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## **Ad Hoc Working Group on the Durban Platform for Enhanced Action**

**Second session, part twelve**

**Paris, 29 November to 5 December 2015**

Agenda item 3

**Implementation of all the elements of decision 1/CP.17**

### **Draft Paris Agreement**

#### **Draft conclusions proposed by the Co-Chairs**

The Ad Hoc Working Group on the Durban Platform for Enhanced Action agreed to transmit the text titled “Draft agreement and draft decision on workstreams 1 and 2 of the Ad Hoc Working Group on the Durban Platform for Enhanced Action” contained in annex I to the Conference of the Parties at its twenty-first session for further consideration. It also agreed to transmit the text contained in annex II to the Conference of the Parties at its twenty-first session.

## Annex I

### Draft agreement and draft decision on workstreams 1 and 2 of the Ad Hoc Working Group on the Durban Platform for Enhanced Action

#### *Work of the ADP Contact Group incorporating bridging proposals by the Co-facilitators<sup>1</sup>*

#### A. DRAFT AGREEMENT

[The Parties to this Agreement,

Pp1 *Being* Parties to the United Nations Framework Convention on Climate Change (hereinafter referred to as "the Convention"),

Pp2 *In pursuit* of the objective of the Convention, and being guided by its principles, including the principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

Pp3 *Pursuant to the* Durban Platform for Enhanced Action established by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,

Pp4 *Recognizing* the intrinsic relationship between climate change, poverty eradication and equitable access to sustainable development, and reaffirming that responses to climate change should aim to meet the specific needs and concerns arising from the adverse impacts of response measures,

Pp5 *Taking account* of the specific needs of developing country Parties, and especially those that are particularly vulnerable to climate-related events,

Pp6 *Taking account also* of the specific needs and special situations of the least developed country (LDC) Parties as set out in Article 4, paragraph 9, of the Convention, and the specific circumstances of small island developing States (SIDS),

Pp7 *Emphasizing* the need to respond to the urgent threat of climate change on the basis of the best available scientific knowledge, in particular, the assessment reports of the Intergovernmental Panel on Climate Change,

Pp8 *[Noting* that the largest share of historical 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,]

Pp9 *[Recognizing* that Parties should take action to address climate change in accordance with evolving economic and emission trends, which will continue to evolve post-2020,]

Pp10 *Emphasizing* the importance of promoting, protecting and respecting all human rights, the right to development, the right to health, and the rights of indigenous peoples, migrants, children, persons with disabilities and people in vulnerable climate situations [, and under occupation,] as well as promoting gender equality and the empowerment of women, while taking into account the needs of local communities, intergenerational equity concerns, and the integrity of ecosystems and of Mother Earth, when taking action to address climate change,

Pp11 *Taking into account* the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

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<sup>1</sup> Proposals which oppose the inclusion of certain provisions in the Agreement or the Decision do not figure in this text. This is on the understanding that the inclusion of a provision is without prejudice to the views of Parties that may not support the elaboration of any such provision at all. Language that is not bracketed is not necessarily agreed.

Pp12 *Recognizing* the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change,

Pp13 *Also recognizing* the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of greenhouse gases referred to in Article 4, paragraph 1(d), of the Convention, including through internationally agreed approaches [such as REDD-plus and the joint mitigation and adaptation approach for the integral and sustainable management of forests], and of their non-carbon co-benefits,

Pp14 *Affirming* the importance of education, training, public awareness, public participation and public access to information and cooperation at all levels on the matters addressed in this Agreement, and recognizing the importance of engagements of all levels of government and various actors, in accordance with respective national legislations of Parties, in addressing climate change,

Have agreed as follows:

### **Article 1** (DEFINITIONS)

For the purposes of this Agreement, all definitions contained in Article 1 of the Convention apply.

### **Article 2** (PURPOSE)

1. The purpose of this Agreement is [to enhance the implementation of the Convention] [and] [to achieve the objective of the Convention as stated in its Article 2]. In order to strengthen the global response to the threat of climate change, Parties agree to take urgent action and enhance cooperation and support so as:
  - (a) To hold the increase in the global average temperature [below 1.5 °C] [or] [well below 2 °C] above pre-industrial levels by ensuring deep reductions in global greenhouse gas [net] emissions;
  - (b) To increase their ability to adapt to the adverse impacts of climate change [and to effectively respond to the impacts of the implementation of response measures and to loss and damage];
  - (c) To pursue a transformation towards sustainable development that fosters climate resilient and low greenhouse gas emission societies and economies, and that does not threaten food production and distribution.
2. [This Agreement shall be implemented on the basis of equity and science, and in accordance with the principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances, and on the basis of respect for human rights and the promotion of gender equality [and the right of peoples under occupation].]

### **Article 2bis** (GENERAL)

1. [All Parties [shall] regularly prepare, communicate [and implement] [intended] nationally determined [contributions][components] [on [mitigation] and adaptation] [undertakings in adaptation planning] [and means of implementation]<sup>2</sup> [towards achieving the [purpose of this Agreement as set out in Article 2 of the Convention] [objective of the Convention as set out in its Article 2],] [in accordance with Article 4 of the Convention] [in accordance with the provisions of this Agreement, including the specific provisions related to mitigation and adaptation and means of implementation.]]
2. [Each Party's [intended] nationally determined contribution will represent a progression in the light of Parties' differentiated responsibilities and commitments under the Convention.]
3. [The extent to which developing country Parties will effectively implement this Agreement will depend on the effective implementation by developed country Parties of their commitments on the provision of finance, technology development and transfer and capacity-building.]

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<sup>2</sup> Without prejudice to the terminology to be used to describe Parties' commitments, undertakings and efforts under the Paris Agreement

4. [Successive [intended] nationally determined contributions will be [informed by the result of the global stocktake as defined in Article 10 of the Convention] and communicated before the expiry of the previous [intended] nationally determined contribution by the Party concerned.]

### Article 3 *(MITIGATION)*

#### *{Collective long-term goal}*

1. [Parties [collectively][cooperatively] aim to reach the global temperature goal referred to in Article 2 through:
- (a) [A peaking of global greenhouse gas emissions as soon as possible[, recognizing that peaking requires deeper cuts of emissions of developed countries and will be longer for developing countries]]
  - (b) [Rapid reductions thereafter [in accordance with best available science] to at least a X [-Y] per cent reduction in global [greenhouse gas emissions][CO<sub>2</sub>[e]] compared to 20XX levels by 2050]];
  - (c) [Achieving zero global GHG emissions by 2060-2080]
  - (d) [A long-term low emissions transformation] [toward [climate neutrality][decarbonization] [over the course of this century] [as soon as possible after mid-century];
  - (e) [Equitable distribution of a global carbon budget based on historical responsibilities and [climate] justice]

[on the basis of equity and common but differentiated responsibilities and respective capabilities] [in the context of sustainable development and eradication of poverty][while ensuring that food security, production and distribution is not threatened][informed by the best available science].

- 1bis. [To achieve this, policies and measures should take into account different socio-economic contexts, be comprehensive, cover all relevant sources, sinks and reservoirs of greenhouse gases and adaptation, and comprise all economic sectors [for developed countries]]

#### *{Individual efforts}*

2. Each Party shall regularly prepare, communicate [and maintain] [successive] ###<sup>3</sup> and [shall][should][other] [take appropriate domestic measures] [have in place][identify and] [pursue] [implement] [[domestic laws], [nationally determined] policies or other measures] [designed to] [implement][achieve][carry out][that support the implementation of] its ###.

*[Possible placeholder for Article 3.8 and 3.9]*

*[Possible placeholder for context CBDR&RC[, in the light of different national circumstances]]*

*[Possible placeholder referring to article 4 of the Convention]*

*[Possible placeholder for support]*

*{Differentiated efforts}*

#### **Option 1:**

3. In accordance with Article 4, paragraph 2, of the Convention, developed country Parties and other Parties included in Annex I shall undertake quantified economy-wide absolute emission reduction and limitation commitments/targets, which are comparable, measurable, reportable and verifiable, cover all greenhouse gases and are implemented domestically without any conditions.
- 3bis. In accordance with Article 4, paragraphs 1, 3, 4, 5 and 7, of the Convention, developing country Parties should undertake diversified enhanced mitigation actions/efforts in a measurable, reportable, and verifiable manner, in

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<sup>3</sup> Without prejudice to how the final agreement '###' will refer to the mitigation commitments/contributions/other of Parties and pending resolution to Article 2bis. Options include:  
**Option 1:** Nationally Determined Mitigation [Contribution][Commitment] (NDMC)  
**Option 2:** Nationally Determined Mitigation Component of the Contribution referred to in Article 2bis (NDMCC)  
**Option 3:** Mitigation Component of the [Intended] Nationally Determined Contribution (MCNDC)  
**Option 4:** INDC which can be in the form of co-benefits resulting from the Party's adaptation contributions and economic diversification plans.

the context of sustainable development and supported and enabled by the provision of adequate finance, technology and capacity-building by developed country Parties.

**Option 2:**

3. **Option (a):** Each Party that has previously [communicated] [implemented] absolute economy-wide emissions reduction or limitation targets should continue to do so and all Parties should aim to do so over time.

**Option (b):** Developed country Parties [and other Parties [in a position][that determine] to do so] should take the lead in mitigation efforts, including by [communicating] [and implementing] absolute economy-wide emissions reduction [or limitation] targets and all other Parties should aim to do so over time.

- 3bis. [Developed country Parties should continue to take the lead].<sup>4</sup>

{Flexibility}

4. LDCs [and SIDS][and African states] may communicate their ### at their discretion, including information on strategies, plans and actions for low GHG development, reflecting their special circumstances.

{Support}<sup>5</sup>(moved up)

5. **Option 1:** Developed country Parties and other developed Parties included in Annex II to the Convention [and other Parties with the capacity to do so] shall provide new and additional financial resources, technology transfer and capacity-building to meet the agreed full costs incurred by developing country Parties in complying with their obligations under this Article.

**Option 2:** Developing country Parties<sup>6</sup> are eligible for support in the implementation of this Article.

**Option 3:** 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.

{Progression/ambition}

6. Each Party's successive ### [shall][should][will] represent a progression beyond the Party's previous efforts and reflect its highest possible ambition [based on common but differentiated responsibilities and respective capabilities [[and] in light of different national circumstances [and best available science]] [based on provision of finance, technology and capacity-building to developing countries].<sup>7</sup>

{Information}

7. [In communicating their ###, all Parties shall provide the information necessary for the clarity, transparency and understanding in accordance with decision 1/CP.21 and any subsequent decisions of the CMA].

{Features<sup>8</sup>}

8. [**Option 1:** Each Party's ### [shall][should] be quantified or quantifiable, [be unconditional, <sup>9</sup> at least in part ], maintain coverage of emissions and removals covered previously, and strive for coverage of all significant emissions and removals over time. Additional guidance may be elaborated by decision [of the CMA][1/CP.21].]

[**Option 2:** Each Developed country Party's ### shall be quantified, cover all key categories of emissions by sources and removals by sinks and use common Intergovernmental Panel on Climate Change (IPCC) metrics,

<sup>4</sup> Overlaps with Option (b).

<sup>5</sup> Placeholder until support is addressed.

<sup>6</sup> Without prejudice to the final outcome of the negotiations, in all cases in the draft Agreement and the draft Decision text where, in the context of support, it says "developing country Parties" read "developing country Parties [, including Parties whose special circumstances are recognized by the COP][and other Parties in need of support, including countries with economies in transition]"

<sup>7</sup> Depending on the placeholder on 3.1, 3.2 or 3.3 and pending resolution on 2bis.

<sup>8</sup> Note: some of the sub-items listed below feature in the October/November text taken up elsewhere in Article 3 or the Agreement (eg link to global stocktake, environmental integrity).

Note: some Parties suggested that some of these sub-items could be taken up in Article 9.

Note: Flexibility for LDCs, SIDS and African States addressed elsewhere in Article 3.

<sup>9</sup> [South Africa wishes its reservation on the original text in brackets to be recorded: "We do not accept any unconditional part of contributions that are nationally determined, particularly if this is a precondition under Art. 17"]

guidance and guidelines for the estimation of greenhouse gas emissions and removals; and others strive to communicate this over time. Additional guidance may be elaborated by the [CMA] [APA] at its [x] session.]

**[Option 3:** Guidance on the features of ### to be elaborated by decision [of the CMA ] [1.CP/21].]

**[Option 4:** Guidance on the features of ### to be elaborated by decision of the CMA at its x session.]

*{Timing}*

{First communication }

9. Each Party [shall][should] communicate its first ### no later than [upon ratification or acceptance of][upon joining] this Agreement.

*{Subsequent communication}*

10. **Option 1:** Successive ### shall be communicated by Parties after completion of the current implementation cycle.

**Option 2:** Each Party shall [communicate its successive][, update or confirm its] ### every five years [on a synchronized basis] [, taking into account the outcomes of the global stocktake referred to in Article 10].

*{Ex ante process}*

11. [Each Party shall submit an intended ### [x months prior to][well before] the final communication. All Parties shall participate in a [preparatory] process that [facilitates][promotes] clarity, transparency and understanding of the intended ###, including their aggregate effect in the light of the long-term temperature goal referred to in Article 2, including though the production of an aggregate synthesis report. The [preparatory] process shall be conducted in accordance with the modalities and procedures to be adopted by the CMA at its first session.]

*{Adjustments}*

12. A Party may at any time adjust its existing ### with a view to enhancing its level of ambition [, in accordance with the simplified adjustment procedure referred to in Article 19, paragraph 3]. [Adjustments towards lower ambition levels may only be communicated in case the [developing country] Party's efforts are [severely] affected by an extreme natural event, economic shock or force majeure.][Developing country Parties may adjust their ### at their discretion depending upon the adequacy and availability of finance, technology development and transfer and capacity-building support.]

*{Housing}*

13. **Option 1:** [The ### communicated by Parties shall be [listed][published] [in an online registry maintained by the secretariat][ in Annex [X] to this Agreement][on the UNFCCC website].]

**Option 2:** [The ### communicated by developed country Parties shall be inscribed in Annex A to this Agreement.

The ### communicated by developing country Parties shall be inscribed in Annex B to this Agreement.]

*{Accounting}* <sup>10</sup>

14. **[Option 1:** [In the context of of][In tracking progress towards achieving] ###, each Party shall, taking into account decision 1.CP/21 and any future guidance [elaborated for this purpose and agreed][adopted] by the CMA [at its [x][first] session][and may be amended by any subsequent decisions of the CMA], account for anthropogenic emissions and removals included in its ###, [promote][apply the principles of] transparency, accuracy, [completeness], [comparability], and consistency, and [avoid double counting][apply arrangements to avoid double counting] where internationally transferred mitigation outcomes are used [, so as to improve the environmental integrity of the agreement].]

**[Option 2:** In tracking progress towards achievement of their ###, Parties shall apply the principles of transparency, accuracy, completeness, comparability, consistency, avoidance of double counting, and environmental integrity, as further elaborated in [para x] decision 1/CP.21 and any further guidance to be developed under paragraph 14(a) below. Furthermore:

<sup>10</sup> 1.This reflection is without prejudice to placement between mitigation and transparency or anywhere else.  
2.This reflection is without prejudice to differentiation and how and if it is treated in any part of the agreement.  
3.The formulation of ### would need to reflect the outcome of work being undertaken in relation to Article.

- (a) The CMA shall, at its first session, adopt the principles and guidance for tracking progress towards its ###, including with respect to [land use], and internationally transferred mitigation outcomes in accordance with [para x] decision 1/CP.21. Such principles and guidance shall apply to ### to be communicated for subsequent contribution cycles. Parties may elect to apply such guidance to their first ###;
- (b) Parties shall ensure methodological consistency between the definition of the ### and its implementation, including with respect to paragraph [X] above;
- (c) Parties shall report on progress towards achievement of their ### in accordance with the relevant provisions of Article 9, [para x] decision 1/CP.21.
- (d) Parties shall ensure that internationally transferred mitigation outcomes used to meet its ### are real, permanent, additional and verified, and are not double-counted.]

*{Methods and guidance}*

15. **[Option 1:** In the context of their ###, when recognizing and implementing mitigation actions in respect of anthropogenic emissions and removals [including from [land use] [or REDD-plus]], Parties may draw from [build on] existing methods and guidance under the Convention and from the IPCC.

**Option 2:** In elaborating guidance further to paragraph 10 with respect to anthropogenic emissions and removals from [land use], including forests, Parties shall take into account any relevant decisions of the COP/CMP.

**Option 3:** The rules and guidance related to tracking of progress towards achieving ### accounting shall be adopted by the [CMA][APA] at its [x] session.]

*{Response measures}*

*[Preamble: Parties acknowledge the importance of cooperation, including around economic diversification to reduce the adverse impacts of the implementation of response measures.]*

16. [[Parties shall give full consideration to what actions are necessary under this Agreement to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures, including in terms of economic diversification, and taking into consideration that poverty eradication and social and economic development are the first and overriding priorities of developing country Parties. Parties agree to enhance actions under this Agreement, including through strengthening institutional arrangements, and to adopt modalities and procedures for enhancing those arrangements. To this end the CMA shall establish a cooperative mechanism to address the adverse impacts of the implementation of response measures on developing country Parties, as included in decision -/CP.21.]]

*{Unilateral measures}*

17. [[Developed country Parties shall not resort to any form of unilateral measures against goods and services from developing country Parties on any grounds related to climate change, recalling the principles and provisions of the Convention, in particular its Article 3, paragraphs 1, 4 and 5, and Article 4, paragraphs 3, 5, 7, 8, 9 and 10, and taking into account the principles of equity, common but differentiated responsibilities and the obligations of developed country Parties to provide financial resources, transfer of technologies and capacity-building support to developing country Parties.]]

*{REIOs}*

18. [Parties, including regional economic integration organizations and their member States, may jointly communicate and[/or] implement their ### [detailing in their joint communication the combined level of ### and individual levels of the ### of each member State of that regional economic integration organization. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization, any alteration in the composition of the organization after adoption of this Agreement shall not affect existing ### under this Agreement. Any alteration in the composition of the organization shall apply only for the purposes of those commitments under Article 3 that are adopted subsequent to that alteration. If Parties act jointly to implement their ### in the framework of, and together with, a regional economic integration organization that is itself a Party to this Agreement, each member State of that regional economic integration organization individually and together with the regional economic integration organization shall, in the event of failure to achieve the total combined level of ###, be responsible for the level of its ### as communicated in accordance with this Article.]

*{Cooperative approaches}*

**[Option 1:<sup>11</sup>**

19. Parties acknowledge the importance of [cooperation in][cooperative approaches for] implementing and enhancing the ambition of climate action [at the international level].

19alt. Parties may also cooperate in the implementation of ###.

[19bis. Where cooperative approaches involve the use of internationally transferred mitigation outcomes towards ###, Parties participating shall [safeguard] [promote] sustainable development and environmental integrity and shall apply robust accounting to ensure, inter alia, that double counting is avoided, taking into account relevant guidance adopted for this purpose by the CMA [taking into account guidance adopted at the national level].]

[19ter. A share of proceeds for adaptation shall apply.]

**Option 2:**

19. Cooperative approaches of Parties, based on Article 4.7 of the Convention, must ensure the enhancement of mitigation outcomes together with adaptation co-benefits to be verified internationally but non-transferrable. ]

*{International transport emissions}*

20. [Parties [shall][should][other] pursue the limitation or reduction of greenhouse gas emissions from international aviation and marine bunker fuels, working through the International Civil Aviation Organization and the International Maritime Organization, respectively, with a view to agreeing concrete measures addressing these emissions, including developing procedures for incorporating emissions from international aviation and marine bunker fuels into low-emission development strategies.]

**[Article 3 bis] ([REDD-PLUS](#))**

1. [Mechanisms for forest mitigation and adaptation are] [A REDD-plus mechanism is] hereby defined.
2. The REDD-plus mechanism consists of relevant decisions of the COP, including decisions 9/CP.19 to 15/CP.19 and decision -/CP.21.
3. The purpose of the REDD-plus mechanism shall be to incentivize the reduction of emissions from deforestation and forest degradation and to promote the conservation and sustainable management of forests and enhancement of forest carbon stocks in developing countries, while enhancing the non-carbon benefits of the multiple functions of forests, including alleviating poverty and building ecosystem resilience.
4. [The Joint Mitigation and Adaptation Mechanism (JMA) is established to support the integral and sustainable management of forests as an alternative to results-based payments, in accordance with decision X/CP.21.]

**[Article 3 ter<sup>12</sup>] ([MECHANISM TO SUPPORT SUSTAINABLE DEVELOPMENT](#))**

*{Proposed Mechanism 1}*

1. [[Establishes a multi window mechanism][Establishes a framework for sustainable development mechanisms][A mechanism to support sustainable development in [developing country] Parties is hereby established] under the authority and guidance of the CMA, shall be supervised by a body designated by the CMA, and shall aim to:
  - (a) Promote sustainable development in developing country Parties;
  - (b) Incentivise and facilitate participation in mitigation action by public and private entities authorised by a Party;
  - (c) [Enhance mitigation ambition by developing country Parties, by incentivising supplementary voluntary climate action, beyond their ###][Fully respect the mitigation contributions of participating Parties to ensure that the global mitigation effort is not undermined];
  - (d) [Provide for net global emission reductions through the cancellation of a share of units generated, transferred, used or acquired];

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<sup>11</sup> Note connection to Article 3.10 and Article 9 and Article 11

<sup>12</sup> Explanatory Note: Two mechanisms are proposed below as (i) and (ii), each with the alternative option of no mechanism. The two mechanisms proposed are not presented as options to each other.



- (e) [Assist Parties with a ### that reflects an absolute target in relation to a base year to fulfil their ###, through the use of mitigation outcomes from mitigation activities in developing countries][Consider the variety and dynamics of national circumstances of Parties];
  - (f) [Ensure environmental integrity of Parties' cooperative mitigation actions, including ensuring that such mitigation shall not be claimed more than once, in accordance with accounting guidance elaborated under Article [3.10]].]
2. [The CMA shall ensure that a share of the proceeds from certified project activities are used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.]
  3. [The CMA shall adopt modalities and procedures for the first window of the above mentioned mechanism building on the mechanism defined under [Article 12][Article 6] of the Kyoto Protocol and related decisions of the CMP.]

*{Proposed Mechanism 2}*

1. [Establishes a mechanism to support holistic and integrated approaches to sustainable development in harmony with nature to be available to assist developing country Parties in fulfilling their ### including in a balanced manner mitigation, adaptation, provision of finance, technology transfer and capacity building. This mechanism shall be under the authority and guidance of the CMA, and shall be supervised by a body designated by the CMA, and aim to:
  - (a) Enhance of mitigation and adaptation ambition and the provision or mobilization of public financing technology transfer and capacity building in an integrated manner for climate action;
  - (b) Enhance non-market-based approaches and enable participation in joint cost-effective mitigation and adaptation actions by public and private entities acting under the responsibility of a Party.
  - (c) Support the implementation of the joint mitigation and adaptation approach for the integral and sustainable management of forests as an alternative policy approach to results-based payments.
  - (d) Fully respect mitigation contributions of participating Parties to ensure that the global mitigation effort is not undermined.]
2. [The CMA shall adopt modalities and procedures for the mechanism referred above on its first session.]

**Article 4 (ADAPTATION)**

1. Parties hereby establish the global goal of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, [in accordance with the objective, principles and provisions of the Convention, including common but differentiated responsibilities and respective capabilities,] with a view to [contributing to sustainable development] [and] [ensuring adaptation in the context of the goal of holding the increase in the global average temperature [below 2 °C][below [2 or] 1.5 °C] referred to in Article 2].
2. Parties recognize that adaptation is a global challenge faced by all with local, subnational, national, regional and international dimensions, and that it is a key component of and contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems[, taking into account the urgent and immediate needs of those developing countries that are particularly vulnerable].
3. [The global goal for adaptation shall be the basis for, inter alia:
  - (a) Assessment of the adequacy of support from developed country Parties to developing country Parties. This assessment will be undertaken through strengthened measurement, reporting and verification of support;
  - (b) Recognition of the adaptation efforts of developing country Parties;
  - (c) Recognition of increased adaptation needs and associated costs in the light of mitigation efforts, taking into account the need for adaptation regardless of the level of mitigation reached, and also taking into account the relationship between aggregate mitigation ambition, associated climate change impacts, and adaptation needs and cost, while recognizing there are limits to adaptation.]
4. [Parties recognize that adaptation [will][may] be needed regardless of the level of mitigation reached [and that greater aggregate levels of mitigation can reduce the need for additional adaptation efforts.]]
5. Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration [human rights,][the rights of people under occupation,]

vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional, indigenous peoples knowledge and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.

6. Parties further recognize the importance of international cooperation and support for adaptation efforts and the importance of taking into account the needs of those developing countries that are particularly vulnerable, recognizing the particular vulnerabilities of the least developed countries (LDCs) and small island developing States (SIDS).
7. Parties [shall][should] enhance their cooperation for enhancing action on adaptation, taking into account the Cancun Adaptation Framework, including with regard to:
  - (a) Sharing information, good practices, experiences and lessons learned, including, as appropriate, as these relate to the science, planning, policies and implementation of adaptation actions;
  - (b) Strengthening institutional arrangements, including those under the Convention, to support the synthesis of relevant information and knowledge and the provision of technical support and guidance to the Parties;
  - (c) Strengthening scientific knowledge on climate, including research and systematic observation of the climate system, in a manner that informs the development and delivery of climate services and to support decision-making;
  - (d) [Assessment of the [effectiveness][adequacy] of support [referred to in paragraph 3(a)] of this Article with a view to ensuring transparency and accountability;]
  - (e) Assisting [developing] country Parties to identify effective adaptation practices, adaptation needs, priorities, support provided and received for adaptation actions and efforts, and challenges and gaps in a manner consistent with encouraging good practices;
  - (f) Improving the effectiveness and durability of adaptation actions.
8. Encourages United Nations agencies to support the efforts of Parties to implement the actions referred to in paragraph 7 of this Article, taking into account the provisions of paragraph 5 of this Article.
9. Each Party should engage in the implementation of adaptation planning processes and actions, including the development or enhancement of relevant plans, policies and/or contributions, which may include:
  - (a) Implementation of adaptation actions, undertakings and/or efforts;
  - (b) The process to formulate and implement national adaptation plans;
  - (c) Assessment of climate change impacts and vulnerability with a view to formulating nationally determined prioritized actions, taking into account vulnerable people, places and ecosystems;
  - (d) Strengthening enabling environments for the implementation of adaptation;
  - (e) Monitoring, evaluating and learning from adaptation plans, policies, programmes and actions;
  - (f) Building resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources.
10. Each Party may submit an adaptation communication [or communications on actions, undertakings and/or efforts on adaptation referred to in paragraph 9(a) and (b) of this Article], which may include its priorities, support needs, plans and actions.
11. The adaptation communication [or communications on actions, undertakings and/or efforts on adaptation] referred to in paragraph 10 of this Article may be:
  - (a) Submitted independently, as a component of or in conjunction with another communication, including a national adaptation plan[, an intended] nationally determined contribution and/or a national communication;
  - (b) Updated or submitted [periodically] [in conjunction with mitigation cycles].
12. [The adaptation communication [or communications on action, undertakings and/or efforts on adaptation] referred to in paragraph 10 of this Article [shall][may] be [recorded in a registry][made publicly available by the secretariat [on the UNFCCC website]] [in accordance with modalities to be decided by the [CMA][CMP] at its first session].]
13. [Developing country Parties should receive continuous and enhanced international support for the implementation of Article 4, paragraphs 9–11, in accordance with the provisions of Articles 6, 7 and 8.]

14. [There shall be a [high-level session][global stocktake] on adaptation every [X] years, with the purpose of [enhancing the implementation of adaptation action based on the adaptation communication [or communications on action, undertakings and/or efforts on adaptation] referred to in paragraph 9 of this Article, assessing the adequacy of support and recognizing the adaptation efforts of developing country Parties], guided by modalities to be adopted by the [CMA][CMP] at its first session.]
15. [[The AC, the LEG, the AF, the GCF, the LDCF, the SCCF, the TEC, the CGE, and other relevant bodies][institutional arrangements for adaptation] under the Convention shall serve this Agreement. The CMA shall, based on a review of institutional arrangements under the Convention, further elaborate the adaptation framework for this Agreement in order to enhance its coherence and effectiveness, building on, consolidating and coordinating institutional arrangements relevant to adaptation under the Convention.]

**Suggested paragraphs for Article 6:**

- X. [[Developed country Parties][Parties included in Annex II to the Convention] shall provide developing country Parties with long-term, scaled-up, predictable, new and additional finance, technology and capacity-building for the implementation of Article 4, paragraphs 9, 10 and 11[, in accordance with [the relevant provisions][Article 4] of the Convention,] recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable.]
- Y. [Developed country Parties shall communicate on their provision of support to developing countries.]

**Article 5 (LOSS AND DAMAGE)**

**Option I:** The following text to be included as Article 5 (*Loss and Damage*)

**Option II:** The following text to be part of Article 4 alongside adaptation provision

1. [The Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts shall serve this Agreement.
2. Upon the completion of its review at the twenty-second session of the COP,<sup>13</sup> the Warsaw International Mechanism shall be subject to the authority and guidance of the CMA and supported through the Financial Mechanism of the Convention.
3. A climate change displacement coordination facility shall be established under the [Warsaw International Mechanism][CMA] to help coordinate efforts to address climate change induced displacement, migration and planned relocation.
4. A process to develop approaches to address irreversible and permanent damage resulting from human-induced climate change will be initiated under the [Warsaw International Mechanism][CMA] with a view to completing this process within four years.]

**Article 6 (FINANCE)**

1. **Option 1:** [Over time, finance flows should be consistent with [the transformation to][a pathway towards] low-emission and climate-resilient [societies and economies][development], in the context of countries' sustainable development priorities and efforts to eradicate poverty.]  
**Option 2:** [Climate finance, as defined in Article 1 of this Agreement, shall be provided from developed country Parties and other Parties included in Annex II of the Convention in the context of developing country Parties' needs, sustainable development priorities, food security and efforts to eradicate poverty.]
2. **Option 1:** [[Developed country Parties [and other developed country Parties included in Annex II to the Convention][and Parties in a position to do so] [should take the lead and]][All Parties in a position to do so] [shall][should][other] provide [support][[new and additional] financial resources] to assist developing country Parties with respect to both mitigation and adaptation [as well as addressing loss and damage] [and others in a position to do so should complement such efforts].]  
**Option 2:** [Developed country Parties and other developed Parties included in Annex II to the Convention shall provide new and additional, adequate, predictable, accessible, sustained and scaled-up financial resources to developing countries to enhance actions with respect to both mitigation and adaptation to contribute to the

<sup>13</sup> Decision 2/CP.19, paragraph 15.

achievement of the [objective][purpose] of this Agreement, based on the principles and in accordance with the provisions of the Convention.]

**Option 3:** [Parties in a position to do so, including developed country Parties, should provide support to assist developing country Parties in need of support with respect to both mitigation and adaptation.]

3. [Parties should integrate climate considerations, including resilience, into international development assistance.]
4. **Option 1:** [All Parties shall take action to mobilize, and/or facilitate the mobilisation of, climate finance in line with their respective and evolving responsibilities and capabilities. Some Parties may need support in order to take action.]  
[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.]  
**Option 2:** [Developed country Parties and other Parties included in Annex II to the Convention shall mobilize financial resources beyond their previous efforts, supporting country-driven strategies, and taking into account the needs and priorities of developing country Parties.]  
**Option 3:** [As part of a shared effort, Parties should cooperate to promote the mobilization of climate finance from a wide variety of sources, instruments and channels, including public, private, bilateral, multilateral, domestic, and international.]
5. [Parties should strive to improve enabling environments and policy frameworks to attract and mobilize climate finance, noting that cooperative action and support may enhance such efforts.]
6. [Parties should mobilize enhanced results-based payments for verifiable achieved emission reductions related to existing approaches under the Convention.]
7. [Parties should reduce international support for high-emission [and maladaptive] investments and enhance international support for low-emission and climate-resilient investments.]
8. [Parties recognise that the appropriate pricing of greenhouse gas emissions in its many forms, is an important instrument for the reorientation of investment and finance flows consistent with a pathway towards low emission and climate resilient economies and societies.] *{Placement proposal: to be moved to section on mitigation}*
9. **Option 1:** [Parties recognize the role of a wide variety of sources, public and private, bilateral and multilateral, including alternative sources.]  
**Option 2:** [Public funds from developed country Parties, distinct from Official Development Assistance, will be the main source of finance [indemnization mechanism based on historical responsibilities], noting that it may include a wide variety of sources, public and private, bilateral and multilateral, including additional sources. In the mobilization of finance from various sources, Parties shall abide by the principles of fiscal sovereignty and avoid incidence on developing country Parties[, particularly disguised distortions to trade].]
10. **Option 1:** [The mobilization of climate finance [shall][should][other] be scaled up [in a predictable and transparent manner] [beyond previous efforts] [from USD 100 billion per year] from 2020[, recognizing the important role of the Green Climate Fund in the scaling up of financial resources for the implementation of this agreement, as well as other multilateral mechanisms and other efforts].]  
**Option 2:** [The provision and mobilization of financial resources by developed country Parties and other developed Parties included in Annex II shall represent a progression beyond their previous efforts towards achieving short-term collective quantified goals for the post 2020 period to be periodically established and reviewed. Financial resources shall be scaled up from a floor of US\$100 billion per year, including a clear burden-sharing formula, and in line with needs and priorities identified by developing country Parties in the context of contributing to the achievement of the [objective][purpose] (Article 2/XX) of this Agreement. It shall take into account an equitable regional distribution of financial resources and a gender-sensitive approach, and include the implementation of Articles 5 and 6 of the Convention.]  
**Option 3:** [As part of a shared mobilization effort Parties should, in accordance with paragraphs X-Y, enhance the scale and effectiveness of climate finance by: mobilizing climate finance from a wide variety of instruments and channels; provide, when in a position to do so, support to developing countries in need of support; appropriately prioritize support; improve enabling environments; integrate climate considerations into international development assistance; and reduce international support for high-emissions investments.]

11. The provision of financial resources [should][shall] aim to achieve a balance between adaptation and mitigation, taking into account country-driven strategies, and the priorities and needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, including LDCs, SIDS, and Africa, considering the need for public and grant-based resources for adaptation.
  12. [[Developed country Parties][Parties included in Annex II to the Convention] shall provide developing countries with long-term, scaled-up, predictable, new and additional finance, technology and capacity-building for the implementation of Article 4, paragraphs 8–10[, in accordance with [the relevant provisions][Article 4] of the Convention,] recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable.]
  13. [The CMA shall ensure that adequate support is available to the International Mechanism to address Loss and Damage as defined in Article (XX), as well as to promote and support the development and implementation of approaches to address irreversible and permanent damage resulting from human-induced climate change.]
  14. [The provision of financial resources shall ensure facilitated and enhanced direct access, pursue a country-driven approach, through simplified procedures, and readiness support to developing countries [especially those countries that are particularly vulnerable to the adverse effects of climate change], including to capacity-constrained developing countries, LDCs, SIDS and Africa. It shall likewise ensure adequacy and predictability of resources, and avoid double counting.]
  15. [[Parties and the institutions serving this Agreement should simplify procedures for accessing financial resources to and improving readiness for developing country Parties, [including][in particular] the LDCs and SIDS][In the provision of support, and in order to enhance the impact and country-driven approach of such support, readiness and country programme measures [shall][should] be prioritized. The institutions serving this agreement [shall][should] enhance the delivery of resources for readiness and simplify approval procedures for accessing finance [by developing countries], in particular for LDCs, SIDS, and African States [and other vulnerable countries], in a coordinated manner.] *{Placement proposal: to be moved to decision section}*
  16. **Option 1:** [[Developed country] Parties [and other developed Parties included in Annex II] [shall][should][other] [periodically][biennially] communicate [relevant, indicative] information on [the [provision] [and mobilization] [and implementation] of [financial resources][support to developing countries], including [available] quantitative and qualitative information on the] projected [efforts to mobilize [and attract] climate finance][levels of public [climate finance][financial resources to be provided to developing country Parties]].]
  - Option 2:** [Developed country Parties and other developed Parties included in Annex II shall biennially communicate on the provision and mobilization of financial resources, including quantitative and qualitative information on the projected levels of public financial resources to be provided to developing country Parties.]
  - Option 3:** [Parties should periodically communicate relevant, indicative information about their plans related to paragraphs X-Y, as appropriate.]
  17. [The [stocktake shall take into account available information by [developed country] Parties and Agreement bodies on efforts related to climate finance][CMA shall facilitate the communication of finance efforts for the stocktake referred to in Article 10, taking into account the [annual reports][biennial assessment] of the Standing Committee on Finance].] *{Pending outcome of discussions on Article 10}*
  18. [Developed country Parties and other developed Parties included in Annex II to the Convention shall at least biennially provide transparent, complete, consistent, comparable and accurate information on financial resources provided and mobilized through public interventions to developing country Parties, in accordance with guidelines to be adopted by the CMA at its first session, including through a clear definition of climate finance as stipulated in Article 1 of this agreement.] *{Note: some of the issues pertaining to specific reporting modalities as identified in this paragraph may be moved to Article 9}*
  19. The Financial Mechanism established by Article 11 of the Convention, including [the Green Climate Fund and the Global Environment Facility as] its operating entities [and related funds], shall serve as the financial mechanism of this Agreement.
- [Option 1 (Paragraph 20):**
20. [The CMA shall provide guidance, for consideration by the COP, on the policies, programme priorities, and eligibility criteria of the operating entities of the Financial Mechanism, acknowledging that the relevant decisions of the COP agreed before adoption of this Agreement shall apply mutatis mutandis.]

**Option 2: (Paragraphs 20-22):**

20. [The guidance to the entity or entities entrusted with the operation of the financial mechanism of the Convention in relevant decisions of the COP, including those agreed before the adoption of the agreement, shall apply mutatis mutandis to the Financial Mechanism of this Agreement.
21. The existing operating entities of the Financial Mechanism (the Green Climate Fund and the Global Environment Facility, including the Special Climate Change Fund and the Least-Developed Countries Fund) shall serve this Agreement. Other funds may be established under this agreement.
22. The Adaptation Fund Board, established by decision 1/CMP.3 shall be designated as an operating entity entrusted with the operation of the financial mechanism, referred to in Article xx, for the implementation of this Agreement.]]

### **Article 7** (*TECHNOLOGY DEVELOPMENT AND TRANSFER*)

1. All Parties[, in accordance with the principles and provisions of the Convention, in particular Article 4 [and Article 11]], noting the importance of technology for the implementation of mitigation and adaptation actions under this Agreement and recognizing existing deployment and dissemination efforts, [shall][should] strengthen cooperative action [to accelerate and upscale] [on] [technology development and transfer] [through] [, inter alia:
  - (a) [Improving endogenous capacities and enabling environments according to nationally determined needs and priorities, in accordance with Article 4, paragraph 5, of the Convention];
  - (b) [Addressing barriers [in accessing to][for] the transfer of safe, appropriate and environmentally and socially sound technologies [by developing countries];]
  - (c) Fostering cooperative approaches to research and development].
2. Parties share a long-term vision on the importance of fully realizing technology development and transfer in order to improve resilience to climate change and to reduce GHG emissions.
3. A technology framework is hereby established to provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of this Agreement, in pursuit of the long-term vision referred to in paragraph 2 above.
4. [In accordance with Article 4, paragraph 5, of the Convention, developed country Parties shall provide financial resources to address barriers created by policies and 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, know-how and such technologies will be provided to developing country Parties free of cost in order to enhance their actions to address the adverse effects of climate change.]
5. The Technology Mechanism shall serve this Agreement [and shall be strengthened in line with its mandate for this purpose].
6. **Option 1:** Developing country Parties are eligible for support in the implementation of this Article.  
**Option 2:** [In accordance with Article 4, paragraphs 3[ and 5][, 5 and 9], of the Convention,] developed country Parties and other Parties included in Annex II to the Convention shall [continue to provide regular reports] [regularly prepare, communicate and implement their commitments on the support of technology provisions for [developing country] Parties ] [provide enhanced support], including financial support, for strengthening cooperative action and the implementation of the technology framework through the Technology Mechanism [and the Financial Mechanism]. [The financial support shall be made available through, inter alia, the Financial Mechanism.] [The overall implementation of the commitments will be assessed periodically through a global stocktake in accordance with Article 10 of this Agreement.]  
**Option 3:** [Developed country] [All] Parties shall regularly communicate the progress [of implementation] [made in implementing the provisions] [pertaining to the financial provisions] and support for technology development and transfer in accordance with Articles 6 and 9 of this Agreement [, taking into account the provisions of the Convention] [in a measurable, reportable and verifiable manner]. [The overall implementation of the commitments will be periodically assessed through a global stocktake in accordance with Article 10 of this Agreement.]
7. [Developed country Parties and other Parties included in Annex II to the Convention shall provide support for the research, development and application of environmentally sound technologies and facilitate the transfer of and access to such technologies for developing country Parties, including by, inter alia, strengthening

cooperative action, providing financial resources to address barriers caused by the absence of domestic research and development capability and innovations, and enhancing access to environmentally sound technologies and know-how.]

### **Article 8** (*CAPACITY-BUILDING*)

1. Capacity-building under this Agreement should enhance the capacity and ability of:
  - Option 1:** [countries];
  - Option 2:** [developing country Parties, in particular countries with the least capacity, such as LDCs and SIDS and African countries];
  - Option 3:** [developing country Parties, in particular countries with the least capacity, such as LDCs and SIDS and African countries, in accordance with the principles and provisions of the Convention],  
[to take effective climate change action, including, inter alia, to implement adaptation and mitigation actions, and facilitate technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.]
2. Capacity-building should be country-driven, based on and responsive to national needs, and foster country ownership of Parties, [in particular, for developing country Parties,] including at the national, subnational and local levels. Capacity-building should be guided by lessons learned, including those from capacity-building activities under the Convention, and should be an effective, iterative process that is participatory, cross-cutting and gender-responsive.
3. [All Parties should cooperate to enhance the capacity of developing country Parties to implement this Agreement. Developed country Parties should enhance support for actions for capacity-building in developing countries].
4. [All Parties enhancing the capacity of developing country Parties to implement this Agreement, including through regional, bilateral and multilateral approaches, shall regularly communicate on these actions or measures on capacity-building. Developing country Parties shall regularly communicate progress made on implementing capacity-building plans, policies, actions or measures to implement this Agreement].
5. [Institutional arrangements under the Convention shall be enhanced, as appropriate, in support of capacity-building for the implementation of this Agreement]. [In order to further enhance capacity-building in accordance with this Agreement, an international capacity-building mechanism is hereby established to serve the Agreement.]

### **Article 8 bis**

Parties shall cooperate in taking measures, as appropriate, to enhance climate change education, training, public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement.

### **Article 9** (*TRANSPARENCY*)

1. **Option 1:** A robust transparency framework covering both action and support, differentiated between developed and developing countries, building on the arrangements under the Convention, related decisions of the COP and mechanisms established by the Cancun Agreements (decision 1/CP.16), applicable to all Parties, and providing flexibility to developing countries is hereby established.
  - Option 2:** A unified and robust transparency framework, covering both action and support, with built-in flexibility to take into account Parties' differing capacities, and applicable to all Parties is hereby established.
  - Option 3:** A robust, tiered transparency framework covering both action and support, applicable to all Parties, based on self-differentiation with no backsliding and on national capabilities and intended nationally determined contributions, and that builds on and enhances existing arrangements under the Convention and decision 1/CP.16 is hereby established.
  - Option 4:** Building on existing arrangements under the Convention, a transparency framework for action and support that takes into account Parties different capacities and is applicable to all Parties is hereby established.

2. The transparency framework shall provide flexibility in the implementation of the provisions of this Article to developing country Parties in the light of their capabilities. The modalities, procedures and guidelines referred to in paragraph 6 of this Article shall reflect such flexibility.
3. The transparency framework shall be guided by the principles of the Convention and building on the provisions and arrangements under the Convention, recognizing the special circumstances of the least developed countries and small island developing States, and be implemented in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and avoid placing undue burden on Parties and the secretariat.
4. The purpose of the framework for transparency of action is to:
  - (a) Provide a clear understanding of climate change actions in the light of the objective as set by Article 2 of the Convention;
  - (b) Provide a clear understanding of the anthropogenic emissions by sources and removals by sinks of individual Parties;
  - (c) Facilitate understanding of global aggregate emissions and removals to inform the global stocktake under Article 10;
  - (d) Ensure clarity and tracking of progress made towards {insert the relevant phrase from outcome of Article 3.2} and achieving individual Parties' respective mitigation {insert the relevant phrase from outcome of Article 3.2} under Article 3;
  - (e) Provide clarity on Parties' adaptation actions under Article 4, including good practices, priorities, needs and gaps.
5. The purpose of the framework for transparency of support is to:
  - (a) Provide a clear understanding of the support provided and received by relevant individual Parties in the context of climate change actions under Articles 3 and 4;
  - (b) Achieve, to the extent possible, a full overview of aggregate financial support provided, to inform the global stocktake under Article 10;
  - (c) Ensure clarity and tracking of progress made by developed country Parties in providing support in accordance with Articles 6, 7 and 8;
  - (d) Ensure clarity and tracking of support needed and received by developing country Parties in accordance with Articles 6, 7 and 8;
  - (e) Ensure the avoidance of double counting of financial resources provided.
6. **Option 1:** Each Party, taking into account their common but differentiated responsibilities and their specific national and regional development priorities, objectives, and circumstances, shall provide transparent, accurate, complete, consistent, and comparable information in accordance with guidelines referred to in paragraph 6 of this Article on:
 

**Option 2:** Each Party shall regularly provide the following information in accordance with guidelines referred to in paragraph 6 of this Article:

  - (a) Its national inventory of anthropogenic emissions by sources and removals by sinks of greenhouse gases;
  - (b) Projections of anthropogenic emissions by sources and removals by sinks of greenhouse gas;
  - (c) Progress made towards and achieving individual Parties' respective mitigation {insert the relevant phrase from outcome of Article 3.2} under Article 3;
  - (d) Climate change impacts and actions taken to build resilience and reduce vulnerability, and progress on adaptation actions under Article 4;
  - (e) Support provided and received, as relevant, *including specific information required under Article 6.13, 6.14, 7 and 8.*
7. **Option 1:** The information provided by each Party as required under this Article shall be subject to a technical expert review, with additional flexibility to be given to LDCs and SIDS as requested by them, in accordance with [common] guidelines and procedures adopted by the CMA.
 

The review shall provide a thorough, objective and comprehensive technical assessment of the Party's implementation and achievement of its nationally determined mitigation {insert the relevant phrase from outcome of Article 3.2} and other requirements of the Agreement, analyze the extent to which the Parties reporting is in line with the guidelines adopted by the CMA, and identify any areas for improvement in reporting



and possible capacity building, in consultation with the Party concerned. The technical expert review shall be carried out by an expert review team that shall produce a report, to be consulted with the Party concerned, for publication by the secretariat and consideration by the CMA.

[The report shall identify any issues related to compliance.] {review following outcomes from Article 11} A multilateral and facilitative examination shall consider the information above.

**Option 2:** All information provided by developed country Parties, and shall be reviewed through a robust technical review process followed by a multilateral assessment process, and result in a conclusion with consequences for compliance;

All the information provided by developing country Parties should be analyzed through a technical analysis process followed by a multilateral facilitative sharing of views, result in a summary report, in a manner that is nonintrusive, non-punitive and respectful of national sovereignty, according to the level of support received from developed country Parties.

8. The CMA shall, at its first session, building on experience from the arrangements related to transparency under the Convention, and elaborating on the provisions in this Article, adopt [common] modalities, procedures and guidelines, as appropriate, for the transparency of action and support. {Placeholder to revisit this para pending outcomes of discussion on accounting}
9. The transparency arrangements under the Convention, including national communications, biennial reports and biennial update reports, international assessment and review (IAR) and international consultation and analysis (ICA), shall form part of the experience drawn upon for the development of modalities, procedures and guidelines under paragraph 8 of this Article.
10. Support shall be provided to developing countries for the implementation of paragraphs 6 and 7 of this Article.
11. [Developed country Parties shall provide support to developing country Parties in the implementation of this Article.] {to be revised pending global solution in Article 6}
12. Support shall also be provided for the building of transparency-related capacity of developing countries on a continuous basis.

#### **Article 10** (*GLOBAL STOCKTAKE*)<sup>14,15</sup>

1. The CMA shall periodically assess the [overall][collective] progress towards achieving the purpose<sup>16</sup> of this Agreement and its long-term goals. It shall do so in a comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support<sup>17</sup>.
2. The CMA shall undertake its first global stocktake in 2024 and every five years thereafter unless otherwise decided by the CMA.
3. The outcome of the global stocktake shall inform Parties in [undertaking their efforts and] enhancing their successive actions and support, as appropriate, [and in [preparing][and][finalizing] any successive INDC18] in accordance with relevant provisions of this Agreement, with a view to achieving the purpose and long-term goals [and increasing the ambition] of this Agreement in light of [the best available science][and][equity] [and in accordance with the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances].

#### **Article 11** (*FACILITATING IMPLEMENTATION AND COMPLIANCE*)

##### **Option 1: (paragraphs 1 to 4)**

<sup>14</sup> The current text is dependent on the way other Articles of the Agreement develop through the negotiations. It may be necessary to revise the text accordingly.

<sup>15</sup> Support for developing countries' participation in the stocktake should be taken into consideration in the appropriate section.

<sup>16</sup> This language is dependent on a link to the Convention in Article 2, otherwise a reference to the [ultimate] objective of the Convention may be needed.

<sup>17</sup> If references to differentiation are not included in Articles 2, 3, 4, 5, 6 and 7, such language may be needed in this Article.

<sup>18</sup> Placeholder to reference the Parties' actions as related to Articles 3,4,5,6 and 7.

1. A [mechanism][committee] [with differentiation between developed country Parties and developing country Parties][applicable to all Parties] to promote [[and address] compliance with] and facilitate implementation [of the provisions of this Agreement], which shall be expert-based [and facilitative] in nature, and which shall act in a manner that is transparent, non-punitive and non-adversarial [for developing country Parties][for all Parties], is hereby established. [It shall pay particular attention to the respective national capabilities and circumstances of Parties.]
2. The objective of the [mechanism][committee] referred to in paragraph 1 of this Article is:
 

**Option (a):** To promote [and][,] facilitate [and incentivize] effective implementation of [and compliance with] [Articles [3] [, 4, 6, 7, 8] and [9] of] this Agreement.

**Option (b):** [To promote compliance][To address cases of non-compliance] by developed country Parties[, including through the development of an indicative list of consequences], taking into account the cause, type, degree and frequency of non-compliance, and to facilitate implementation by developing country Parties through provision of adequate financial resources and transfer of technology.
3. The [mechanism][committee] shall report annually to the CMA and shall operate under modalities and procedures adopted by the CMA at its first session. The [mechanism][committee] shall elaborate its rules of procedure, which shall be subject to approval by the CMA at its second session.
4. [Placeholder for text by Parties on composition]

**Option 2:**

An International Tribunal of Climate Justice is hereby established to address cases of non-compliance with the commitments of developed country Parties on mitigation, adaptation, provision of finance, technology development and transfer, capacity-building, and transparency of action and support, including through the development of an indicative list of consequences, taking into account the cause, type, degree and frequency of non-compliance.]

**Article 12 (CMA)**

1. The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Agreement.
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.
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 the Parties to this Agreement.
4. The CMA 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 subsidiary bodies as deemed necessary for the implementation of this Agreement;
  - (b) Exercise such other functions as may be required for the implementation of this Agreement.
5. The rules of procedure of the Conference of the Parties and the financial procedures applied under the Convention shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the CMA.
6. The first session of the CMA shall be convened by the secretariat in conjunction with the first session of the Conference of the Parties that is scheduled after the date of entry into force of this Agreement. Subsequent ordinary sessions of the CMA shall be held in conjunction with ordinary sessions of the COP, unless otherwise decided by the CMA.
7. Extraordinary sessions of the CMA shall be held at such other times as may be deemed necessary by the CMA 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.

8. 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 CMA 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 CMA 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 referred to in paragraph 4(b) of this Article.

#### **Article 13** (SECRETARIAT)

1. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Agreement.
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 by the CMA.

#### **Article 14** (SBSTA AND SBI)

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.
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.
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.

#### **Article 15** (BODIES AND INSTITUTIONAL ARRANGEMENTS TO SERVE AGREEMENT)

1. Subsidiary bodies or other institutional arrangements [and mechanisms] established by or under the Convention, in addition to those subsidiary bodies and institutional arrangements explicitly referred to in this Agreement, [shall] [may] serve this Agreement [unless otherwise decided by the CMA] [[upon a decision of the CMA]. [Such decision shall specify the functions to be exercised by such bodies or arrangements]].
2. The CMA may provide further guidance to those subsidiary bodies and institutional arrangements [including the functions to be exercised by such bodies and institutional arrangements] [including for members of such bodies and institutional arrangements nominated by Parties to the Convention that are not Parties to this Agreement] [to the extent that these bodies and institutional arrangements serve this Agreement].

#### **Article 16** (SIGNATURE AND INSTRUMENTS OF RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION)

1. 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 22 April 2016 to 21 April 2017. Thereafter, the Agreement shall be open for accession from the day following the date on which it is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.
2. 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.

3. 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.

**Article 17** (FURTHER REQUIREMENTS AND DECISION-MAKING RIGHTS)

[A Party to the Convention shall [submit] [communicate] to the secretariat when it deposits its instrument of ratification, acceptance, approval or accession a nationally determined [mitigation] [contribution] [commitment] [in accordance with Article 2bis] in order to become Party to the Agreement. [The nationally determined [mitigation] [contribution] [commitment] shall be legally binding on that Party upon entry into force of this Agreement for that Party.]

**Article 18** (ENTRY INTO FORCE)

1. This Agreement shall enter into force on the thirtieth day after the date on which at least [X] [50][55][100] [ the  $\frac{3}{4}$ ] Parties to the Convention [including all Annex I Parties] [and] [or] [on which Parties to the Convention accounting for [55][60][70][X] per cent of total [net] global greenhouse gas emissions in [[date][1990][2000][2010][2012]] have deposited their instruments of ratification, acceptance, approval or accession [whichever occurs first, coming into effect not earlier than 1 January 2020]][.], with such Parties to the Convention accounting for X per cent of total [net] global greenhouse gas emissions [in [date] [1990][2000][2010][2012]] [but not earlier than 1 January 2020].]
2. [For the purposes of paragraph 1 of this Article, "total global [net] greenhouse gas emissions" [of such Parties] means the [total global [net anthropogenic] greenhouse gas emissions [and removals] as estimated by the data set used by the Intergovernmental Panel on Climate Change in its Fifth Assessment Report for analysis of emissions trends][most up-to-date amount communicated on or before the date of adoption of this Agreement by the Parties to the Convention either in their national communications submitted in accordance with Article 12 of the Convention or in their biennial reports or biennial update reports submitted in accordance with decision 1/CP.16 of the Conference of the Parties].]
3. For each State or regional economic integration organization that ratifies, accepts or approves this Agreement or accedes thereto after the condition[s] set out in paragraph 1 of this Article for entry into force [has] [have] been fulfilled, this Agreement shall enter into force on the thirtieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.
4. For the purposes of paragraph 1 of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by its member States.

**Article 19** (AMENDMENTS)

1. The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.
2. [Notwithstanding paragraph 1 of this Article, a Party may propose an adjustment [[to] [enhance] the efforts expressed by its [mitigation commitment] inscribed in] Annex [A or B] [or] [X] to this Agreement. A proposal for such an adjustment shall be communicated to the Parties by the secretariat at least three months before the session of the CMA at which it is proposed for adoption.]
3. [An adjustment proposed by a Party [to enhance] the efforts expressed by its [mitigation commitment] inscribed in Annex [A or B] [or] [X] to this Agreement shall be considered adopted by the CMA 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 it shall enter into force on 1 January of the year following the communication by the Depositary. Such adjustments shall be binding upon Parties.]

**Article 20** (ANNEXES)

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. 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.

2. The provisions of Article 16 of the Convention on the adoption and amendment of annexes to the Convention shall apply mutatis mutandis to this Agreement[, except in respect of the annex containing nationally determined mitigation commitments].

#### **Article 21** (SETTLEMENT OF DISPUTES)

The provisions of Article 14 of the Convention on settlement of disputes shall apply mutatis mutandis to this Agreement.

#### **Article 22** (VOTING)

1. Each Party shall have one vote, except as provided in paragraph 2 of this Article.
2. 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.
3. [Without prejudice to the provisions of Article 15, paragraph 3, of the Convention, Parties shall make every effort to reach agreement on all matters by consensus. If such efforts to reach consensus have been exhausted and no agreement has been reached, a decision shall, as a last resort, be adopted by a three-fourths majority vote of the Parties present and voting.]

#### **Article 23** (DEPOSITARY)

The Secretary-General of the United Nations shall be the Depositary of this Agreement.

#### **Article 24** (RESERVATIONS)

No reservations may be made to this Agreement.

#### **Article 25** (WITHDRAWAL)

1. At any time after three 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.
2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.
3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Agreement.

#### **Article 26** (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.

[Placeholder for annexes] ]

## B. DRAFT DECISION

*[The Conference of the Parties,*

- Pp1 *Recalling* decision 1/CP.17 on the establishment of the Ad Hoc Working Group on the Durban Platform for Enhanced Action,
- Pp2 *Also recalling relevant* decisions of the Conference of the Parties, including decisions 2/CP.18, 1/CP.19 and 1/CP.20,
- Pp3 *Welcoming* the outcome of “Transforming our world: the 2030 Agenda for Sustainable Development”, in particular its goal 13, and the outcome of the Addis Ababa Action Agenda of the third International Conference on Financing for Development,
- Pp4 *Recognizing* that climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires the widest possible cooperation by all countries, and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions,
- Pp5 *Also recognizing* that climate change represents an urgent and potentially irreversible threat to human societies and that deep reductions in global emissions will be required in order to achieve the ultimate objective of the Convention and *emphasizing* the need for urgency to address climate change,

### I. ADOPTION

1. *Decides* to adopt the Paris Agreement under the United Nations Framework Convention on Climate Change (hereinafter referred to as “the Agreement”), contained in the annex;
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to have it open for signature in New York, the United States of America, from 22 April 2016 to 21 April 2017;
3. *Invites* the Secretary-General to convene a high-level signature ceremony for the Agreement on 22 April 2016;
4. *Also invites* all Parties to the Convention to sign the Agreement at the ceremony to be convened by the Secretary-General, or at their earliest opportunity, and to deposit their respective instruments of ratification, acceptance or approval, or instruments of accession, where appropriate, as soon as possible;
5. *Recognizes* that Parties to the Convention may provisionally apply all of the provisions of the Agreement pending its entry into force, and *requests* Parties to provide notification of any such provisional applications to the Depositary;
6. *Notes* that the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) in accordance with decision 1/CP.17, paragraph 4, has been completed;
7. *Decides* to establish, the Ad Hoc Working Group on the Paris Agreement (APA) under the same arrangements, *mutatis mutandis*, concerning the election of officers to the bureau of the ADP;
8. *Also decides* that the APA shall prepare for the entry into force of the Agreement and for the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Agreement (CMA);
9. *Further decides* to oversee the implementation of the work programme resulting from the relevant requests contained in this decision;
10. *Requests* the APA to report regularly to the Conference of the Parties (COP) on the progress of its work and to complete its work by the first session of the CMA;
11. *Decides* that the APA shall hold its sessions starting in 2016 in conjunction with the sessions of the Convention subsidiary bodies and shall prepare draft decisions to be recommended through the COP to the CMA for consideration and adoption at its first session;

### II. INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

12. *Welcomes* the intended nationally determined contributions (INDCs) that have been communicated by Parties in accordance with decision 1/CP.19, paragraph 2(b);

13. *Reiterates* its invitation to all Parties that have not yet done so to communicate to the secretariat their INDCs towards achieving the objective of the Convention as set out in its Article 2 as soon as possible and well in advance of the twenty-second session of the Conference of the Parties and in a manner that facilitates the clarity, transparency and understanding of the INDCs;
14. *Requests* the secretariat to continue to publish the INDCs communicated by Parties on the UNFCCC website;
15. *Reiterates* its call to developed country Parties, the operating entities of the Financial Mechanism and any other organizations in a position to do so to provide support for the preparation and communication of the INDCs of Parties that may need such support;
16. *Takes note* of the synthesis report on the aggregate effect of INDCs communicated by Parties by 1 October 2015, contained in document FCCC/CP/2015/7;
17. [*Notes* with concern that the estimated aggregate greenhouse gas emission levels resulting from the INDCs in 2025 and 2030 do not fall within least-cost 2 °C scenarios, and that much greater emission reduction efforts than those associated with the INDCs will be required in the period after 2025 and 2030 in order to hold the temperature rise to below 2 °C or 1.5 °C above pre-industrial levels;]
18. [*Also notes, in this context,* the adaptation needs expressed by developing countries in their INDCs];
19. *Requests* the secretariat to update the synthesis report referred to in paragraph 16 above so as to cover all the information in the INDCs communicated by Parties pursuant to decision 1/CP.20 by 4 April 2016 and to make it available by 2 May 2016;
20. [[*Decides*][*Invites* the President of the COP] to convene a facilitative dialogue among Parties to take stock of the collective efforts of Parties in [2018][2019] in relation to progress towards the long-term goal referred to in Article 3, paragraph 1, of the Agreement and to inform the preparation of INDCs pursuant to Article 3, paragraph 8, of the Agreement;]
- 20bis. *Requests* the Intergovernmental Panel on Climate Change (IPCC) to provide a special report [in 2018] [in 2019] on the impacts of global warming of 1.5 °C above pre-industrial levels and the global greenhouse gas emission pathways required to achieve the long-term temperature goal;

### III. DECISIONS TO GIVE EFFECT TO THE AGREEMENT

#### *MITIGATION (RE-ARRANGED ACCORDING TO TOPIC)*

##### *{Collective long-term goal}*

21. [*Requests* [X] to [Develop modalities to implement the distribution of a global carbon budget based on climate justice, considering historical responsibilities, ecological footprint, capabilities, state of development and population;]

##### *{First communication}*

22. [*Affirms* that if a Party that has communicated its first INDC before joining the agreement, the INDC communicated will be automatically recognized as its ### under this Agreement, unless otherwise decided by the Party concerned; and that if a Party that has not communicated its first INDC before joining the agreement, the INDC may be communicated by that Party at any time after joining the agreement.]
23. [*Acknowledges* that Parties may adjust the submission of their first ### to make it consistent with the rules and guidance for accounting for anthropogenic greenhouse gas emissions and removals pursuant to Article 3, paragraph 14 of the Agreement[, consistent with Article 3, paragraph 7, of the Agreement][, subject to the requirement that Parties ensure that there is no backsliding in the level of mitigation effort];

##### *{Features}*

24. [[*Decides*][*Notes*] that [Parties] [will][should][may] [developed countries will and others strive to] [developed countries will] communicate ###s that:
  - (a) [Are quantified or quantifiable [or qualitative];]

- (b) [Are unconditional, at least in part]<sup>19</sup> [, with developing countries able to communicate additional levels of mitigation action able to be implemented with support;] [noting that developing countries' ### may be expressed as an unconditional target and a conditional target based on the provision of finance and/or technology transfer and/or capacity-building;]<sup>20</sup>
- (c) [Consider maximizing adaptation co-benefits, and may include contributions in the form of co-benefits resulting from the Party's adaptation contributions and economic diversification plans;]
- (d) [Strive to include all key categories of anthropogenic emissions and removals;]
- (e) [Continue to include any sources, sink or activity that has been previously included, or explain any exclusion in that regard][and its impact][on the achievement of its ###]
- (f) [Ensure that the NDMC is based on real and verifiable information, and that baselines are transparently defined;]
- (g) [Use [common] Intergovernmental Panel on Climate Change (IPCC) metrics, guidance and guidelines for the estimation of greenhouse gas emissions and removals as agreed by the CMA;]
- (h) [Take into account the relevant outcomes of the global stocktake and the process to facilitate implementation as set out in Articles 10 and 11, respectively;]

24bis. [Notes that Parties' ### may:

- (a) [Prioritize actions that are immediately implementable, scalable and results oriented, including REDD-plus;]
- (b) [Use a joint mitigation and adaptation approach for the integral and sustainable management of forests as an alternative policy approach to results-based payments.]

{Information}

**Option 1:** (paragraphs 25–25bis)

25. *Decides* that in order to facilitate clarity, transparency and understanding, the information to be provided by Parties communicating their ### in accordance with Article 3, paragraph 6, of the [Agreement], [shall][should] include, [as appropriate,] inter alia, 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 greenhouse gas emissions and, as appropriate, removals, and how the Party considers that its ### is fair and ambitious, in light of its national circumstances, and how it contributes towards achieving the objective of the [Agreement] as set out in its Articles 2 and Article 3, paragraph 1, of the Agreement;

25bis. The [APA] will develop further guidance for the information to be provided by Parties to be adopted by the CMA.

**Option 2:** (paragraphs 25–25bis)

25. *Decides* that in order to facilitate clarity, transparency and understanding, the information to be provided by Parties communicating their ### in accordance with Article 3, paragraph 6, of the [Agreement], [shall][should] include, [as appropriate,] inter alia:

- (a) Quantifiable information on the reference point (including, as appropriate, for the type of ###, a base year);
- (b) Time frames and/or periods for implementation;
- (c) [Pools, gases and key categories of emissions by sources and removals by sinks included in the ###;]
- (d) The base year or baseline of commitment;

<sup>19</sup> [South Africa wishes its reservation on the original text in brackets to be recorded: “We do not accept any unconditional part of contributions that are nationally determined, particularly if this is a precondition under Art. 17”]

<sup>20</sup> [South Africa wishes its reservation on the original text in brackets to be recorded: “We do not accept any unconditional part of contributions that are nationally determined, particularly if this is a precondition under Art. 17”]



- (e) Assumptions, metrics, methodological approaches and key data sources, including those for projected baselines, if any and estimating and accounting for anthropogenic greenhouse gas emissions and removals;
- (f) Assumptions and methodological approaches including those for estimating and accounting for anthropogenic greenhouse gas emissions and, as appropriate, removals;
- (g) How the Party considers that its ### is fair and ambitious, in light of its national circumstances; and
- (h) How it contributes towards achieving the objective of the [Agreement] as set out in its Article 2 and Article 3, paragraph 1, of the Agreement;

25bis. The [APA] will develop further guidance for the information to be provided by Parties to be adopted by the CMA.

*{Housing}*

- 26. *[Requests the [SBI] to develop modalities and procedures for the operation and use of the registry referred to in Article 3, paragraph 13, of the Agreement, for consideration by the APA at its [X] session, with a view to the APA making a recommendation thereon to the CMA at its first session;]*
- 27. *[Also requests the secretariat to make available an interim registry in the first half of 2016 for the recording of ### submitted in accordance with Article 3 of the Agreement, pending the adoption by the CMA of the modalities and procedures referred to in paragraph 26 above;]*

*{Accounting}*

- 28. *(Paired with Article 3.14 (accounting)):* *[[Recognizing the importance of environmental integrity, transparency, accuracy, completeness, comparability, consistency and avoiding double counting,] Also decides [that the rules and guidance for the accounting [of action and support] referred to in Article 3, paragraph 14[, and Article 9, paragraph 4,] of the Agreement, for consideration and adoption by the CMA at its first session, should ensure that]:*
  - (a) *[Each Party shall] [Parties] ensure methodological consistency [between the communication of nationally determined mitigation [contributions][commitments][other] and the implementation thereof][throughout each implementation term and when tracking progress towards the achievement thereof];*
  - (b) *[Each Party shall] [Parties] include an explanation for the exclusion [its/their] nationally determined mitigation [contribution][commitment][other] of any key categories of emissions or removals and strive to include them over time;*
  - (c) *Parties shall, once a source, sink or activity is accounted for in a nationally determined mitigation [contribution][commitment][other], continue to include it or provide an explanation of why it has been excluded [and an assessment of the impact that such exclusion has on its fulfillment of the nationally determined mitigation [contribution][commitment][other]];*
  - (d) *[Each Party shall:*
    - (i) *To the extent that they use its baselines, maintain them unchanged during implementation, except for technical corrections;*
    - (ii) *To the extent that they use its projected baselines, reflect the emissions and removals that would be expected without additional action];*
  - (e) *Parties use common metrics and methodologies adopted by the Intergovernmental Panel on Climate Change for the estimation of greenhouse gas emissions and removals;*
  - (f) *[Each Party shall account for both anthropogenic emissions and removals and may exclude non-anthropogenic and legacy effects;] [move (a)-(d) to Agreement]*
  - (g) *[Internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation [contribution][commitment][other] [will avoid double counting and] are supplemental to domestic action;]*
  - (h) *[The use of internationally transferred mitigation outcomes is on the basis of an equivalent adjustment by both the transferring Party and the acquiring Party;]*
  - (i) *[The use of realistic and meaningful reference values, based on historical and actual data or projections consistent with long-term trends in historical emissions, builds, where appropriate, on approaches*

established under the Convention and its instruments; in case of any change to reference values, Parties shall provide an explanation of the change;]]

*{Methods and guidance}*

29. *[Decides that each Party may, prior to the elaboration of guidance further to paragraph 3.10, [use][draw from][build on] methodological guidance adopted by the COP/CMP, related to [land use] and REDD-plus.]*
30. *[Also decides that the APA shall develop, for consideration and adoption by the CMA at its first session, principles and guidelines for all actions in the land sector that:*
  - (a) Ensure the integrity and resilience of natural ecosystems;
  - (b) Respect customary and sustainable land-use systems and the security of indigenous peoples' and local communities' land tenure;
  - (c) Are undertaken in an equitable, transparent and participatory manner;
  - (d) Ensure food security;
  - (e) Are consistent with all relevant international obligations;]
  31. *[Decides that Parties shall, when pursuing all mitigation actions, ensure that they are consistent with all relevant obligations, ensure the integrity and resilience of natural ecosystems and respect customary and sustainable land-use systems;]*

*{Long-term strategies}*

32. *[Decides that Parties should formulate and communicate longer-term low-emission development strategies and requests the secretariat to make Parties' communicated low-emission development strategies publicly available.]*

*{Response measures}*

33. *[[Decides to establish a cooperative mechanism by the COP at its [X] session to address the specific needs and concerns of developing country Parties[, including those Parties whose special circumstances are recognized by the COP], arising from the impacts of the implementation of response measures, by building on the work of the forum to develop a specific work programme to be undertaken by the mechanism that shall be implemented, with a view to recommending specific tools, actions and programmes to address the impacts and the implementation gaps in order to avoid and minimize adverse effects on developing country Parties[, including those Parties whose special circumstances are recognized by the COP].[Unilateral measures shall not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade].[Parties strengthen existing arrangements by establishing a cooperative mechanism (platform) under the Convention to manage the transition to low greenhouse gas emission pathways, which would identify and then measure the impacts and which would use existing tools as much as possible and further develop tools to address identified gaps and ensure their operationalization. The governing body shall develop and adopt modalities for a permanent forum under the SBSTA]].*

*{REIOS}*

34. *Decides, in relation to Parties, including regional economic integration organizations, implementing their ### jointly under Article 3, paragraph 18, of the Agreement, that:*
  - (a) Parties, including regional economic integration organizations, that have reached an agreement to implement their ### jointly shall notify the secretariat of the terms of such an agreement on the date of the deposit of their instruments of ratification, acceptance or approval of the Agreement, or accession thereto;
  - (b) The secretariat shall inform Parties to the Agreement [and Parties to the Convention] of the terms of the agreement to implement jointly referred to in paragraph 34(a) above;
  - (c) Any alteration to the composition of the Parties, including regional economic integration organizations, implementing jointly shall not affect any then current ### and shall become applicable for the purpose of the Agreement to the next ### submitted by that organization, by Parties implementing jointly with Parties that have become members of that organization, or by Parties implementing jointly;

*{Cooperative approaches}*

35. [(paired with option 1, Article 3.19 (cooperative approaches)): Requests the [APA] to develop and recommend the guidance referred to under Article 3, paragraph 16, of the Agreement for adoption by the CMA at its first session.]

{Mechanism to support sustainable development}

{Proposed Mechanism 1}

36. [The CMA shall adopt modalities and procedures for the above mentioned mechanism at its first session on the basis of:
- (a) Voluntary participation approved by each Party involved;
  - (b) Real, measurable, and long term benefits related to the mitigation of climate change;
  - (c) Reductions in emissions that are additional to any that would occur in the absence of the certified activity;
  - (d) Certification of mitigation outcomes resulting from each mitigation activity by designated operational entities;
  - (e) Multiple windows for participation;
  - (f) Eligibility rules for participation that promote fair and equitable access for all Parties;
  - (g) Experience gained with existing mechanisms and approaches adopted under the Convention and its related legal instruments;

- 36bis. Requests the APA to recommend modalities and procedures for the mechanism to support sustainable development established under Article [3 ter] for adoption by the CMA at its first session.]

{Proposed Mechanism 2}

37. [Requests the CMA to recommend modalities and procedures for the mechanism to support sustainable development under [Article 3ter] for adoption by the CMA at its first session.]

#### ADAPTATION

38. Requests the [SBSTA][AC and the LEG] to develop methodologies and approaches to recognize the adaptation efforts of developing countries to respond to climate change, as referred to in Article 4, paragraph 3(b), of the Agreement, and make recommendations for adoption by the CMA at its [X] session.
39. [Decides that the activities referred to in Article 4, paragraph 9, of the Agreement should:
- (a) Not be prescriptive or result in the duplication of efforts;
  - (b) Facilitate country-owned and country-driven action;
  - (c) Involve and facilitate the participation of relevant stakeholders, in particular women[, local communities] and indigenous peoples, in planning, decision-making and monitoring and evaluation, and give priority to the poorest and most vulnerable communities and people;
  - (d) Be participatory and inclusive, building on existing community-driven and traditional adaptation efforts[, in all interested developing countries, in particular in the least developed countries (LDCs), small island developing States (SIDS) and countries in Africa][, recognizing the urgent and immediate needs and special circumstances of developing country Parties, especially those that are particularly vulnerable];
  - (e) Promote climate resilience and sustainable development trajectories;
  - (f) [Facilitate access to, while not being a prerequisite for, financial, technological and capacity-building support for adaptation action;]
40. Requests the [SBSTA][AC and the LEG] to prepare recommendations on the communication [or communications on actions, undertakings and/or efforts on adaptation] referred to in Article 4, paragraphs 10 and 11 of the Agreement, for the consideration of the CMA at its first session.
41. Also requests the [SBSTA][AC and the LEG] to develop jointly modalities and procedures for the operation of the registry referred to in Article 4, paragraph 12, of the Agreement, with a view to making recommendations to the CMA at its first session.
42. **Option 1:** Further requests the secretariat to make available an interim registry in 2016 for the recording of adaptation communication [or communications on actions, undertakings and/or efforts on adaptation] referred to in Article 4, paragraph 10 of the Agreement, pending the adoption by the CMA of the modalities and procedures referred to in paragraph 41 above;

- Option 2:** *[Further requests the [AC][LEG][SBSTA][SBI] to [record][compile] the priorities and needs communicated by Parties as established in Article 4, paragraph 10, of the Agreement, with a view to the APA making a recommendation to the [CMA][CMP] at its [first][X] session;]*
43. *Requests, as referred to in Article 4, paragraph 15, of the Agreement, the [SBI and the SBSTA][CMA] to review the work of the adaptation-related institutional arrangements under the Convention in 2017, in order to ensure and enhance the coherence of their work, and to prepare recommendations for consideration at COP 23, and to identify improvements in the articulation of these arrangements in order to respond effectively to the needs of Parties, for consideration by the CMA at its [X] session.*
44. *Also requests the Adaptation Committee to:*
- (a) Establish and maintain stronger linkages with the GCF, [taking into account the balanced 50:50 approach of the allocation of financing between mitigation and adaptation,] the AF and other funds;
  - (b) Evaluate information on finance, technology and capacity-building support for adaptation;
  - (c) Provide recommendations on existing methodologies for adaptation;
  - (d) Take any other appropriate actions to enhance and support adaptation efforts via finance, technology transfer and capacity-building;
  - (e) Identify, as outlined in Article 4, paragraph 3(c), of the Agreement, the implications of the aggregate mitigation effort for projected regional impacts on the basis of the best available science, with the aim of assisting developing countries particularly vulnerable to the adverse effects of climate change[, including the LDCs, SIDS and Africa,] with:
    - (i) National adaptation planning;
    - (ii) The identification of gaps in capacity and knowledge in the light of projected impacts;
    - (iii) The development of strategies to address projected impacts.
45. *Establishes a technical and knowledge platform under the Nairobi work programme on impacts, vulnerability and adaptation to climate change in order:*
- (a) To facilitate the dissemination and enhancement of climate change scenarios as well as methods and tools for assessing impacts and vulnerability, as well as information on adaptation benefits, practices and outcomes[, in line with Articles 4, paragraphs 1(g) and 5, of the Convention];
  - (b) To develop and strengthen global, regional, national and local capacities, as well as social capacities, to address adaptation concerns [and to use adaptation metrics];
  - (c) To promote, coordinate and strengthen adaptation knowledge platforms, centres and networks at all levels so as to fill adaptation knowledge gaps;
  - (d) To incorporate the sustainable management of ecosystems in adaptation planning and actions;
  - (e) To enhance understanding of the global and regional implications of adaptation actions, of interlinkages among local, national, regional and global adaptation actions, and of progress made in reducing vulnerability at all levels and in achieving the goals referred to in Article 2, paragraph 2, and Article 4, paragraph 1, of the Agreement;
46. *Requests the Adaptation Committee to operationalize the technical and knowledge platform referred to in paragraph 45 above;*
47. *[Decides that the AC shall report annually to the CMA on priority areas of concern for regions;]*
48. *Invites all relevant United Nations agencies and international, regional and national financial institutions to provide information to Parties through the secretariat on how their [development assistance][climate finance] programmes [and finance] incorporate climate-proofing and climate resilience measures;*
49. *Requests Parties to strengthen regional cooperation on adaptation where appropriate and, where necessary, establish regional centres and networks, in particular in developing countries[, with support from developed country Parties as previously agreed to in decision 1/CP.16, paragraph 13].*
50. *[Requests the [SBI][SCF][AC and the LEG] to develop modalities and procedures to assist developing countries to assess their adaptation needs without placing an undue burden on them, through existing mechanisms under the Convention, and make recommendations for consideration and adoption by the CMA at its [X] session.]*
51. *[Requests the operating entities of the Financial Mechanism and developed country Parties to provide financial support for undertaking the adaptation needs assessment referred to in paragraph 50 above.]*

52. [*Requests* the [SBI][SCF][AC and the LEG] to develop methodologies, and make recommendations for consideration and adoption by the COP at its [X] session, for:
- (a) Taking the steps necessary to ensure that the level of support meets the needs for adaptation in developing countries in the context of the limit to global average temperature increase referred to in Article 2 of the Agreement;
  - (b) Assessing the adequacy of support referred to in Article 4, paragraph 7(d), of the Agreement.]
53. [*Requests* the GCF to establish programmes for expedited support for the LDCs for the formulation of NAPs as defined in decisions 1/CP.16 and 5/CP.17, and the subsequent implementation of policies, projects and programmes identified by them.]

#### LOSS AND DAMAGE

54. *Invites* all Parties to reduce the risk of, and address, loss and damage associated with the adverse effects of climate change;
55. *Encourages* Parties to strengthen and, where appropriate, develop early warning systems and risk management plans for both extreme events and slow onset events;
56. *Agrees* to further develop and elaborate the work of the Warsaw International Mechanism, pursuant to relevant decisions of the COP, including the development of modalities and procedures for the mechanism's operation and support. This can 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;
57. *Requests* the Executive Committee of the Warsaw International Mechanism to develop interim modalities and procedures, for review and adoption by the CMA at its [X] session, for the operation of the climate change displacement coordination facility referred to in Article 5, paragraph 3, of the Agreement, which shall:
- (a) Assist in developing arrangements for emergency relief;
  - (b) Assist in providing organized migration and planned relocation;
58. *Also requests* the Executive Committee of the Warsaw International Mechanism to develop guidelines for a comprehensive approach to climate risk management;
59. *Decides* to:
- (a) Establish a clearing house for risk transfer in order to:
    - (i) Provide a repository for information on insurance and risk transfer;
    - (ii) Assist Parties in developing and implementing risk management strategies and finding the best insurance schemes;
    - [(iii) Facilitate financial support for rehabilitation;]
  - [(b) Establish a financial technical panel to explore approaches for:
    - (i) Establishing regional and subregional pools to support regional and subregional risk transfer schemes;
    - (ii) Providing support for microfinance initiatives;
    - (iii) Exploring finance for slow onset events;]
60. *Requests* the Executive Committee of the Warsaw International Mechanism to initiate, at its next meeting, its work related to the operationalization of the provisions contained in paragraph 59 above, and to report on progress thereon to the CMA at its [X] session;

#### FINANCE

61. [*Recognizes* the importance of providing grant-based and highly concessional finance for adaptation to the poorest, most vulnerable developing countries;]
62. [*Decides* that, in the implementation of the Agreement, financial resources provided by developed country Parties and other Parties included in Annex II to the Convention to developing countries should enhance the implementation of their policies, strategies, regulations and action plans and their climate change actions with respect to both mitigation and adaptation to contribute to the achievement of the [objective][purpose] of the Agreement, meeting costs of adaptation, addressing loss and damage and including access to and transfer of

environmentally-sound technologies and capacity-building, based on the principles and in accordance with the provisions of the Convention;]

63. [Decides that the significant share of new multilateral funding for climate change actions should flow through the Financial Mechanism and the funds established under the Convention and its Kyoto Protocol;] {Placement proposal: to be discussed under COP agenda item on long-term climate finance/in the Agreement}
64. [Decides to establish a process for the consideration of new and [alternative][additional] sources of finance beyond existing bilateral and multilateral sources, in accordance with the terms of reference to be developed by the COP [at its twenty-second session], with a view to the COP taking a decision on this matter at its twenty-third session;]
65. [Decides to consider ways to enhance the effectiveness of climate finance;]
66. [Decides to support developing country Parties, including through the provision of financial resources, to determine and report on their financing needs and country programming priorities for the post-2020 period;]
67. [Further decides to establish a process to review the reports of developing countries in light of efforts to scale up financial support to developing countries in accordance with Article 11, paragraph 3(d), of the Agreement;]
68. [Decides that adequate, predictable and sustainable financial resources for the implementation of REDD-plus activities, including for results-based payments, shall be provided by Parties pursuing the coordination of support to, inter alia, public and private sources, including the Green Climate Fund in accordance with relevant decisions by the COP;]
69. **Option 1:**  
 [[Decides that in accordance with Article 6, paragraph 16, of the Agreement [and decision 3/CP.19][developed country] Parties [and other Parties included in Annex II to the Convention], shall communicate biennially on [the provision and mobilization of financial resources][their efforts] and include, inter alia, the following as appropriate:]
- (a) [Information to increase clarity on the expected levels of climate finance mobilized from different sources;]
  - (b) Information on their policies, programmes and priorities;
  - (c) Information on actions and plans to mobilize additional finance
  - (d) [Information on actions to enhance enabling environments in order to mobilize and attract climate finance from a variety of sources;]
  - (e) Information on investment plans to implement nationally determined contributions, including financing needs to implement an enhanced level of ambition;
  - (f) [Information on efforts to integrate climate consideration including resilience into their international and domestic development strategies;
  - (g) Information on mobilization of domestic resources;
  - (h) Information on efforts to reduce international support for high emission and maladaptive investments]
  - (i) [Information on adequacy of the support provided;]

**Option 2:**

[Decides that the CMA shall facilitate the communication of the information referred to in Article 6, paragraph 16, of the Agreement, to improve transparency, consistency, comparability, completeness and accuracy, taking into account the periodic assessment by the Standing Committee on Finance;]

70. [Also decides to ensure that the provision of financial resources, development and transfer of technology and capacity-building for enhanced climate actions, including for loss and damage, shall be measured, reported and verified through modalities established under the Convention by the relevant subsidiary bodies of the Convention. Such modalities shall ensure that there shall be no double counting of financial resources provided and ensuring the environmental integrity of this agreement;]
71. [Further decides that measurement, reporting and verification of financial resources, including for meeting costs of adaptation, transfer of technology and capacity-building shall be provided in accordance with Article 4, paragraphs 3, 4 and 5, 8, and 9, in implementation of Article 4, paragraph 7 of the Convention, as well as financing provided through the Warsaw Mechanism for Loss and Damage;]

72. [Decides that, when accounting for financial resources provided and mobilized through public interventions, developed country Parties and other developed Parties included in Annex II to the Convention shall ensure that:
- (a) Such financial resources accounted for specifically target climate adaptation, mitigation and cross-cutting activities as their main objective in line with the criteria from the IPCC;
  - (b) Any uncertainty is to be overcome following the principle of conservativeness, where it is preferable that financial resources are under reported rather than over reported;
  - (c) Where multiple actors are involved, the resulting financial resources are only counted once;
  - (d) Mobilized private financial resources are only reported where there is a clear causal link with a public intervention and the activity would not have moved forward, or moved forward at scale, in the absence of the public intervention;
  - (e) Mobilized multilateral financial resources are adjusted so that only the share attributed to developed country Parties and other developed Parties included in Annex II to the Convention is accounted for;]  
*{Placement proposal: to be moved to Article 9}*
73. [Also decides that the guidelines as per Article 6, paragraph 18, of the Agreement shall be developed in accordance with the provisions of the Convention and relevant decisions of the COP mutatis mutandis under the Agreement, and will be part of the common framework for transparency of action and support under Article 9 of this Agreement;]
74. [Further decides that the existing operating entities of the Financial Mechanism the Green Climate Fund and the Global Environment Facility shall serve this Agreement. [The Special Climate Change Fund, the Least-Developed Countries Fund and the Adaptation Fund will also serve the Agreement. Other funds may be established under this agreement.] The CMA has the authority to modify this list. [The operation of the Financial Mechanism shall remain open to be entrusted to other existing international entities.]]
75. [Decides that the CMA shall provide guidance on the policies, programme priorities, and eligibility criteria for the financial mechanism of this Agreement.] [The COP shall forward the guidance by the CMA to the operating entities in their entirety;]
76. [Also decides that a developing country Party in need of support is eligible to receive support from the operating entities of the Financial Mechanism, if it has communicated an NDMC under Article 3 of the Agreement and has submitted timely reports under Article 9 of the Agreement;]
77. Further decides that the Standing Committee on Finance shall serve the Agreement in line with its functions and responsibilities established under the COP;

#### TECHNOLOGY DEVELOPMENT AND TRANSFER

78. [Decides to strengthen the technology needs assessment (TNA) process, taking into account existing efforts, including under the Poznan strategic programme on technology transfer, by enhancing:
- (a) The implementation of the results of the TNA process through, inter alia, technology action plans and project proposals;
  - (b) [The alignment of TNAs more closely with bankable finance projects and] improving TNAs to result in implementable projects;
  - (c) The synergy between the TNA process and other arrangements related to the implementation of mitigation and adaptation actions, as appropriate;
  - (d) The operationalization of decision 18/CP.20 in the TNA process towards achieving gender-responsive climate policy in all relevant activities under the Convention;]\*
- \* This paragraph will be finalized in the light of any relevant decision of COP 21 on strengthening the TNA process.*
79. [Requests the Technology Executive Committee (TEC) to elaborate the means of strengthening the TNA process referred to in paragraph 78 above, taking into account ongoing work relating to this matter, for consideration and adoption by the COP at its twenty-third session;]
80. Decides to strengthen the Technology Mechanism and requests the TEC and the Climate Technology Centre and Network (CTCN) to support the implementation of the Agreement[, including by strengthening their work relating to, inter alia, technology research, development and demonstration];

81. **Option 1:** *[Encourages]* [Parties][Developed country Parties][ Parties included in Annex X to the Agreement] [to][shall][should] take steps to [improve enabling environments] [and address barriers] for technology development and transfer by:
- (a) **Option (a):** Establishing and strengthening policy frameworks, institutions and the capacity to build country ownership and innovation, integrating a gender perspective and involving and strengthening the potential of citizens and communities;  
**Option (b):** Arrangements shall be established to address intellectual property rights (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;
  - (b) [Leveraging and attracting private-sector investments and promoting access to [public-sector technology][technology in the public domain];]
  - (c) Strengthening the development and enhancement of endogenous capacities and technologies;
  - (d) In accordance with Article 4, paragraph 5, of the Convention, developed country Parties shall provide financial resources to address barriers created by 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 charge in order to enhance their actions to address climate change;
- Option 2:** [Developed country Parties][Parties included in Annex X to the Agreement] [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 to the Agreement];
  - (b) [Leverage enhanced support from the private sector for technology development and transfer to [developing country Parties][Parties not included in Annex X to the Agreement]] [Promote access to public-sector technology and promote technology 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 to the Agreement];
82. **Option 1:** *Requests* the [APA] to develop recommendations regarding the technology framework referred to in Article 7, paragraph 3, of the Agreement, for consideration and adoption by the [CMA] at its first session, taking into account the need to avoid duplication and the opportunity to create synergies; the [APA] should consider, inter alia, the relationship between that framework and the framework for meaningful and effective actions [to enhance the implementation of Article 4, paragraph 5, of the Convention,] as well as the functions of the former and its linkage to the Technology Mechanism;
- Option 2:** *[Decides that]* the SBI review the Technology Framework [Technology Mechanism under the framework] with a view to strengthening it, taking into consideration that the framework shall, inter alia] [Requests the [APA][SBI][SBSTA][others] to elaborate on the technology framework established under Article 7, paragraph 3, of the Agreement, taking into consideration that it shall, inter alia]:
- (a) Facilitate the undertaking and updating of TNAs in developing country Parties;
  - (b) Facilitate various options for enabling developing countries' access to technologies;
  - (c) Facilitate the [undertaking of technology assessments][conducting of regular assessments [on][of] technologies that are ready for transfer];
  - (d) Make the list of ready-to-transfer technologies;
  - (e) Set the target for supporting the development and transfer of each technology to developing countries[and urging Parties to communicate to the secretariat in their INDC on the provision of the technology in a manner that facilitates clarity and understanding of the provision of support] [and anchoring dedicated nodal research, development and demonstration facility on technology development and transfer];
  - (f) [Mobilize resources to deliver the support] [[Facilitate] enhance financing and technical support for the implementation of the outcomes of the TNAs of developing countries];



- (g) Address barriers to and create appropriate enabling environments for technology development and transfer;

**Option 3:** *Requests* the SBs to elaborate upon the technology framework referred to in Article 7, paragraph 3, of the Agreement.

83. *Decides* that the TEC and the CTCN shall report to the CMA, through the subsidiary bodies, on their activities to support the implementation of the Agreement;
84. *Also decides* to undertake a periodic assessment of the effectiveness of and the adequacy of the support provided to the Technology Mechanism in supporting the implementation of the Agreement on matters relating to technology development and transfer;
85. *Requests* the SBI to elaborate the scope and modalities of the periodic assessment referred to in paragraph 84 above, taking into account the review procedures of the CTCN as stipulated in annex VII to decision 2/CP.17 and the modalities for the stocktaking referred to in Article 10, paragraph 1, of the Agreement, for consideration and adoption by the COP at its [xx] session;

#### CAPACITY-BUILDING

##### **Option 1:** (paragraph 86)

86. *Requests* the SBI to act on the outcome of the third review of the Framework for capacity-building in developing countries, including ensuring appropriate institutional arrangements related to the implementation of Article [8] of the [Agreement], and to submit a proposal for consideration by the COP at its twenty-second session;

##### **Option 2:** (paragraphs 86-94)

86. *Decides* to launch the Paris Work Programme on Capacity-Building (PWPCB) from 2016 to 2019 [under the capacity-building committee hereby established] with the aim of addressing gaps and needs, both current and emerging, in implementing capacity-building in developing country Parties and further enhancing capacity-building efforts including coherence and coordination in capacity-building activities under the Convention by:
- (a) Assessing how to increase synergies of cooperation and avoid duplication between existing bodies established under the Convention that implement capacity-building activities, including collaborating with institutions under and outside the Convention;
  - (b) Identifying capacity gaps and needs and recommending ways to fill these gaps, including through increased and more targeted climate finance, taking into account the results of in-depth analysis of country needs and challenges for capacity-building;
  - (c) Promoting the development and dissemination of tools and methodologies for the implementation of capacity-building;
  - (d) Fostering global, regional, national and subnational cooperation;
  - (e) Identifying and collecting good practices, challenges, experiences, and lessons learned in work on capacity-building by bodies established under the Convention;
  - (f) Exploring how developing countries can take ownership of building and maintaining capacity over time and space;
  - (g) Identifying opportunities to strengthen capacity at the national, regional, and subnational level;
  - (h) Fostering dialogue, coordination, collaboration and coherence among relevant processes and initiatives under the Convention, including through exchanging information on capacity-building activities and strategies of bodies established under the Convention;
  - (i) Providing guidance to the secretariat on the maintenance and further development of the web-based Capacity-Building Portal;
87. *Decides* that the [PWPCB][capacity-building committee] will annually focus on an area or theme for enhanced technical exchange on capacity-building, with the purpose of maintaining up-to-date knowledge on the successes and challenges of building capacity effectively in a particular area; [for example in 2016, capacity-building for reporting; in 2017, capacity-building for adaptation actions, etc.];
88. *Requests* the SBI to organize an annual in-session meeting of the [PWPCB][capacity-building committee] for four years, beginning in 2016;
89. *Requests* relevant bodies established under the Convention to nominate two members to participate in the meetings of the [PWPCB][capacity-building committee], as appropriate;

90. *Decides* that the [PWPCB][capacity-building committee] will commission a survey with questions addressed to operating entities, bodies established under the Convention and other relevant organizations outside the Convention to identify institutional gaps and additional linkages or alignment that can be achieved;
91. *Decides* that the inputs to the [PWPCB][capacity-building committee] will include, inter alia, submissions, the outcome of the third comprehensive review of the implementation of the Capacity-Building Framework, the secretariat's annual synthesis report on the implementation of the framework for capacity-building in developing countries, and the secretariat's compilation and synthesis report on capacity-building work of bodies established under the Convention and its Kyoto Protocol;
92. *Requests* the secretariat to submit annual technical progress reports on the work of the [PWPCB][capacity-building committee] to the SBI for its consideration at the sessions of the SBI that are held in conjunction with sessions of the COP;
93. *Decides* that the [PWPCB][capacity-building committee] will complete its work by SBI 50 (December 2019), with a view to providing recommendations to the SBI at the same session;
94. *Invites* the CMA, at its first session, to:
  - (a) Review the efficiency and effectiveness of the [PWPCB][capacity-building committee];
  - (b) Consider the recommendations of the SBI, as it seeks to enhance capacity-building activities under the Agreement;
  - (c) [Establish the capacity-building mechanism pursuant to Article 8, paragraph 5, of the Agreement;]

**Option 1:** (paragraph 95)

95. *Requests* the [IPC] [SBI] to prepare a recommendation for the CMA on the enhancement and intensification of the work of the institutional arrangements on capacity-building;

**Option 2:** (paragraph 95)

95. *Requests* the [IPC] [SBI] to develop modalities and procedures for the capacity-building mechanism established by Article 8, paragraph 5, of the Agreement;

**Option 3:** (paragraphs 95 and 95bis) {International Mechanism for Capacity Building under the Convention and the Agreement}

95. The International Mechanism for Capacity-Building is the institutional arrangement for capacity-building under the Convention, the Kyoto Protocol and the Agreement and constitutes the Durban Forum, the capacity-building portal and the proposed Capacity-building Coordination Committee (proposed in decision X/CP.21). The mechanism is established under the Capacity Building Frameworks (decisions 2/CP.7 and 3/CP.7) to address capacity-building needs and gaps in developing countries and countries with economies in transition as they implement the Convention, the Kyoto Protocol and the Agreement;
- 95bis. In fulfilling its role in a comprehensive, integrated and coherent manner, the International Mechanism for Capacity-Building shall:
  - (a) Enhance knowledge on and understanding of technical and management approaches to addressing capacity-building needs and gaps in developing countries and countries with economies in transition by facilitating and promoting: (a) action to address gaps in the understanding of and expertise on approaches to addressing capacity-building associated with the implementation of the Convention, its Kyoto Protocol and the Agreement; (b) the collection, sharing, management and utilization of relevant data and information; and (c) the translation into implementable actions of the synthesis of best practices, challenges, experiences and lessons learned drawn and developed by the secretariat from the Durban Forum and any data and information from the Capacity-Building Portal;
  - (b) Strengthen dialogue, coordination, coherence and synergies among relevant stakeholders;
  - (c) Provide leadership and coordination and, as and where appropriate, oversight of the assessment and implementation of approaches to addressing capacity-building needs and gaps in developing countries and countries with economies in transition associated with the implementation of the Convention, its Kyoto Protocol and the Agreement;
  - (d) Foster dialogue, coordination, coherence and synergies among all relevant stakeholders, institutions, bodies, processes and initiatives outside of the Convention, with a view to promoting cooperation and collaboration across relevant work and activities at the subnational, national, regional and international levels;

- (e) Enhance action and support, including in relation to adaptation, mitigation, finance and technology, to address capacity-building under the Convention, the Kyoto Protocol and the Agreement;
  - (f) Provide information and recommendations on addressing capacity-building implementation needs and gaps in developing countries and countries with economies in transition for consideration by the Conference of the Parties when providing relevant guidance to the Financial Mechanism of the Convention and its operating entities under the Convention, its Kyoto Protocol and the Agreement;
  - (g) Facilitate the mobilization and securing of expertise, and the enhancement of support, including in relation to adaptation, mitigation, finance and technology, to strengthen existing approaches and, where necessary, facilitate the development and implementation of additional approaches to addressing capacity-building under the Convention, its Kyoto Protocol and the Agreement;
  - (h) Strengthen, consolidate and enhance the sharing of relevant information, knowledge, experience and good practices, at the local, national, regional and international levels, taking into account, as appropriate, traditional knowledge and practices and gender-disaggregated data and information;
  - (i) Complement, draw upon the work of and involve, as appropriate, existing bodies and expert groups under the Convention, the Kyoto Protocol and the Agreement, as well as relevant organizations and expert bodies outside of the Convention, at the subnational, national and international levels;
  - (j) Promote synergies and strengthen engagement with subnational, national, regional and international organizations, centres and networks in order to enhance the implementation of capacity-building actions on mitigation, adaptation, technology and finance in developing countries and countries with economies in transition;
  - (k) Consider data and information communicated by countries and other partners on the monitoring and review of capacity-building at the subnational, national, regional and international levels in relation to mitigation, adaptation, technology transfer, support provided and received, possible needs and gaps and other relevant information;
  - (l) Assess and provide recommendations on further actions that may be required to lift constraints on and fill gaps in capacity-building at the subnational, national, regional and international levels, particularly in developing countries and countries with economies in transition.]
96. *Calls upon* all Parties to ensure that education, training and public awareness, as reflected in Article 6 of the Convention and in Article 8bis of the Agreement are adequately considered in their contribution to capacity building;
97. *Requests* the CMA to explore ways of enhancing the implementation of training, public awareness, public participation and public access to information so as to enhance actions under this Agreement, at its first session;
- TRANSPARENCY OF ACTION AND SUPPORT*
98. *Decides* to establish the Capacity-building Initiative for Transparency in order to build institutional and technical capacity, both pre- and post-2020. This initiative will support developing country Parties, upon request, in meeting [enhanced] transparency requirements as defined in Article 9[, paragraph 6,] of the Agreement in a timely manner.
99. *Also decides* that this initiative will aim:
- (a) To strengthen national institutions for transparency-related activities in line with national priorities;
  - (b) To provide relevant tools, training and assistance for meeting the provisions stipulated in Article 9 of the Agreement;
  - (c) To assist in the improvement of transparency over time.
100. *Requests* the operating entities of the Financial Mechanism to support the establishment and operation of the Initiative. In particular, urges and requests the Global Environment Facility to make arrangements to support the establishment and operation of this Initiative as a priority reporting-related need, including through voluntary contributions to support developing countries in GEF-6 and future replenishment cycles, to complement existing support under the GEF.
101. *Also requests* the [APA][SBSTA] to develop recommendations for modalities, procedures and guidelines in accordance with Article 9, paragraph 8, of the Agreement, and to define the year of their first and subsequent review and update, as appropriate, at regular intervals, for consideration and adoption at the first session of the CMA/by the twenty-fourth session of the COP, taking into account, inter alia:

- (a) The importance of facilitating improved reporting and transparency over time;
  - (b) The need to avoid undue burden and duplication;
  - (c) The need to ensure that there is no backsliding;
  - (d) The need to ensure that there is no double counting;
  - (e) The need to ensure environmental integrity.
102. *Further requests* the [APA][SBSTA], when developing modalities, procedures and guidelines in accordance with paragraph 101 above, to consider, inter alia:
- (a) The application of technical corrections in the review of greenhouse gas inventories provided in accordance with Article 9, paragraph 4(a), of the Agreement;
  - (b) The types of flexibility to developing countries set out in Article 9, paragraph 2, of the Agreement including scope, frequency of reporting, level of detail, and the application of a grace period;
  - (c) The methodological consistency between the communication of nationally determined mitigation {insert the relevant phrase from outcome of Article 3.2} and their implementation;
  - (d) Explanations of key categories of emissions and removals excluded from nationally determined mitigation {insert the relevant phrase from outcome of Article 3.2} and strive to include them over time;
  - (e) That Parties, once a source, sink or activity is accounted for in a nationally determined mitigation {insert the relevant phrase from outcome of Article 3.2}, continue to include it or provide an explanation of why it has been excluded;
  - (f) That Parties use common metrics and methodologies adopted by the Intergovernmental Panel on Climate Change for the estimation of greenhouse gas emissions and removals;
  - (g) That internationally transferred mitigation outcomes used by any Party to meet its nationally determined mitigation {insert the relevant phrase from outcome of Article 3.2} are supplemental to domestic action;
  - (h) That Parties report on progress made in the implementation of their national adaptation plans to the secretariat every two years and collectively exchange information and share lessons learned in the implementation of adaptation, including at the SBSTA, and by promoting, coordinating and strengthening adaptation knowledge platforms, centres and networks;
  - (i) That Parties improve the methodologies used for reporting information on their adaptation undertakings, their assessment of climate change impacts, their quantification of and information on vulnerability, and their quantification of impacts, actions taken to build resilience and reduce vulnerability, and investments required, and for contributing information to the global stocktake, as set out in Article 10 of the Agreement;
  - (j) Support provided, enhancing delivery of support for both adaptation and mitigation through, inter alia, the common tabular formats for reporting support, and taking into account the SBSTA agenda item on methodologies for reporting on finance, domestic measurement and international verification, and enhancing the reporting by developing countries on support received, including the use, impact and estimated results thereof;
  - (k) Enhanced domestic monitoring, reporting and verification systems for action and support;
  - (l) Developing an international system of accounting designed to avoid double or multiple counting of support across countries and donors;
  - (m) Information to enable the tracking of progress against the aggregate goal for finance, set out in Article 6, paragraph 10, of the Agreement, the global stocktake set out in Article 10 of the Agreement, and the broader transformation of financial flows;
  - (n) Drawing on the biennial assessments and other reports by the SCF and other relevant bodies under the Convention;
  - (o) Enhancing the clarity and tracking of progress on the financial resources provided and mobilized by developed country Parties and other developed Parties included in Annex II to the Convention, both at the individual and collective levels;
  - (p) Enhanced reporting on the negative social and economic impact of response measures.

{This section requires adjustments to align with outcomes from other relevant Articles }

103. *Decides* to continue and to further strengthen the mandate of multilateral assessment for the provision of financial resources, technology development and transfer, and capacity-building to developing countries Parties during the international assessment and review process for those Parties, in order to ensure that commitments and the provision of such support by developed country Parties and other developed Parties included in Annex II to the Convention are implemented, verified through a robust verification system and meet the needs expressed and identified by developing country Parties, recalling the mandate contained in decision 2/CP.17, paragraph 26, on revising the modalities and procedures for international assessment and review no later than 2016;
104. *Also decides* that developed country Parties and other developed Parties included in Annex II to the Convention shall report on the provision of financial resources, technology development and transfer, and capacity-building to developing countries, in line with the common methodologies adopted by the COP as mandated by decision 2/CP.17, paragraph 19;
105. *Requests* that the progress of work under the work programme referred to in paragraph 9 above be reported to future sessions of the Conference of the Parties and that this work be concluded no later than 2018;
106. *Decides* that Parties' first biennial communications shall be submitted in 2022;
107. *Also decides* that the review of reporting shall commence three months after the submission of the biennial communications;
108. *Further decides* that the measurement, reporting and verification system established by decisions 1/CP.16 and 2/CP.17 shall be superseded by the common system of transparency of action and support, immediately following the submission of the final biennial reports and biennial update reports.

#### GLOBAL STOCKTAKE

109. **Option 1:** *Decides* that a comprehensive assessment resulting from the global stocktake referred to in Article 10 of the Agreement shall take into account, inter alia:
  - (a) An updated aggregate synthesis report on the [overall] [collective] effect of the nationally determined contributions communicated by Parties;
  - (b) [The [overall] [collective] effect of the nationally determined contributions communicated by Parties for subsequent commitment periods;]
  - (c) The state of adaptation efforts, experiences and priorities, including information from national adaptation plans;
  - (d) The mobilization and provision of means of implementation and support;
  - (e) The latest reports of the IPCC;
  - (f) [The [overall] [collective] effect of NDC as informed by the aggregated output of the collective monitoring, reporting and verification process under Article 9 of the Agreement, including from national communications and biennial assessment of the SCF];
  - (g) Relevant inputs from [the 2013–2015 review and] the technical examination process as referred to in decision 1/CP.20, paragraph 19 [of opportunities to enhance practical action];
  - (h) Relevant existing mechanisms of the Convention;
  - (i) Input from relevant international organizations, non-state actors and international cooperative initiatives;
  - (j) Other inputs identified by the CMA.

**Option 2:** *Requests* the [body] to identify the sources of input for the global stocktake referred to in Article 10 of the Agreement and to report to the CMA, for consideration and adoption at its first session;
110. *Requests* the SBSTA to provide advice on how the assessments of the Intergovernmental Panel on Climate Change can inform the stocktaking of the implementation of the Agreement pursuant to its Article 10 and to report to the [body] on this matter at its first session;
111. *Requests* the [body] to develop modalities for the global stocktake referred to in Article 10 of the Agreement and to report to the CMA, for consideration and adoption at its first session;

#### FACILITATING IMPLEMENTATION AND COMPLIANCE

[112. *Requests* the [APO] to develop the modalities and procedures for the effective operation of the [mechanism][committee][International Climate Justice Tribunal] referred to in Article 11 of the Agreement, with a view to the APO completing its work on this matter for consideration and adoption by the CMA at its first session. [These modalities and procedures shall, inter alia, set out the structure of the [mechanism][committee] and the range of actions to be taken by the [mechanism][committee] to carry out its functions[, taking into account the transparency framework referred to in Article 9 of the Agreement].]

#### IV. [WORKSTREAM 2]

##### [ [A. Preamble]

*The Conference of the Parties,*

Pp1 *Recalling* Articles 2, 3 and 4 of the Convention,

Pp2 *Also recalling* decisions, 1/CP.17, 2/CP.18, 1/CP.19 and 1/CP.20,

Pp3 *Emphasizing* with serious concern the urgent need to address the significant gap between the aggregate effect of Parties' mitigation pledges global annual emissions of greenhouse gases by 2020 [and aggregate emission pathways] consistent with having a likely chance of keeping the increase in global average temperature below 2 °C [or 1.5 °C] above pre-industrial levels,

Pp4 *Stressing* the urgency of accelerating the implementation of the Convention and its Kyoto Protocol in order to enhance pre-2020 ambition,

Pp5 *Recognizing* the urgent need to enhance the provision of finance, technology and capacity-building support by developed country Parties, in a predictable manner, to enable enhanced pre-2020 action by developing country Parties,

Pp6 *Emphasizing* that enhanced pre-2020 ambition can lay a solid foundation for enhanced post-2020 ambition,

Pp7 *Also emphasizing* the enduring benefits of ambitious and early action, including major reductions in the cost of future mitigation and adaptation efforts,

Pp8 *Agreeing* to uphold and promote regional and international cooperation in order to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples,

##### [B. Mitigation]

113. *Resolves* to ensure the highest possible mitigation efforts in the pre-2020 period, including by:

- (a) Urging all Parties to the Kyoto Protocol that have not already done so to ratify and implement the Doha Amendment to the Kyoto Protocol;
- (b) Urging all Parties that have not already done so to make and implement a mitigation pledge under the Cancun Agreements;
- (c) Reiterating its resolve, as set out in decision 1/CP.19, paragraphs 3 and 4, to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13 and enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts by all Parties under the Convention;
- (d) Inviting developing country Parties that have not submitted their first biennial update reports to do so as soon as possible;
- (e) Urging all Parties to participate in the existing measurement, reporting and verification processes under the Cancun Agreements, in a timely manner, with a view to demonstrating progress made in the implementation of their mitigation actions, and urging those Parties with pledges under the Cancun Agreements to do so with a view to demonstrating the full implementation of their pledges;

114. *Encourages* Parties to promote to Party and non-Party stakeholders the voluntary cancellation, without double counting, of units, including certified emission reductions issued under the Kyoto Protocol that are valid for the second commitment period;
115. [*Urges* host and purchasing Parties to report transparently on internationally transferred mitigation outcomes, including those outcomes used to meet international pledges, and emission units issued under the Kyoto Protocol with a view to promoting environmental integrity and avoiding double counting;]
116. *Recognizes* the social, economic and environmental value of voluntary mitigation actions and their co-benefits for adaptation, health and sustainable development;
117. *Resolves* to strengthen, in the period 2016–2020, the existing technical examination process on mitigation as defined in decision 1/CP.19, paragraph 5(a) and decision 1/CP.20, paragraph 19, taking into account the latest scientific knowledge, including by:
- (a) Encouraging Parties, Convention bodies, international organizations and non-Party stakeholders to engage in this process, to share their experiences and suggestions, including from regional events, and to cooperate in facilitating the implementation of policies, practices and actions identified during this process in accordance with national sustainable development priorities;
  - (b) Striving to improve, in consultation with Parties, access to, and participation in, this process of developing country Party and non-Party experts;
  - (c) Requesting the Technology Executive Committee and the Climate Technology Centre and Network in accordance with their respective mandates:
    - (i) To engage in the technical expert meetings and enhance their efforts to facilitate and support Parties in scaling up the implementation of policies, practices and actions identified during this process;
    - (ii) To provide regular updates during the technical expert meetings on the progress made in facilitating the implementation of policies, practices and actions previously identified during this process;
    - (iii) To include information on their activities under this paragraph in their joint annual report to the Conference of the Parties;
  - (d) Encouraging Parties to make effective use of the Climate Technology Centre and Network to obtain assistance to develop economically, environmentally and socially viable project proposals in the high mitigation potential areas identified in this process;
118. *Encourages* the operating entities of the Financial Mechanism of the Convention to engage in the technical expert meetings and to inform participants on their contribution in facilitating progress in the implementation of policies, practices and actions identified during the technical examination process;
119. *Requests* the secretariat to organize the process referred to in paragraph 117 above and disseminate its results, including by:
- (a) Organizing, in consultation with the Technology Executive Committee and relevant expert organizations, regular technical expert meetings focusing on specific policies, practices and actions representing best practice and with the potential to be scalable and replicable;
  - (b) Updating, on an annual basis, following the meetings referred to in paragraph 119(a) above and in time to serve as input to the summary for policymakers referred to in paragraph 119(c) below, a technical paper on the mitigation benefits and co-benefits of policies, practices and actions to enhance mitigation ambition, as well as on options to support the implementation of these, information on which should be made available in a user-friendly online format;
  - (c) Preparing, in consultation with the champions referred to in paragraph 130 below, a summary for policymakers, with information on specific policies, practices and actions representing best practice and with the potential to be scalable and replicable, and on options to support the implementation of these, as well as on relevant collaborative initiatives, and publishing the summary at least two months in advance of each session of the Conference of the Parties as input for the high-level event referred to in paragraph 129 below;

120. *Decides* that the process referred to in paragraph 117 above should be organized jointly by the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice and take place on an ongoing basis until 2020;
121. *Also decides* to conduct, in 2017, an assessment of the process referred to in paragraph 117 above, so as to improve its effectiveness;

*[C. Support]*

122. *Resolves* to enhance the provision of urgent and adequate finance, technology and capacity-building by developed country Parties in order to enhance the level of ambition of pre-2020 action by Parties, and in this regard *strongly urges* developed country Parties to scale up their level of financial support, with a concrete roadmap to achieve the goal of jointly providing USD 100 billion annually by 2020 for mitigation and adaptation, and significantly increasing adaptation finance from current levels and to further provide appropriate transfer of technology and capacity-building;
- 122Alt. *Reiterates* its resolve as set out in decision 1/CP.19, paragraphs 2, 3 and 4(e), and in decision 1/CP.20, paragraph 18, to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13, in particular in relation to the provision of means of implementation including technology, finance and capacity-building to developing country Parties, recognizing that such implementation will enhance ambition in the pre-2020 period;

*[D. Accelerated implementation]*

**[Option 1: (paragraph 123-123ter)]**

123. *Decides* to launch an accelerated implementation process starting in 2016 and continuing until 2020, to give effect to decision 1/CP.19, paragraphs 3 and 4, inter alia, by:
  - (a) Assessing the progress of the implementation of decision 1/CP.19, paragraph 4;
  - (b) [Reviewing and] assessing the adequacy of financial, technological and capacity-building support to enable increased mitigation and adaptation ambition by developing country Parties in accordance with decision 1/CP.19, paragraphs 3, 4(e) and 4(f);
  - (c) Developing and implementing measures to identify and address the adaptation and means of implementation gaps in the pre-2020 period;
  - (d) Developing ways and means to address the implementation gaps identified in the paragraph 123(c) above in accordance with the principles and provisions of the Convention;
  - (e) Sharing experiences, assessing the adequacy and addressing economic diversification as well as the adverse social and economic impacts of response measures on developing country Parties;
- 123bis. *Requests* the secretariat to organize the process referred to in paragraph 123 above and disseminate its results;
- 123ter. *Decides* that the process referred to in paragraph 123 above should be conducted under the Subsidiary Body for Implementation and take place annually until 2020;

**[Option 2: (paragraph 123)]**

123. *Decides* to conduct a facilitative dialogue in conjunction with the twenty-third session of the Conference of the Parties (November 2017) with a view to identifying ways to enhance the ambition of mitigation efforts by all Parties, including identifying relevant opportunities to enhance the provision and mobilization of support and enabling environments;]

*[E. Non-Party stakeholder engagement]*

124. *Acknowledges* with appreciation the results of the Lima-Paris Action Agenda, which build on the climate summit convened on 23 September 2014 by the United Nations Secretary-General;
125. *Welcomes* the efforts of non-Party stakeholders to scale up their climate actions, including those registered in the Non-State Actor Zone for Climate Action (NAZCA) platform;
126. *Invites* non-Party stakeholders to demonstrate their climate actions through mechanisms such as the NAZCA platform;



127. *Encourages* Parties to work closely with non-Party stakeholders to catalyse efforts to strengthen mitigation and adaptation action;
128. *Also encourages* non-Party stakeholders to increase their engagement in the processes referred to in paragraphs 117 above and 131 below;
- [F. High-level dialogue/events]*
129. *Agrees* to convene, in furtherance of decision 1/CP.20 paragraph 21, building on the Lima-Paris Action Agenda and in conjunction with each session of the Conference of the Parties from 2016 to 2020, a high-level event that:
- (a) Further strengthens high-level engagement on the implementation of policy options and actions arising from the processes referred to in paragraph 117 above, building on the summary for policymakers referred to in paragraph 119(c) above;
  - (b) Provides an opportunity for announcing new or strengthened efforts, voluntary initiatives and coalitions, including implementation of policies, practices and actions arising from the processes referred to in paragraph 117 above and presented in the summary for policymakers referred to in paragraph 119(c) above;
  - (c) Takes stock of related progress and recognizes new or strengthened efforts, voluntary initiatives and coalitions;
  - (d) Facilitates the exchange of experiences and sharing of best practices on climate action by non-Party stakeholders, including by providing a platform to strengthen indigenous peoples' knowledge, practices and technologies on mitigation and adaptation in a holistic and integrated manner;
  - (e) Provides meaningful and regular opportunities for the effective engagement of high-level dignitaries from Parties, international organizations, international cooperative initiatives and non-Party stakeholders;
130. *Decides* that two high-level champions shall be appointed to facilitate, through strengthened high-level engagement in the 2016–2020 period, the successful execution of existing efforts and the scaling-up and launching of new or strengthened efforts, voluntary initiatives and coalitions, including by:
- (a) Working with the Executive Secretary and the current and incoming presidents of the Conference of the Parties to coordinate the annual high-level event referred to in paragraph 129 above;
  - (b) Engaging with interested Parties and non-Party stakeholders, including to further the voluntary initiatives of the Lima-Paris Action Agenda;
  - (c) Providing guidance to the secretariat on the organization of technical expert meetings referred to in paragraph 119(a) above;
131. *Also decides* that the high-level champions referred to in paragraph 130 above should serve for a term of two years, with their terms overlapping for a full year to ensure continuity, such that:
- (a) The President of the twenty-first session of the Conference of the Parties should appoint one champion, who should serve from the date of the appointment until the last day of the twenty-second session of the Conference of the Parties (November 2016);
  - (b) The President of the twenty-second session of the Conference of the Parties should appoint one champion, who should serve from the date of the appointment until the last day of the twenty-third session of the Conference of the Parties;
  - (c) Thereafter, each subsequent President should appoint one champion who should serve for two years and succeed the previously appointed champion whose two-year term has ended;
132. *Invites* all interested Parties and relevant organizations to provide support for the work of the champions referred to in paragraph 130 above;

*[G. Adaptation]*

133. *Decides* to launch an [enhanced] technical examination [process] of adaptation action [under the Subsidiary Body for Implementation and the Adaptation Committee, in collaboration with the SBSTA], and in consultation with relevant bodies, including, inter alia, the Least Developed Countries Expert Group, the Standing Committee on Finance, the Consultative Group of Experts on National Communications from Parties not included in Annex

- I to the Convention, the Climate Technology Centre and Network and the Technology Executive Committee, and with consideration of activities under the Nairobi work programme;
134. *Also decides* that such [enhanced] technical examination [process] of adaptation action will endeavour to identify opportunities for strengthening resilience, reducing vulnerabilities and increasing the understanding and implementation of adaptation actions;
  135. *Further decides* to launch an [enhanced] technical examination [process] of adaptation action [under the Subsidiary Body for Implementation and the Adaptation Committee, in collaboration with the SBSTA], and in consultation with relevant bodies, including, inter alia, the Least Developed Countries Expert Group, the Standing Committee on Finance, the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention, the Climate Technology Centre and Network and the Technology Executive Committee, and with consideration of activities under the Nairobi work programme;
  136. *Decides* that [the SBI and the Adaptation Committee, in collaboration with the SBSTA], and with the support of the secretariat, will engage with and explore ways to take into account, synergize with and build on the existing arrangements for adaptation-related work programmes, bodies and institutions under the Convention, ensuring that value is added to existing activities and avoiding any duplication of work;
  137. *Also decides* that such [enhanced] technical examination [process] of adaptation action will be pursued through:
    - (a) Facilitating the sharing of good practices, experiences and lessons learned;
    - (b) Identifying actions that could significantly enhance the implementation of adaptation action including those actions which could enhance economic diversification and have mitigation co-benefits;
    - (c) Examining gaps relating to institutions, knowledge, technology development and transfer, capacity and finance;
    - (d) Promoting cooperative action on adaptation;
    - (e) Developing modalities and procedures to assist developing countries to assess their adaptation needs without placing an undue burden on them, taking into account the urgent needs of those developing countries that are particularly vulnerable;
    - (f) Identifying options to strengthen enabling environments and enhance the provision of support for adaptation, including finance, technology development and transfer and capacity-building;
  138. *Further decides* that the [enhanced] technical examination [process] of adaptation action will take into account the process, modalities, outputs and outcomes, as well as the lessons learned from the technical examination process on mitigation referred to in paragraph 117 above;
  139. *Requests* [the secretariat] to facilitate the [enhanced] technical examination [process] of adaptation action by:
    - (a) Organizing regular technical expert meetings focusing on policies, strategies and actions;
    - (b) Preparing a yearly synthesis report on the progress of the enhanced technical examination of adaptation action;
    - (c) Preparing regularly and in time to serve as input to the summary for policymakers referred to in paragraph 139(d) below, a technical paper on opportunities to enhance adaptation action [and support, including gaps in means of implementation];
    - (d) Preparing a summary for policymakers and publishing it well in advance of [each] session of the Conference of the Parties;
  140. *Invites* the President of the Conference of the Parties to convene, in conjunction with each session of the Conference of the Parties, a high-level event aimed at further strengthening high-level engagement on adaptation;
  141. *Decides* to conduct, in [2017], an assessment of the [enhanced] technical examination [process] of adaptation action with the aim of improving its effectiveness and determining the arrangements for its continuation or reinforcement, as appropriate;

## V. NON-PARTY STAKEHOLDERS

142. *Welcomes* the efforts of all actors to address and respond to climate change, including those of civil society, the private sector, financial institutions, cities and other subnational authorities;

143. *Invites* the actors referred to in paragraph 142 above to scale up their efforts and support actions to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change;
144. [*Also invites* the actors referred to in paragraph 142 above to demonstrate their continued efforts to address climate change via the Non-State Actor Zone for Climate Action;<sup>21</sup>]
145. *Recognizes* the knowledge, technologies, practices and efforts made by local communities and indigenous peoples to address and respond to climate change;

## VI. ADMINISTRATIVE AND BUDGETARY MATTERS

146. *Notes* the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in this decision and requests that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources;
147. *Takes note* of the requirement for additional resources for the implementation of the relevant actions referred to in this decision;
148. *Emphasizes* the urgency of making additional resources available for the implementation of the relevant actions, including the actions referred to in this decision, and the implementation of the work programme referred to in paragraphs 9 above;
149. *Urges* Parties to make voluntary contributions for the timely implementation of this decision, noting the estimated budget requirement for 2016 of USD [X];
150. *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 thereon to the COP at its twenty-second session.]

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<sup>21</sup> Available at <<http://climateaction.unfccc.int>>.

## Annex II

### Reflections note

This note reflects the textual suggestions made during the discussions of the Contact Group on 4 December 2015 from 15:00 to 18:00 in the form of a tabular summary.<sup>22</sup>

#### *Draft Agreement*

Provision	Suggested changes
	<i>Preamble</i>
Pp2	Insert "and provisions" after "principles"
Pp5	Insert "African countries"
Pp6	Insert "Central American isthmus"
Pp6	Insert "small mountainous developing States"
Pp6	Insert "African countries"
Pp9	Insert "sustainable lifestyles and sustainable patterns of consumption and production"
Pp10	Insert "climate change induced displaced people"
	<i>Article 1 (Definitions)</i>
Art. 1	Include reference with regard to developing country Parties, including countries with economies in transition (as in footnote 6)
	<i>Article 2 (Purpose)</i>
Art. 2	Bracket entire Article
Art. 2.1	Bracket "In order to strengthen the global response to the threat of climate change, Parties agree to take urgent action and enhance cooperation and support"
Art. 2.1	Insert "in accordance with equity and common but differentiated responsibilities"
Art. 2.1(c)	Bracket entire paragraph
Art. 2.1(c)	Bracket "that fosters climate resilient and low greenhouse gas emission societies and economies, and"
Art. 2.1(c)	Bracket "transformation" and insert "pathway" or "gradual shift"
Art. 2.2	Insert reference to Mother Earth
Art. 2.2	Insert "integrity and resilience of natural ecosystems"
Art. 2.2	Insert "rights of indigenous peoples"
Art. 2.2	Insert "just transition of the workforce and creation of decent work and quality jobs in accordance with nationally defined development priorities"
Art. 2.2	Bracket "shall"
Art. 2.2	Bracket ", and on the basis of respect for human rights and the promotion of gender equality [and the right of peoples under occupation]"
	<i>Article 2 bis (General)</i>
Art. 2 bis	Bracket entire paragraph
	<i>Article 3 (Mitigation)</i>
Art. 3.1	Insert closing bracket
Art. 3.1(b)	Add "[reliable science]" after "[best available science]"
Art. 3.1(d)	Add "[removal of greenhouse gases]" instead of "[decarbonization]"

<sup>22</sup> Note: Proposals to delete or to bracket text are reflected by using the term bracket.

Art. 3.5	Option for placement after Art. 3.2
Art. 3.5	Bring footnote 6 into the paragraph
Art. 3.7	Add “[Article 12 of the Convention, decision 1/CP.20 and]” after “in accordance with”
Art. 3.8	Bracket all paragraphs as implementation of footnote 1 and remove the no text option
Art. 3.9	Placement in decision Add option of first INDC automatically becoming the contribution under the Agreement <sup>23</sup>
Art. 3.10	Add the starting year for “successive” communication [2020][2021] Address common time frame after 2030 In option 1 replace “after” with “before” and “cycle” with “period”
Art 3.11	Bracket all paragraphs as implementation of footnote 1
Art 3.12	Option for placement in Art. 9 Transparency
Art. 3.14	Option for placement in Art. 9 Transparency In option 2 add opening square bracket
Art. 3.15	Option for placement in Art. 9 Transparency Add into [or REDD-plus] the following “[and the joint mitigation and adaptation approach for the integral and sustainable management of forests]”
Art. 3.16	Option for placement in the Preamble or Art. 2
Art. 3.17	Option for placement in the Preamble or Art. 2
Art. 3.18	Option for placement after Art. 22 as Art. 22 bis. Noted that Parties are consulting on textual solutions.
Art. 3.19	Bracket all paragraphs as implementation of footnote 1
Art. 3.20	Add “[guided by the principles and provisions of the Convention, Article 2, paragraph 2, of the Kyoto Protocol and the COP]” after “International Maritime Organization” Bracket “,with a view to agreeing concrete measures addressing these emissions, including developing procedures for incorporating emissions from international aviation and marine bunker fuels into low-emission development strategies” Bracket all paragraphs as implementation of footnote 1
<i>Article 3 bis (REDD-plus)</i>	
Art. 3 bis	Option for placement after Art. 5 Bracket paragraphs 2 and 3
<i>Article 3ter (Mechanism to support sustainable development)</i>	
Art. 3 ter	Bracket all paragraphs as implementation of footnote 1
<i>Article 4 (Adaptation)</i>	
	Include reference to early warning systems
	Make reference to support clearer; that is, who provides support and to whom
Art. 4.1	Include concept of long-term vision
Art. 4.2	Include concept of long-term vision
Art. 4.3(b)	Include concept of “platform”
Art. 4.4	Bracket entire paragraph

<sup>23</sup> Note: This option is included in the decision text, paragraph 22.

Art. 4.5	Include “with a view to implement adaptation” Bracket “, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate”
Art. 4.6	Bracket “international cooperation and”
Art. 4.7 chapeau	Bracket “shall” and “cooperation for enhancing”
Art. 4.7(b)	Bracket “including those” Include “for the implementation of action”
Art. 4.7(c)	Bracket (in order to allow for consultations with relevant research and systematic observation experts)
Art. 4.7(d)	Bracket “effectiveness”
Art. 4.7(e)	Bracket “, and challenges and gaps in a manner consistent with encouraging good practices”
Art. 4.7(f)	Bracket
Art. 4.8	Bracket
Art. 4.9 chapeau	Exchange for chapeau from compilation text (Art 4.9 chapeau)
Art. 4.9(d)	Include “efforts” at the end of the item
Art. 4.9(e)	Change to “Monitoring and evaluation and learning from national adaptation plans, policies, programmes and actions”
Art. 4.10	Exchange for text from compilation text (paras 7(a), 7(b) and 7 bis)
Art. 4.11 chapeau	Include language from compilation text to reflect the concept “in a manner that does not create an additional burden on developing countries”
Art. 4.11(b)	Exchange for text from compilation text (Art. 4.11(b))
Art. 4.13	Exchange for text from compilation text (Art. 4.12, option 2)
Art. 4.14	Include reference to Art. 10
	<i>Article 5 (Loss and damage)</i>
	Insert option 1 of the compilation Text as option 1
	Include reference to climate change induced displaced people
	<i>Article 6 (Finance)</i>
Art. 6.6	Concern about “result-based payments”
Art. 6.8	Missing reference to “[and other vulnerable countries]”; however, it was clarified that the reference was indeed contained in the relevant paragraph
Art. 6.9	Missing reference to an indemnization mechanism; however, it was clarified that the reference was indeed contained in the relevant paragraph
Art. 6.10 option 2	Missing reference to the concept of pathways and short-term collective quantified goals and an indication to provide textual proposals in this regard
Art. 6.11	Missing reference to the concept of scaled-up
Art. 6.18	Missing text around the development of guidelines pertaining to measurement, reporting and verification of support
	<i>Article 7 (Technology development and transfer)</i>
Art. 7.2	Add “socially and environmentally sound (technology)”
	<i>Article 8 (Capacity-building)</i>
Art. 8.1 to 8.5	Co-chair announced that corrections were made to the text
Full article	Reference to cross-cutting issues related to transparency
	<i>Article 8 bis</i>

	None
<i>Article 9 (Transparency)</i>	
Art. 3.14 and 3.15	Include a clear reference to the African Group preference, and their consideration should take into account Art. 9
Art. 9.2	Further consider the use of capacities versus capabilities
Art. 9.4 and 9.6	Include reference to the implementation of Parties' respective mitigation commitments
Art. 9.6	Clarify paragraph reference. (Reference was originally to link to substance that is now currently included in the decision text, paragraph 98.)
Art. 9.6 option 2	Further consider TACCC
Art. 9.6 option 2(a)	Insert "[using common metrics and] comparable methodologies as agreed on by the [CMA][COP]" at the end
Art. 9.6 option 2(c)	insert "implementing" between "towards" and "and"
<i>Article 10 (Global stocktake)</i>	
Art. 10.1	Insert "[take stock of the implementation of this Agreement to]" after "periodically"
Art. 10.1	Insert "[the objective of the Convention]" after "towards achieving"
Art. 10.1	Replace "long-term goals" with "long-term temperature goal"
Art. 10.2	Retain reference to 2023
Art. 10.2	Insert "[at regular intervals to be further decided by the CMA]" and bracket "every five years thereafter unless otherwise decided by the CMA"
Art. 10.3	Insert "[taking into account Parties' differentiated responsibilities and commitments under the Convention]"
Art. 10.3	Include reference to aggregate level of ambition communicated by Parties for subsequent periods
<i>Article 11 (Facilitating implementation and compliance)</i>	
Art 11.3 option 1	The rules of procedure of the [mechanism][committee] should be subject to approval by the CMA at its first session
<i>Articles 12 to 26 (Final clauses)</i>	
Art. 12.5	The CMA should adopt its own rules of procedure

*Draft Decision*

Provision	Suggested changes
<i>Intended nationally determined contributions</i>	
Para. 17	The gap in emissions should be indicated in temperature degrees
Para. 19	Include reference to consideration of consistency with below 1.5 °C scenarios in relation to aggregate
<i>Mitigation</i>	
	Bring back paragraphs 34 and 35 from compilation text into decision
<i>Finance</i>	
Para. 68	Missing notion of alternative approaches
Additional paragraph in finance section	Missing notion of modalities regarding the definition of short-term collective quantified goals to be developed by the CMA in the decision section related to Article 6
<i>Capacity-building</i>	

Paras. 91 to 92	Co-chair announced that corrections were made to the text
	<i>Workstream 2</i>
Preamble	Include text on CBDR in the Preamble
Para. 120(f) Accelerated Implementation	Include a revisit of the emission reduction targets by developed country Parties under the Convention or second commitment period of the Kyoto Protocol and increasing the target to 25–40 per cent below 1990 levels by 2020
125 bis Non-Party Stakeholder Engagement	Insert paragraph regarding the Declaration of the World People’s Conference on Climate Change and the Defence of Life held in Tiquipaya, Bolivia, from 10 to 12 October 2015
General consistency	References to the body in charge of undertaking work in preparation for the entry into force should be consistent

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