facilitative [measures] [only] [and sanctions [for recurring non-compliance]] [and other adequate measures]; *{Opt I para 193 d. iv. opt (a) SCT}*

**Option (b):** Facilitative measures for [non-Annex I Parties][Parties not included in annex X] and sanctions for [Annex I Parties][Parties included in annex X]; *{Opt I para 193 d. iv. opt (b) SCT}*

**Option (c):** The enforcement branch may recommend actions to be taken against Parties that fail to make progress towards fulfilling commitments taken on under annex A and commitments with respect to adaptation, finance, technology transfer and capacity-building; the facilitative branch may recommend actions to assist Parties that have commitments inscribed in annex B to fulfil these commitments; *{Opt III paras 196 and 198 SCT}*

**Option (d):** Expert groups may support developing country Parties in the preparation and implementation of contributions; *{Opt I para 193 d. iv. opt (c) SCT}*

**Option (e):** A differentiated system of consequences to be applied in a graduated manner depending on the nature of the commitment and in proportion to the nature and extent of non-compliance with the commitment; *{Opt I para 193 d. iv. opt (d) SCT}*

## **Option II:**

97. **ESTABLISHMENT OF A CLIMATE JUSTICE TRIBUNAL** [[Decides to establish t][T]he international climate justice tribunal to oversee, control and sanction the fulfilment of and compliance with the obligations of Annex I and Annex II Parties under this agreement and the Convention [is hereby established].] *{Opt V para 195 SCT}*

## **[L. Procedural and institutional provisions]**

98. **BODIES AND INSTITUTIONAL ARRANGEMENTS TO SERVE AGREEMENT** [The subsidiary bodies and other institutional arrangements established by or under the Convention shall serve this agreement as specified in the relevant sections.] *{para 12 opt 2 from Section C GNT}*
99. **JOINT ACTIONS**
  - 99.1. [Any regional economic integration organization and its member States may agree to prepare, communicate and fulfil their mitigation commitments jointly. When the common mitigation

commitment is fulfilled jointly, each Party participating in a joint fulfilment agreement will be considered to be in compliance with achieving its mitigation commitment.] *{para 215.3 GNT}*

- 99.2. [Actions taken pursuant to the agreement by regional economic integration organizations, or by any group of Parties acting jointly, **[shall][should][other]** be in accordance with [paragraph][decision] X (to be adopted at COP 21).] *{para 215.4 GNT}*
100. **JOINT CONTRIBUTION** [Provisions with respect to Parties **that** put forward a joint contribution.] *{para 220.4 GNT}*
101. **AMENDMENT TO ANNEXES – OPT-IN PROCEDURE** [Opt-in (ratification procedure).] *{para 218 opt 3 GNT}*
102. **AMENDMENT TO ANNEXES I AND II OF THE CONVENTION**
- 102.1. [At the first **session of the governing body** to this agreement and at intervals that are seen as appropriate, the **governing body** may request the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation to review both the per capita greenhouse gas emissions and per capita gross domestic products of Parties and present to it draft decisions on revisions to [Annex I] and/or [Annex II] to the Convention.
- 102.2. In reviewing and revising Annex I to the Convention, the total amount of greenhouse gases, expressed in carbon dioxide equivalent, emitted by a Party to the Convention since 1750 shall be added up and divided by the current population of that Party. On the basis of the thus obtained per capita greenhouse gas emissions and population size of each Party to the Convention, the average global per capita emissions of greenhouse gases shall be used to evaluate the status of the greenhouse gas emissions of a Party to the Convention. Each Party to the Convention whose per capita greenhouse gas emissions exceed the global average per capita greenhouse gas emissions shall be proposed to be inscribed in Annex I to the Convention, and the remaining Parties shall not be proposed to be inscribed in Annex I to the Convention.
- 102.3. In reviewing and revising Annex II to the Convention, the current per capita gross domestic product of each Party to the Convention shall be compared with the global average per capita gross domestic product. Each Party to the Convention whose per capita gross domestic product is above the global average per capita gross domestic product and whose population size is above half a million shall be proposed to be inscribed in Annex II to the Convention. The remaining Parties shall not be proposed to be inscribed in Annex II to the Convention.
- 102.4. The **governing body** will, as it sees appropriate, review, revise and endorse a draft decision on any revision of either Annex I or Annex II to the Convention or of both, and present the draft decision that it has endorsed to the President of the Conference of the Parties to the Convention with a request for the Conference of the Parties to the Convention to review, amend as it sees appropriate and approve the proposed amendment or amendments to Annex I or Annex II to the Convention in accordance with Articles 15 and 16 of the Convention.
- 102.5. On the basis of the decision of the COP, the President of the COP shall inform in writing the Depositary of the Convention, the Depositary of this agreement and each Party to the Convention that is to be inscribed in or removed from either Annex I or Annex II to the Convention. The President of the COP shall also report on the outcome to the **governing body**.
- 102.6. A Party that has been informed in writing by the President of the COP that it is to be removed from Annex I or Annex II to the Convention shall be deleted from the said Annex as of the date of its written notification. A Party that has been informed in writing by the President of the COP that it is to be inscribed in Annex I or Annex II to the Convention shall accordingly be inscribed immediately after two years have passed since it received the written notice.] *{para 218 opt 5 GNT}*