WORKING PAPER



Summary of UNFCCC Submissions

April 19, 2010 - May 26, 2010

The following is a summary of Party submissions to the AWG-LCA from April 2010 through May 2010 (it does not include country submissions on the Copenhagen Accord). These tables summarize various aspects of Party submissions and categorizes them into three main sections. Section I captures proposals on the transparency and review of actions, Section II outlines views on the MRV, governance and sources of finance, and Section III summarizes views on the legal aspects of an agreed outcome. The dates in parentheses indicate the date of the submissions reviewed by the authors. The final page lists the acronyms used in the tables. Please note that these tables represent WRI's interpretation of a selection of Party submissions, and do not necessarily reflect the complete views of the Parties.

For a summary of UNFCCC submissions prior to 2010, see http://www.wri.org/publication/summary-of-unfccc-submissions

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SUMMARY- TRANSPARENCY AND REVIEW

COLUMNS	EXPLANATION OF COLUMNS	SUMMARY
Scope of MRV	This column outlines Party positions on what will be MRVed, and at what level (e.g., international versus domestic).	 Regarding differentiation of responsibilities, most of the suggestions for what gets MRVed reflects the CA text, including (1) international MRV for supported actions and support and QERCs by Annex 1 countries, and (2) domestic MRV for developing country actions and international consultation and analysis. Japan applies MRV across the board including to developing country actions. South Korea refers to the BAP on MRV. The US proposes four baskets as a "unifying" approach. India is specific that voluntary NAMAs are not subject to international review. Regarding national communications, some Parties specifically mention that NatComms should be subject to ICA (e.g., Chile, India). Regarding the MRV of non-mitigation specific actions, some Parties make specific provisions for the MRV of adaptation (e.g., Ghana), technology, and finance. Regarding compliance, a compliance mechanism and/or regime is mentioned twice (by Bolivia and India). Regarding the KP, some suggest the use of KP provisions (e.g., Bolivia, Maldives).
Tools	This column examines how information will be MRVed. What tools will be used at the international and national level to measure, report and verify actions?	 Regarding the content of NatComms, NatComms are seen as the principle vehicle for reporting actions and support. Some countries specify that NatComms should also include voluntary actions (e.g., Argentina, India). For Ghana this includes reporting on adaptation actions. For Korea this includes actions already underway. Australia proposes a schedules approach. The US includes a low-emission growth strategy. Regarding the review of NatComms, any countries hold that NatComms are subject to ICA (e.g., Chile). Regarding inventories, some Parties mention inventories (e.g., the US requests that they be done every two years). Regarding mechanisms, some countries refer to technology and finance mechanisms as tools (e.g., Bolivia).
Registry	This column highlights where countries reference a registry of actions, and, in some cases, of support as well.	 Regarding the role of the registry, most countries mentioned a registry as one of the tools for MRV, but with particular reference to supported actions and support and in some cases as a 'matching mechanism' (e.g., Chile, US and India). Regarding the specific content of the registry, some countries included a lot of detail, registering many different things (technology, financial support, actions and related support). For example, AOSIS and Guatemala make a specific reference to the inclusion of activities, cost, and technology transfer in a registry. Other observations: The U.S. proposes that registered projects receiving support move automatically to the Appendix.
Sequencing and organization of work	This column summarizes the proposals by countries on how to move this issue forward (e.g., What decisions need to be made? What should these decisions draw on? And where might these decisions or other forms of agreement happen?)	 Regarding guidelines for MRV, most countries propose that guidelines need to be provided for MRV, and some say that these guidelines should be provided through a COP decision (e.g., India, Chile, US). Guidelines, some countries add, should apply to International consultation and analysis (ICA) also (e.g., India). A few countries underline the urgency of this task (e.g., Australia). Regarding who should shape the guidelines, some countries refer to the importance of the SBSTA and SBI's technical work to shape the guidelines for MRV (ASAP according to New Zealand, e.g., India for transparency and uniformity). Regarding what texts to draw on, the registry concept should take from the LCA and the CA four baskets (i.e., the major proposal from US). Other observations: The US proposes that provisions for supported actions and support should be treated together in the same text.
Capacity build- ing for MRV	This column describes any proposals by countries for capacity building to support MRV.	General observations : Support should help build national capacity for MRV (AOSIS) and support climate-related research and systematic observation (Ghana). Capacity building is critical (US) and should be fully supported (Guatemala).
Functions of MRV	nctions of This column summarizes where countries have specifically • Regarding a robust MRV system , accounting is rigorous, robust and transparent (e.g., Chile). The robust	
Science review	This column captures when specific references are made to linking the MRV of actions to a review of the science as pro- vided for in the Copenhagen Accord (CA).	General observations : Chile in particular calls for a science review by 2015, while a few others (AOSIS, Maldives, US) reference reviewing goals/pledges in light of the science.

SUMMARY- FINANCE

COLUMNS	EXPLANATION OF COLUMNS	SUMMARY
MRV of Finance	This column outlines Party positions on how to MRV financial support from developed to developing countries.	 Regarding linking finance with actions, in some cases, countries propose that support should be linked to developing country action through a registry or other mechanism (e.g., Maldives, US). (This is also captured in the "Transparency and Review" table) Regarding the SBI, some countries explicitly state that the SBI will have a role in verification (Bolivia, under a Compliance Mechanism) and measurement and reporting (India) of support. Regarding the development of guidelines for reporting financial contributions, according to India, Ghana and the US, guidelines should be developed by the COP.
Governance	This column examines which institutions and what type of institutional arrangements will govern climate funds. Will they be new or existing institutions?	 Regarding new vs. old institutions, some countries support the creation of a new financial institution (e.g., Bolivia, Argentina, Ghana, Maldives), yet still recognize a role for existing institutions (Argentina). While Argentina highlights the Adaptation Fund as a model for a new adaptation institutional arrangement, the US highlights the GEF as a model for a new Copenhagen Green Climate Fund. Regarding the sharing of power and responsibility in these institutions, some countries specify that the financial mechanism should be characterized by balanced regional composition (Argentina), equitable and balanced representation (Bolivia, India), or regional UN representation (Ghana). Maldives and the US specifically call for equal representation of developed and developing countries in the governance of adaptation funds. Regarding relations vis-a-vis the COP, many countries specifically state that the financial institution should be under the COP/Convention, e.g., Argentina-while still recognizing that multilateral initiatives outside of the Convention may have a complementary role-Bolivia, Ghana, India, Maldives, Venezuela (et. al.). The US argues that the Copenhagen Green Climate Fund should be 'an operating entity of the Convention's financial mechanism,' and that the World Bank should serve as Trustee, and should organize a process to establish the Fund. Regarding the CA, Australia and the US support the financial elements of the Accord.
Sources	This column highlights which sources qualify as and should make up the financial support from developed countries (i.e., private, public or innovative sources). Where relevant, this column includes proposals on scale of finance.	 Regarding public vs. private finance, Argentina and Venezuela (et. al.) emphasized the importance of public finance, while Argentina still recognized private finance as a source. Ghana and Chile both supported the use of a variety of sources. Regarding carbon markets, some countries rejected the use of carbon markets as a source of finance (e.g., Bolivia, India, and Venezuela et. al. specified that funding for forests is outside of the carbon market), while others emphasized the need for provisions to avoid market distortions and double counting (Argentina, Australia). Regarding the UN's AGF, Australia believes it is consistent with the Accord. The US does not believe it needs to be reflected in the LCA text because it has already been established by the UN. Regarding proposed innovative sources, there was support for the issuance of Special Drawing Rights by the IMF (Bolivia), tax or other financial mechanism on bunkers (Botswana, Cook Islands), and other innovative sources previously proposed (Maldives). Regarding fast-start finance, many countries reiterate the provision of USD\$30 billion in fast-start finance (2010-2012) to developing countries, including India, the US, Chile, Ghana and Australia. South Africa specifically states that the USD\$30 billion can be used to test and demonstrate implementation, and to inform 'a comprehensive package'. Bolivia states that fast track-financing in the order of USD\$400 billion from public sources should be made available by developed countries. The Marshall Islands highlights the effectiveness of a focused compilation of 'fast start finance'-related information.

SUMMARY- LEGAL ISSUES

COLUMNS	EXPLANATION OF COLUMNS	SUMMARY
Legal form of agreed outcome	This column outlines views of Parties on the legal character of the agreement(s) emerging from the LCA and / or KP tracks as well as the legal character of the obligations of Parties.	 Regarding the legal character of the agreement, all Parties support or do not expressly oppose having at least one legally binding agreement. (a) Some countries call for the adoption of a second commitment period under the Kyoto Protocol (Ghana, Grenada, India, Maldives, South Africa, Venezuela) with Bolivia arguing that such adoption is essential for the adoption of an agreement in the LCA track. (b) On the LCA track, some countries call for a legally binding agreement (Australia, Marshall Islands, New Zealand, South Africa). (c) Other Parties call for, or are open to the possibility of, a single instrument or framework for all Parties, with some expressly calling for it to be legally binding (Guatemala), while others remain vague (Japan, New Zealand). (d) The EU, US and Maldives state generally that they favor a legally binding outcome, with the US specifying that the legally binding elements should be legally binding with respect to all relevant Parties. Regarding the legal character of the obligations, (a) some Parties requested that Annex I Party commitments be legally binding or inscribed in a legally binding instrument (Bolivia, Ghana, Grenada, India, Maldives, South Africa, Venezuela). This could be achieved through a second commitment of the KP, a COP decision (Bolivia, India), or an annex to a legally binding agreement under the LCA (Grenada). A parallel process under the LCA (Grenada, Ghana, Maldives), or a COP decision (Bolivia, India), could capture the commitment of for non-KP Annex I Parties. (b) Views on the legal character of actions by non-Annex I diverge. The US calls for a symmetry in the legal character for actions from all relevant Parties, while others state that non-Annex I Party actions should be voluntary (e.g., Bolivia, India). Regarding the Copenhagen Accord pledges, Maldives argues that they should be included in a second commitment period of the KP or a similar instrument under the LCA for non-KP Annex I Parties.
Organization of work	This column summarizes views of Parties on the structure of the working groups and the sequencing of decisions.	 Regarding number of working groups, Australia and Japan call for discussions to be held in a single contact group. Australia and Japan call for topic-specific sub-groups, with Japan specifying that participation in such sub-groups should be regionally balanced. South Africa argues that agreements on the future of the climate regime must follow two tracks. Venezuela states that the negotiating process should be transparent, inclusive, legitimate and democratic. Regarding institutional arrangements, Grenada argues that the COP should also be the supreme body of the LCA protocol and the UN-FCCC secretariat should also serve as its secretariat. Regarding sequencing, Grenada, Japan and South Africa propose, or call for the development of, an indicative roadmap for the process in 2010 with clearly defined milestones. South Africa supports a two-pronged approach that would (1) develop a politically balanced comprehensive outcome under the AWGs and (2) use 2010 \$10billion fast-start funding to develop, test and demonstrate practical implementation approaches to adaptation and mitigation, which can be used to inform the comprehensive agreed outcome (Bolivia), an internationally legally binding outcome under the LCA (Grenada), a protocol or set of decisions on several issues (India), a comprehensive framework with decisions to implement it (Japan), legally binding outcomes to implement the UNFCCC and its KP (Maldives), and a political agreement on the future of the KP; LCA agreement and agreement under KP track should be concluded in Cancun, or at the latest in 2011 (South Africa). Regarding coordination, New Zealand and Japan state that work in the AWG-KP and AWG-LCA should be coordinated. Japan and Spain call on the LCA chair to coordinate with the COP16 host.
Role of Copen- hagen Accord and December LCA text	This column highlights views of Parties on the role of these texts in the negotiations expressed in the April and May submissions only.	 Regarding the Copenhagen Accord, Countries converge on the idea that Parties should build on the achievements/compromises struck in the Accord and treat them as input into the negotiations (Australia, India, Marshall Islands, New Zealand, Norway, South Africa, Spain, United States), with South Africa arguing that the Chair's roadmap should specify how such input happens. Maldives sees the Accord as a first step to a binding agreement in Cancun. Australia argues that the Accord forms a package and that all elements should be addressed effectively. Some countries (India, New Zealand) make clear that the document should not be treated as the basis of a negotiating text unless it is agreed and adopted by all the Parties. Marshall Islands noted that the Accord does not offer a complete solution and has significant gaps that need to be rectified. Bolivia categorically rejects the Copenhagen Accord. Egypt argues that the document has no legal standing. Regarding the December LCA text, the United States calls it a relevant document to "drawn on" on a provision-by-provision basis, while India and South Africa argue that it should be a basis for the negotiations. Other observations: Documents adopted by the supreme bodies of the Convention have preeminence over other documents (Argentina); UNFCCC and the Bali Action Plan should continue to be the basis for further work (India).

PARTY	SCOPE OF MRV	TOOLS	REGISTRY	SEQUENCING AND ORGANIZATION OF WORK	CAPACITY BUILDING For MRV	FUNCTIONS OF MRV	SCIENCE REVIEW
Summary	 Regarding differentiation of responsibilities, most of the suggestions for what gets MRVed reflects the CA text, including (1) international MRV for supported actions and support and QERCs by Annex 1 countries, and (2) domes- tic MRV for developing country ac- tions and international consultation and analysis. Japan applies MRV across the board including to devel- oping country actions. South Korea refers to the BAP on MRV. The US proposes four baskets as a "unify- ing" approach. India is specific that voluntary NAMAs are not subject to international review. Regarding national communi- cations, some Parties specifically mention that NatComms should be subject to ICA (e.g., Chile, India). Regarding the MRV of non- mitigation specific actions, some Parties make specific provisions for the MRV of adaptation (e.g., Ghana), technology, and finance. Regarding compliance, a com- pliance mechanism and/or regime is mentioned twice (by Bolivia and India). Regarding the KP, some suggest the use of KP provisions (e.g., Bolivia, Maldives). 	 Regarding the content of NatComms, NatComms are seen as the principle vehicle for reporting actions and sup- port. Some countries specify that NatComms should also include voluntary actions (e.g., Argentina, India). For Ghana this includes reporting on adaptation actions. For Korea this includes actions already underway. Australia proposes a schedules approach. The US includes a low-emission growth strategy. Regarding the review of NatComms, any countries hold that NatComms are subject to ICA (e.g., Chile). Regarding inventories, some Parties mention invento- ries (e.g., the US requests that they be done every two years). Regarding mechanisms, some countries refer to tech- nology and finance mecha- nisms as tools (e.g., Bolivia). 	 Regarding the role of the registry, most countries mentioned a registry as one of the tools for MRV, but with particular reference to supported actions and sup- port and in some cases as a 'matching mechanism' (e.g., Chile, US and India). Regarding the specific content of the registry, some countries included a lot of detail, register- ing many different things (technology, financial support, actions and related support). For example, AO- SIS and Guatemala make a specific reference to the inclusion of activities, cost, and technology transfer in a registry. Other observations: The U.S. proposes that registered projects receiving support move automatically to the Appendix. 	 Regarding guidelines for MRV, most countries propose that guidelines need to be provided for MRV, and some say that these guidelines should be provided through a COP decision (e.g., India, Chile, US). Guidelines, some countries add, should apply to International consultation and analysis (ICA) also (e.g., India). A few countries underline the urgency of this task (e.g., Australia). Regarding who should shape the guidelines, some countries refer to the importance of the SBSTA and SBI's technical work to shape the guidelines for MRV (ASAP according to New Zea- land, e.g., India for transparency and uniformity). Regarding what texts to draw on, the registry concept should take from the LCA and the CA four baskets (i.e., the major proposal from US). Other observations: The US proposes that provisions for supported actions and support should be treated together in the same text. 	General observa- tions: Support should help build national capacity for MRV (AOSIS) and support climate- related research and systematic ob- servation (Ghana). Capacity building is critical (US) and should be fully sup- ported (Guatemala).	 Regarding a robust MRV system, accounting is rigorous, robust and transparent (e.g., Chile). The robust nature of MRV is a recurring theme. Regarding standardiza- tion, MRV is essential for standardization and recognition (e.g., Australia). Uniformity is a similar sentiment expressed (e.g., India). Other observations: South Korea suggests that it should help in identifying mitigation opportunities. The U.S. calls for MRV to provide "sunshine" on the implementation of country promises. 	General observa- tions: Chile in particular calls for a science review by 2015, while a few others (AOSIS, Maldives, US) reference reviewing goals/pledges in light of the science.
Argentina (April 2010)	What gets MRVed? QERCs by Annex I countries; support by developed countries to developing countries; supported developing country actions; social and public safeguards for REDD.	Information on actions implemented by developing country Parties without any international support should be communicated through NatComms.	ACTIONS Both mitigation and adap- tation technology related actions; commercialisa- tion, manufacturing and procurement actions	By the secretariat to the EB	SUPPORT Verification body MRVs financial and technical contribu- tions	A technology mechanism under the COP that has a Verification body: MRVs, as well as an EB	

PARTY	SCOPE OF MRV	TOOLS	REGISTRY	SEQUENCING AND ORGANIZATION OF WORK	CAPACITY BUILDING For MRV	FUNCTIONS OF MRV	SCIENCE REVIEW
Australia (May 2010)		There should be a common ar- chitecture/vehicle/instrument for recognizing and recording mitigation actions by all Par- ties. For example, Australia's National Schedules proposal or an elaboration of the CA's Appendices device.		By COP16, Parties should be in a position to agree on guidelines to operationalise the MRV aspects of the CA of mitigation actions. Settling the details of these ar- rangements will be a critical task in 2010. The draft negotiating text should reflect the outcomes of the Ac- cord, to allow Parties to progress discussions on the form and content of the guidelines.		The single vehicle format acts to increase the transparency of mitigation actions by creating a degree of standardization that will facilitate accessibility of the commitments provided. It will also allow Parties to be recognized internationally for the full spectrum of their mitigation efforts. The MRV of mitigation actions is fundamental to the environmental integrity of the climate regime.	
Bolivia (April 2010)	For actions taken by Annex I countries, MRV rules from the KP apply. For actions taken by Annex I coun- tries not in the KP, MRV rules and procedures elaborated by COP17 (based on the KP) will apply. Supported Non-Annex I NAMAs may be subject to MRV based on rules and procedures established by the COP. MRV of support should be under- taken in the context of the UN- FCCC Compliance Mechanism.	 NatComms should include voluntary developing country NAMAs (Art. 12.1(b)). Measurement of support should be done in accordance with Art. 7.2 of the Conven- tion. Reporting of support should be done in accordance with Art 4.7 and 12.3 of the Con- vention. Verification of support should be done by the SBI under Art. 10.2(a) based on inputs from the finance (Art. 11.1 of Convention) and technology (Art. 7.2(i)) mechanisms. 					

PARTY	SCOPE OF MRV	TOOLS	REGISTRY	SEQUENCING AND ORGANIZATION OF WORK	CAPACITY BUILDING For MRV	FUNCTIONS OF MRV	SCIENCE REVIEW
Chile (May 2010)	Developed country reductions and financing should be subject to MRV, with guidelines adopted by the COP. Supported Non-Annex I country NAMAs should be subject to inter- national MRV in accordance with COP guidelines. Unsupported (unilaterally imple- mented) Non-Annex I NAMAs should be subject to domestic MRV. NatComms should be subject to ICA. Actions already being implemented should be considered unilateral NAMAs.	NatComms should be subject to ICA.	NAMAs seeking inter- national support shall be recorded in a registry along with the required support. Unilaterally implemented NAMAs could voluntarily be recorded in a registry.	Guidelines for MRV should be adopted by the COP. Unsupported Non-Annex I ac- tions, their implementation, and results shall be reported through NatComms every two years.		Guidelines should ensure rigorous, robust and transparent accounting of reductions and financing. Financing is in the "con- text" of meaningful mitiga- tion actions and transpar- ency on implementation.	Parties should complete a review before 2015 based on the best avail- able scientific in- formation followed by 5-year reviews of the long-term goal.
Ghana (April 2010)	Developed country support for adaptation and technology action in developing countries should be MRVed in accordance with guide- lines from the COP (accounting is rigorous, robust and transparent). The provision of technical sup- port to developing countries by developed countries, for mitigation and adaptation, should be reported annually in NatComms and subject to international MRV guidelines to be developed by the COP. MRV should apply to support for environmentally sound technology and know-how transfer. MRV-able reductions should be a condition of a developed country receiving ESTRs under the technol- ogy incentive instrument.	NatComms should include support reported annually by developed countries and shall be subject to international MRV guidelines developed by the COP. All Parties should use existing channels to report, as appro- priate, on activities undertaken and support provided and received for adaptation actions in developing countries.		Wants an "Adaptation Commit- tee" that among other activities will plan, organize, coordinate, monitor and evaluate internation- al actions on adaptation, includ- ing the means of implementation. Guidelines for international MRV of technological support should be developed by the COP. Proposed an Executive Body on Technology, that among other activities, will monitor and asses the financial support and perfor- mance of the development and transfer of environmentally sound technologies.	Developed countries should support developing countries in "Improving climate related research and sys- tematic observation for climate data collection, archiving, analysis and model- ing for improved climatic-related data and information to decision-makers at national and regional levels."	MRV will ensure that accounting of finance is rigorous, robust and transparent.	

PARTY	SCOPE OF MRV	TOOLS	REGISTRY	SEQUENCING AND ORGANIZATION OF WORK	CAPACITY BUILDING For MRV	FUNCTIONS OF MRV	SCIENCE REVIEW
Grenada, on behalf of AOSIS (April 2010) (May 2010)			Activities, cost and technol- ogy transferred for prepara- tory phase of NAMAs in developing countries will be registered.		Need to develop sufficient national capacity for MRV (including a prepa- ratory phase sup- ported by developed countries which is registered).		The gap between the current pledge and what the best available science demands must be addressed as soon as possible.
Guatemala (April 2010)			In the NAMAs preparatory phase, the associated cost and technology transferred will be registered.		A preparatory phase for NAMAs, among other things, will help develop sufficient national capacity for MRV of NAMAs and will be fully supported by developed countries.		
India (April 2010)	 Developed country commitments should be achieved though economy-wide emission reduction targets and subject to a strict review and compliance procedure. NAMAs seeking international support will be subject to international MRV in accordance with guidelines adopted by the COP. Voluntary (unsupported) NAMAs should not be subject to international review. They will be subject to domestic MRV (dMRV). ICA should be based on NatComms in the format decided upon by the COP, through the SBI. A MRV/ICA regime for developing countries should be accompanied by a similar compliance regime for enforcement of Annex I country commitments. 	NatComms should report ALL domestic mitigation actions, supported and unsupported, with provisions for ICA.	NAMAs seeking interna- tional support should be recorded in a registry along with relevant support. The NAMA registry should be part of the climate change financing mecha- nism.	MRV guidelines should be subject to the decision of the COP, through the SBI. The SBI should also devise the Guidelines for ICA. ICA should be based on Nat- Comms in the format decided upon by the COP, through the SBI.		The SBI's role in both MRV and ICA guidelines is necessary to ensure that transparency and unifor- mity is maintained in the procedures of consultation and analysis.	

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Japan (May 2010)	Applies the phrase "MRV" to devel- oped country's emission reductions targets, developing country mitiga- tion actions, and finance.			Emphasizes the importance of the CA, and that elements of the CA should be incorporated into the negotiating text in a comprehensive manner.			
Maldives (April 2010)	Annex I Parties' mitigation com- mitments should be MRVed with the provisions of the KP; develop- ing country NAMAs should be MRVed (per the CA). A verification group should be established under the Technology mechanism.		The registry should provide means for registering the implementation by developed countries of their finance obligations and for matching with NAMA by developing countries.				Recalls that the CA calls for a review in 2015 to include strengthening the global goal to 1.5 degrees Celsius. Annex I commit- ments to the KP should be regularly reviewed on the basis of emerging scientific informa- tion.
Marshall Islands (May 2010)						Recommends to the Chair that her negotiating text reflect the emerging con- sensus in favor of a robust review mechanism for reviewing overall progress toward the achievement of the ultimate objective of the Convention.	
New Zealand (April 2010)				MRV will need the COP to request the SBSTA/SBI to undertake technical work; need to commence as soon as possible so Parties can be sure of rules before they take on new commitments. The CA should be a touchstone.			

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Republic of Korea (April 2010)	NAMAs by developing countries are expected to be MRVed, based on Para. 1(b)(ii) of the BAP).	Parties need a mechanism to recognize actions already taken.	A registry would facilitate the MRV of NAMAs by de- veloping countries and the support provided by devel- oped countries by keeping track of the actions. Registration should be voluntary. Unsupported NAMAs could be registered voluntarily.			A registry should provide transparent information, review the progress of mitigation, and identify sectors or regions where international coopera- tion or support is needed. It recognizes the actions developing countries are taking, and it facilitates the MRV of NAMAs and support.	
South Africa (May 2010)	Supports progress on a work pro- gramme on MRV of FTCB support by developed countries, starting with a common reporting format for financial contributions.			Calls for the roadmap to address how developing country actions might be made MRV-able at the same time as MRV and com- parability of developed country mitigation commitments.			
Spain, on behalf of EU (April 2010)				The negotiating text should integrate the political guidance of the CA.			
United States (April 2010)	International MRV applies to (1) Annex I mitigation, (2) financial/ technological support of actions, and (3) the supported actions. Domestic MRV/ICA applies to non-Annex I actions (including supported and unsupported). The CA confirms that MRV applies to support and both supported and unsupported actions.	The registry should play a role with respect to double-sided MRV for support and sup- ported actions. Inventories should be done every two years. Low-emission growth strate- gies for all Parties should be part of the NatComms.	"[B]oth annex I and non-annex I parties com- municate their mitigation contributions for inter- national listing and stand behind them in terms of implementation" Parties need to list actions in all 3 categories (domestic non-Annex I, supported non-Annex I, supported non-Annex I and those seeking support). Registered actions that secure support move auto- matically to the Appendix of mitigation undertakings. "The Registry, which ties together funding and ac- tions in need of support" may also help with the double-sided MRV.	The Registry concept should be taken from the LCA text and the CA. There is a need for existing and new COP guidelines for international MRV. Domestic MRV and ICA need more text discussion. Supported actions and support provided should be treated together in the text. The text should mirror the CA mitigation and transparency areas of agreement. Refers to existing COP guidelines and any other guidelines the COP might adopt. MRV might be placed, at least partially, in a companion deci- sion, separating mitigation and MRV. Further discussion is required on the extent of standardization of domestic MRV.	Capacity building is a critical issue.	MRV should provide the necessary 'sunshine' to en- sure countries are carrying out their promises and are on track in relation to the objectives of the Conven- tion. Highlights the useful- ness of the CA in bowing to national sovereignty, including in the context of ICA, which promotes widespread contributions and implementation. Guidelines should be aug- mented in terms of rigor and transparency.	The text could pro- vide that a review process (drawing on the language in the CA and/or paras 6, 7, and 8 of the LCA text) should, among other things, consider strengthening the long-term goal of 2 degrees in light of science.

SECTION II.	PARTY	VIEWS	ON	FINANCE
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PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Summary	 Regarding linking finance with actions, in some cases, countries propose that support should be linked to developing country action through a registry or other mechanism (e.g., Maldives, US). (This is also captured in the "Transparency and Review" table) Regarding the SBI, some countries explicitly state that the SBI will have a role in verification (Bolivia, under a Compliance Mechanism) and measurement and reporting (India) of support. Regarding the development of guidelines for reporting financial contributions, according to India, Ghana and the US, guidelines should be developed by the COP. 	 Regarding new vs. old institutions, some countries support the creation of a new financial institution (e.g., Bolivia, Argentina, Ghana, Maldives), yet still recognize a role for existing institutions (Argentina). While Argentina highlights the Adaptation Fund as a model for a new adaptation institutional arrangement, the US highlights the GEF as a model for a new Copenhagen Green Climate Fund. Regarding the sharing of power and responsibility in these institutions, some countries specify that the financial mechanism should be characterized by balanced regional composition (Argentina), equitable and balanced representation (Bolivia, India), or regional UN representation (Ghana). Maldives and the US specifically call for equal representation of developed and developing countries in the governance of adaptation funds. Regarding relations vis-a-vis the COP many countries specifically state that the financial institution should be under the COP/Convention, e.g., Argentina-while still recognizing that multilateral initiatives outside of the Convention may have a complementary role-Bolivia, Ghana, India, Maldives, Venezuela (et. al.). The US argues that the Copenhagen Green Climate Fund should serve as Trustee, and should organize a process to establish the Fund. Regarding the CA, Australia and the US support the financial elements of the Accord. 	 Regarding public vs. private finance, Argentina and Venezuela (et. al.) emphasized the importance of public finance, while Argentina still recognized private finance as a source. Ghana and Chile both supported the use of a variety of sources. Regarding carbon markets, some countries rejected the use of carbon markets as a source of finance (e.g., Bolivia, India, and Venezuela et. al. specified that fund- ing for forests is outside of the carbon market), while others emphasized the need for provisions to avoid market distortions and double counting (Argentina, Australia). Regarding the UN's AGF, Australia believes it is consistent with the Accord. The US does not believe it needs to be reflected in the LCA text because it has already been established by the UN. Regarding proposed innovative sources, there was support for the issuance of Special Drawing Rights by the IMF (Bolivia), tax or other financial mechanism on bunkers (Botswana, Cook Islands), and other innovative sources previously proposed (Maldives). Regarding ligibility criteria for climate finance flows, the majority of countries recognized that funding should be new and additional, predictable and adequate. Regarding fast-start finance, many countries reiterate the provision of USD\$30 billion in fast-start finance (2010-2012) to developing countries, including India, the US, Chile, Ghana and Australia. South Africa specifically states that the USD\$30 billion can be used to test and demonstrate implementation, and to inform 'a comprehensive package'. Bolivia states that fast track- financing in the order of USD\$400 billion from public sources should be made available by developed coun- tries. The Marshall Islands highlights the effectiveness of a focused compilation of 'fast start finance'-related information.

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Argentina (April 2010)	Support for both adaptation and mitigation in developing countries in the mid term should be periodically reviewed to adjust the amount of resources to the actual need of developing countries. Financial support for the implementation of NAMAs by developing countries will be MRVed (along with supported developed coun- try mitigation actions).	The access to financial support for adaptation should be simple, expeditious and direct, taking as a model the Adaptation Fund. These funds should cover the needs for adaptation of all developing countries. In this sense, new institutional arrangements should be considered to guide, supervise, support, administer and monitor the operation of the Adaptation Framework for Implementation (established in the LCA negotiating text here: FCCC/CP/2010/2). The necessary institutions should be created under the Convention, with a balanced regional composition. Existing multilateral institutions could be required for fiduciary and implementation functions. Multilateral initiatives outside the Convention may have a complementary role in technical assistance and capacity building that contributes to an improved implementation of actions in developing countries.	Public finance should prevail. Private financing could contribute in a complementary manner, although it is necessary to thoroughly analyze the mechanisms through which these resources could be channeled. In this regard, Argentina could accept, up to certain limits, the use of market mechanism only if clear rules are established to avoid market distortions such as those experienced under the rules used until now under the Kyoto Protocol. The provision of funds for REDD+ could be envisioned from various sources.
Australia (May 2010)		Supports a pragmatic approach to discussions on the technical elements of finance, including the flexibility to use a range of fora. Notes that some parts of the LCA negotiations appear more mature than others, including a gover- nance structure for finance. Is committed to operationalizing all financing aspects of the CA.	Welcomes the UN Secretary General's High-level Advisory Group on Climate Change Financing, which is consistent with the Accord. Supports the continuation of markets, including a REDD market mechanism, in addition to provisions to prevent double-counting of emissions reductions and removals.

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Bolivia (April 2010)	A compliance mechanism shall be established for the evaluation and verification of developed country commitments under the Convention, including their financial contributions to iden- tify insufficiencies, what is provided and what is needed, and address non-compliance.	A financial mechanism under the COP (the Multilateral Climate Fund) is established in accordance with Article 11.1, which is comprised of: (i) an Executive Board (i.e., the governing body) with equitable and geographically balanced representation; (ii) multiple specialized Funds/funding win- dows (i.e., adaptation, mitigation, technology transfer and development, and capacity building); (iii) trustee(s) appointed by the EB; (iv) technical panels of experts; and (v) a monitoring and verification group or mechanism.	Provision of financial resources by developed countries to developing countries amounting to at least 6% of the value of GNP of developed countries, for adapta- tion (3% of GNP), technology transfer (1% of GNP), capacity building (1% of GNP) and mitigation (1% of GNP).
	MRV of financial support of at least 1% of the GNP of developed countries (for mitigation actions by developing countries), technology and capacity building shall be undertaken in the context of the UNFCCC Compliance Mechanism, with the following objectives:	An institutional framework on adaptation is established under the Convention to enable developed country Parties to meet the cost of adapting to climate change. It shall be comprised of: (i) an Executive Board under the COP; (ii) an Adaptation Fund window; (iii) this Adaptation Fund is exclusive for facing climate change, without any impositions from MDBs or Financial Institutions;	The newly established institutional framework on adap- tation will set the criteria and parameters of adaptation to be funded and, where appropriate, help mobilize financial resources from public and other sources of finance.
	 (i) Measurement shall be in accordance with methodologies to measure provision of FTCB (in accordance with Article 7.2(d) of the Convention). (ii) Reporting shall be on the provision of financial resources and transfer of technology, in accordance with Article 4.7 and communicated 	 (iv) a comprehensive adaptation program to enhance action on adaptation in a coordinated and coherent manner at all levels, ranging from assessments through planning to implementation (i.e., enables the formulation of national adaptation measures, provides FTCB support for adaptation actions, and establishes regional centers where appropriate); (v) an international mechanism to address the unavoidable loss and damage resulting from the adverse effects of climate change by addressing risks associated with extreme weather events and providing compensation and rehabilitation for climate-related slow onset events; and 	US\$400 billion, from public finance sources, shall be made available by developed countries for fast-track financing to address climate change. An equivalent of US\$150 billion worth of Special Drawing Rights shall be issued by the IMF as partial fulfillment of this com- mitment.
	under Article 12.3 of the Convention. (iii) Verification of the combined effects of these measures shall be undertaken by the SBI under Article 10.2(a), based on inputs from the finance and technology mechanisms;	(vi) an international mechanism to address the needs of individuals and peoples displaced due to climate change.The COP shall finish operationalization of the Adaptation Framework at the latest by COP17.A mechanism for technology development and transfer is established under the Convention to fully	There should not be use of an international carbon mar- ket or an international carbon market approach in the offsetting of Annex I Parties' mitigation commitments or in the financing of developing countries' climate ac- tions as it has serious adverse effects.
	(a) verification of the provision of finance for enabled actions to be conducted by the financial mechanism/the Multilateral Climate Fund (in accordance with Article 11.1 of the Convention), so the Multilateral Climate Fund	 implement the commitments on technology development and transfer under the Convention. It shall be comprised of: (i) a Technology Executive Board; (ii) Technical Panels for adaptation and mitigation technologies; (iii) Technology Agrico Plan; 	
	(under the COP) will include a monitoring and verification group or mechanism; and (b) verification of the provision of technology transfer for enabled actions shall be conducted by the technology mechanism under Article 7(2)(i) of the Convention.	 (iii) a Technology Action Plan; (iv) a Multilateral Climate Technology Fund/window, which will provide financial resources for the activities agreed on by the established Technology Mechanism (in accordance with Article 4.3), will be part of the financial mechanism of the Convention, and shall be composed of Regional Groups of Experts in Investment and Development; and (v) a compliance mechanism for measuring and verifying commitments. 	
	The new institutional framework on adaptation will include a mechanism to register and moni- tor the support of developed countries, and a compliance mechanism under the Convention to measure and verify the provision of support	A framework for the delivery of forest-related financial resources for developing countries' commit- ments under Article 4.1(d) is established. Under the proposed Multilateral Climate Fund the following should be established: (i) a funding window for forest-related activities as set out under paragraph 1(b)(iii) of the BAP; and (ii) an expert group/committee to facilitate implementation of such activities supported by a technical panel if needed.	
	(finance and for technology).	A capacity-building committee mechanism shall be established to develop and support capacity- building needs of developing countries vulnerable to the adverse effects of climate change, including through funding.	

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Botswana (April 2010)			An international tax on bunkers including air transport can provide adequate, additional and predictable financing for climate change, as previously proposed by Botswana along with LDCs and SIDS. The base document, FCCC/CP/2010/2 contained in the draft COP decision on bunkers from Copenhagen, should be moved forward.
Chile (May 2010)		Improved access to funding should be provided to developing countries.	The USD\$100 billion a year by 2020 that developed countries should commit to could come from a wide variety of sources, public and private, bilateral and mul- tilateral, including alternative sources of finance such as market mechanisms. There is need to provide positive incentives for REDD+ actions through the immediate establishment of a mechanism to enable the mobilization of financial resources from developed countries. Scaled up, new and additional, predictable and adequate funding should be provided to developing countries.
Cook Islands (May 2010)			The ICAO and the IMO should develop and implement measures to reduce GHG emissions from aviation and marine bunker fuels. The revenue of these measures will support climate change adaptation and mitigation in SIDS and LDCs. The ICAO and IMO should inform the COP at its 17th session and its SBs as appropriate at regular intervals.

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Ghana (April 2010)	Provision of international FTCB for developing country adaptation will be MRVed in ac- cordance with guidelines to be adopted by the COP, and will ensure that accounting of such finance is rigorous, robust and transparent. All Parties should use existing channels to report, as appropriate, on support provided and received for adaptation actions in develop- ing countries, to ensure transparency, mutual accountability, and with the aim of identifying insufficiencies and discrepancies of support for consideration by the COP. The provision of technological support to developing countries by developed countries, for both mitigation and adaptation, shall be reported annually by developed countries in their national communications and shall be subject to international MRV guidelines to be developed by the COP.	 New multilateral funding for adaptation, technology and capacity building will be delivered through effective and efficient fund arrangements, with a governance structure providing for regional UN representation. The funding should flow through the Copenhagen Green Climate Fund established under the Convention, which will support REDD-plus, adaptation, capacity-building, technology development and transfer in developing countries. Establishes an Adaptation Framework for Implementation. An Adaptation Committee under the Convention will be established to guide, supervise, support, administer and monitor the operation of this Framework, including, among other things, (i) to receive, evaluate and approve the applications of financial support from developing country Parties for implementation of adaptation needs and adaptive capacity of developing countries (including financial mechanism. (ii) to support the assessment of adaptation needs and adaptive capacity of developing countries (including financial needs). Establishes a Technology Mechanism under the COP to, among other things, ensure adequacy and predictability of FTCB support to developing countries for technology transfer. It shall "articulate with the Financial Mechanism of the Convention, "The Technology Mechanism will consist of, among other bodies (such as an Executive Body), a Multilateral Technology Fund as a funding window under the overall Convention Financial Mechanism. Technology Action Plans shall be implemented with financial support through the financial mechanism. 	Developed countries shall provide grant-based finance from public sources for adaptation in the order of at least 1.5% of GDP for adaptation activities in develop- ing countries. Funding will come from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources of finance. The Technology Mechanism will take into account the important role of public finance in supporting technology R&D and demonstrations and in leveraging private-sector funding. Developed countries will provide \$100bn/yr by 2020, which will come from a wide variety of sources, public and private, bilateral and multilateral, including alterna- tive sources of finance.
Guatemala (April 2010)		The provision of financial resources will be guided by the principles of the Convention and priorities of developing countries, especially particularly vulnerable developing countries. In this context, the implementation of Article 4, paragraph 3, 4, 5, 7, 8 and 11 should be the basis for the financial mechanism. Financial resources for the preparation of REDD+ should be distributed equally among developing countries.	Developed countries should provide new, additional and predictable financial resources.
India (April 2010)	An MRV architecture which should apply not only to actions but also the support for such actions. All guidelines for MRV will be subject to deci- sion of the COP through its subsidiary body, SBI. The NAMA registry should be part of the climate change financing mechanism.	A global mechanism for generating and accounting for additional resources, mainly from public sources, is essential. There should be a multilateral financial mechanism under the Convention. There can be many oper- ating entities of the Fund, but the Fund itself should have balanced and equitable representation of Parties, function under the COP and ensure direct access. Global technology cooperation should be based on a multilateral mechanism that finances and facili- tates collaborative research in future low-carbon technology and access to IPRs as global public goods.	Long-term finance should not rely on resources from carbon markets. Balance is necessary between private and public funds. REDD+ should be financed with public funds and a dependence on carbon markets should not be a stum- bling block to mitigation and adaptation efforts in the forestry sector. Deepening and expansion of carbon markets should take place through strengthening of the available flex- ibility instruments under the Kyoto Protocol.

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Maldives (April 2010)	Maldives has taken a lead in developing a pro- posal within the G77 for enhanced implemen- tation of a Financial Mechanism for Meeting Financial Commitments. The Mechanism would: • include a new Board, a Secretariat, an Expert Group or Committee, a Consultative Group of stakeholders and an independent assessment panel; • ensure full implementation of relevant provisions in the Convention relating to the provision of financial resources; and • provide a means for registering the imple- mentation by developed countries of their obli- gations relating to financing, and for matching these with nationally appropriate mitigation actions by developing countries.	 Maldives emphasizes its support for the establishment of the Copenhagen Green Climate Fund and calls on the fund to be operationalized as soon as possible and to receive adequate financing (quick-start and longer-term). Mexico's proposal for a new financial architecture also includes a range of elements that dovetail well with proposals by LDCs, AOSIS and G77. Recalls the elements of the Copenhagen Accord that new multilateral funding for adaptation will be delivered through effective and efficient fund arrangements, with a governance structure providing for equal representation of developed and developing countries. Reiterates its statement that a comprehensive mechanism and structured approaches are necessary to enhance action on adaptation through and beyond 2012. Maldives offers its full support to the proposals on adaptation put forward by AOSIS and the LDC Group. Key elements of this approach include: the establishment of a Subsidiary Body on Adaptation under the Convention; the establishment of a Convention Adaptation Fund in the context of the finance framework proposed by the G77; and a comprehensive Work Programme on Adaptation. The Convention Adaptation Fund as discussed in the August 2007 AOSIS submission to the UNFCCC is linked to GHG emissions on the polluter pays principle. The Fund will complement, not replace, the KP Adaptation Fund. All new funds raised would be channeled through the UNFCCC and funds disbursed under the authority and governance of the COP. New governance required because existing IFIs put small states at disadvantage. Funding for technology transfer should be managed in transparent regime. There should be no mixing of support or credits from the KP with LCA. Maldives maintains its support for the developing countries proposition on establishment of a Technology Mechanism under the UNFCCC including: enhanced institutional arrangements (a Subsidiary/Executive Body, a Strategic P	 Calls on developed and developing countries to allocate a realistic sum from their own GDP to transform to a low-carbon economy. Proposals by Switzerland (carbon levy), Norway (auctioning AAUs) and the EU offer innovative approaches for raising new and additional financial resources. Supports the call by the G77 for the provision of financing by Annex I Parties over and above ODA at the level of 0.5% to 1% of the GNP of these Parties and call upon developed countries to provide public money amounting to at least 1.5% of their gross domestic product (GDP), in addition to innovative sources of finance, annually by 2015 to help developing countries make their transition to a climate resilient low-carbon economy. Financing is to be new and additional (a number of Annex I Parties are planning to repackage Overseas Development Assistance rather than provide new and additional financing for 2010 should be reviewed before or during the UNFCCC Cancun meeting.
Marshall Islands (May 2010)	Encourages Parties to consider the effectiveness of a focused compilation of 'fast start finance'- related information.	Encourages Parties to pursue methods of addressing challenges in navigating, coordinating and access- ing diverse funding streams without prejudice to any fora or future financial mechanisms established under the Convention.	
South Africa (May 2010)	Progress could be made In the negotia- tions under the AWG-LCA in the run-up to Cancún; including on the MRV of financial commitments by developed countries, starting with a common reporting format for financial contributions by developed countries.	Progress could be made In the negotiations under the AWG-LCA in the run-up to Cancún; including on architecture of the financial mechanism.	

PARTY	MRV OF FINANCE	GOVERNANCE	SOURCES
Sri Lanka (April 2010)		Does not support any other financial mechanisms imposed to the COP other than the outcome of the negotiations.	Provision of financial resources should be predictable, new and additional, and adequate.
United States (April 2010)	Breaks MRV into four baskets, including "in- ternational MRV of the financial/technological support of actions", which, with the basket of "international MRV of those non-Annex I actions that are supported", are two sides of the same coin. At a minimum, placeholders should be inserted into the Chair's text with respect to all four of these aspects of MRV. As near-term interna- tional discussion puts flesh on the bones of MRV, elaborated textual provisions will need to be added to the text.	 Fast-start funding will take place through existing channels/institutions. The Chair's text should reflect agreement in the Accord that a Copenhagen Green Climate Fund will be established as an operating entity of the Convention's financial mechanism. This fund should have a governance structure for adaptation providing for equal representation of developed and developing countries. Its establishment should follow the precedent of the GEF. The World Bank should serve as Trustee of the new Fund, and should organize a process to establish the Fund. The Parties will need to discuss and decide upon many aspects of the Copenhagen Green Climate Fund (e.g., Board composition, modes of access, MDB involvement); however, we do not envision textual provisions on these issues. The Technology Executive Committee (TEC) and the Climate Technology Center and Network (CTC&N), which are not operating entities of the financial mechanism, should provide information and advice related to technology development and transfer that could be included in COP guidance to the financial mechanism. 	The Accord's "High Level Panel" does not need to be reflected in the LCA Chair's text because the UN Sec- retary General has already set up a High Level Advisory Group on Climate Change Financing.
Venezuela on behalf of Bolivia, Cuba, Ecuador and Nicaragua (April 2010)	Financial support provided by developed coun- tries should be recorded and monitored.	 Neither States' sovereignty nor self-determination of communities and most affected groups should be disturbed by means of other mechanisms. Such mechanisms, if any, should be voluntary and regulated in accordance with the principles of the Convention and international law. The Adaptation Fund should be exclusive to climate change, and managed and led in a sovereign, transparent and equitable manner. The Adaptation Fund should also manage a facility to remedy any impacts which may arise if our planet exceeds the ecological thresholds. Polluting countries must directly transfer financial and technological resources to pay for restoration and conservation of forests and jungles, in favor of indigenous peoples. The establishment of a fund for funding and inventory of appropriate technologies, free from intellectual property rights, particularly patents, is also essential. 	Financing should be from public funds. Funding for restoration and conservation of forests and jungles is outside of the carbon market.

PARTY LEGAL FORM OF AGREED OUTCOME

Summary • Regarding the legal character of the agreement, all Parties support or do not expressly oppose having at least one legally binding agreement. (a) Some countries call for the adoption of a second commitment period under the Kyoto Protocol (Ghana, Grenada, India, Maldives, South Africa, Venezuela) with Bolivia arguing that such adoption is essential for the adoption of an agreement in the LCA track. (b) On the LCA track, some countries call for a legally binding agreement (Australia, Marshall Islands, New Zealand, South Africa). (c) Other Parties call for, or are open to the possibility of, a single instrument or framework for all Parties, with some expressly calling for it to be legally binding (Guatemala), while others remain vague (Japan, New Zealand). (d) The EU, US and Maldives state generally that they favor a legally binding outcome, with the US specifying that the legally binding elements should be legally binding with respect to all relevant Parties.

• Regarding the legal character of the obligations, (a) Some Parties requested that Annex I Party commitments be legally binding or inscribed in a legally binding instrument (Bolivia, Ghana, Grenada, India, Maldives, South Africa, Venezuela). This could be achieved through a second commitment of the KP, a COP decision (Bolivia, India), or an annex to a legally binding agreement under the LCA (Grenada). A parallel process under the LCA (Grenada, Ghana, Maldives), or a COP decision (Bolivia, India), could capture the commitment of non-KP Annex I Parties. (b) Views on the legal character of actions by non-Annex I Parties diverge. The US calls for a symmetry in the legal character for actions from all relevant Parties, while others state that non-Annex I Party actions should be voluntary (e.g., Bolivia, India).

• **Regarding the Copenhagen Accord pledges**, Maldives argues that they should be included in a second commitment period of the KP or a similar instrument under the LCA for non-KP Annex I Parties.

ORGANIZATION OF WORK

• **Regarding number of working groups**, Australia and Japan call for discussions to be held in a single contact group. Australia and Japan call for topic-specific sub-groups, with Japan specifying that participation in such sub-groups should be regionally balanced. South Africa argues that agreements on the future of the climate regime must follow two tracks. Venezuela states that the negotiating process should be transparent, inclusive, legitimate and democratic.

• **Regarding institutional arrangements**, Grenada argues that the COP should also be the supreme body of the LCA protocol and the UNFCCC secretariat should also serve as its secretariat.

• Regarding sequencing, Grenada, Japan and South Africa propose, or call for the development of, an indicative roadmap for the process in 2010 with clearly defined milestones. South Africa supports a two-pronged approach that would (1) develop a politically balanced comprehensive outcome under the AWGs and (2) use 2010 \$10billion fast-start funding to develop, test and demonstrate practical implementation approaches to adaptation and mitigation, which can be used to inform the comprehensive package. By COP16, Parties call for an amendment to the KP for the 2nd commitment period (Bolivia, Grenada, Venezuela), a comprehensive agreed outcome (Bolivia), an internationally legally binding outcome under the LCA (Grenada), a protocol or set of decisions on several issues (India), a comprehensive framework with decisions to implement it (Japan), legally binding outcomes to implement the UNFCCC and its KP (Maldives), and a political agreement on the future of the KP; LCA agreement and agreement under KP track should be concluded in Cancun, or at the latest in 2011 (South Africa).

• **Regarding coordination**, New Zealand and Japan state that work in the AWG-KP and AWG-LCA should be coordinated. Japan and Spain call on the LCA chair to coordinate with the COP16 host.

ROLE OF COPENHAGEN ACCORD AND DECEMBER LCA TEXT

• Regarding the Copenhagen Accord, Countries converge on the idea that Parties should build on the achievements/compromises struck in the Accord and treat them as input into the negotiations (Australia, India, Marshall Islands, New Zealand, Norway, South Africa, Spain, United States), with South Africa arguing that the Chair's roadmap should specify how such input happens. Maldives sees the Accord as a first step to a binding agreement in Cancun. Australia argues that the Accord forms a package and that all elements should be addressed effectively. Some countries (India, New Zealand) make clear that the document should not be treated as the basis of a negotiating text unless it is agreed and adopted by all the Parties. Marshall Islands noted that the Accord does not offer a complete solution and has significant gaps that need to be rectified. Bolivia categorically rejects the Copenhagen Accord. Egypt argues that the document has no legal standing.

• **Regarding the December LCA text**, the United States calls it a relevant document to "drawn on" on a provision-by-provision basis, while India and South Africa argue that it should be a basis for the negotiations.

• Other observations: Documents adopted by the supreme bodies of the Convention have preeminence over other documents (Argentina); UNFCCC and the Bali Action Plan should continue to be the basis for further work (India).

	the KP or a similar instrument under the LCA for non-KP Annex I Parties.		
Argentina (April 2010)			Documents adopted by the supreme bodies of the Convention (e.g. 1/CP.15) have preeminence over other documents.
Australia (May 2010)	Continued negotiations in the AWG-LCA should build on the Accord's approach of recording country commitments in appendices with the aim of developing "a durable, legally-binding architecture."	"Urgent need" for mechanisms to enhance enabling activities such as technology information, capacity building and innovative financing.	Carbon market mechanisms to drive developed countries to fund full incremental costs. Promoting joint-ventures to accelerate deploy- ment, diffusion and transfer of technologies should contribute to effectively deal with intellectual property rights issues.
Australia (December 2008)	Identifies Asia Pacific Partnership (APP) as an excellent example of technology cooperation, specifically because it promotes voluntary public private partnerships.	Single contact group to improve efficiency. Specific issues can be taken forward in well-targeted, topic-specific sub-groups.	Need to capitalize on the Accord's achievements and use it as the core of a new text. Accord undertakings form a package. All elements should be ad- dressed effectively.

SECTION III. PARTY VIEWS ON LEGAL ISSUES

PARTY	LEGAL FORM OF AGREED OUTCOME	ORGANIZATION OF WORK	ROLE OF COPENHAGEN ACCORD AND DECEMBER LCA TEXT
Bolivia (April 2010) (May 2010)	2nd commitment period of KP (2013-2017) essential for the adoption of an agreed outcome in LCA.Binding targets for all Annex I countries.Commitment of non-KP A1 Parties "recognized through a decision of the COP" for the period 2013-2017.Voluntary NAMAs for NA1 countries.	COP16: amendment to the KP for the 2nd commitment period. COP16: "a comprehensive agreed outcome".	"[C]ategorically reject the illegitimate 'Copenhagen Accord'".
Egypt (April 2010)			"[The Accord's] provisions do not have any legal standing within UNFCCC process even if some parties decided to associate them- selves with it."
Ghana (April 2010)	KP commitments and comparable efforts from the US under LCA.		
Grenada, on behalf of AOSIS (April 2010) (May 2010)	Internationally legally binding agreement under the AWG-LCA that includes commitment for non-KP A1 parties. Annex I targets inscribed in Annex B of KP for 2nd commit- ment period (2013-2017) and duplicated in annex to the LCA agreement.	 COP should also be the supreme body of the LCA protocol. UNFCCC secretariat should also serve as secretariat to the LCA protocol. Develop an indicative roadmap for the process in 2010 with clearly defined milestones (proposed roadmap included in submission). Chair's text should be consistent with LCA legally binding agreement, and "complement and reinforce" the adoption of 2nd commitment period of KP. COP16: Internationally legally binding outcome under the LCA, and must complement and reinforce the adoption of A1 targets for 2nd commitment period of KP. 	
Guatemala (April 2010)	"[G]lobally binding, long-term agreement".		

PARTY	LEGAL FORM OF AGREED OUTCOME	ORGANIZATION OF WORK	ROLE OF COPENHAGEN ACCORD AND DECEMBER LCA TEXT
India (April 2010)	 "UNFCCC and the Bali Action Plan should continue to be the basis for further work and for constructing a legally binding outcome at a future date." Aggregate emission reductions of Annex I Parties may be inscribed in a protocol or agreement. Alternatively, a series of COP decisions on several issues, including Annex I aggregate emission reductions, would also be legally binding and enforceable on all Parties as per the principles and provisions of the Convention. Commitments of Annex I countries party to KP should be finalized and inscribed under KP. Non-KP A1 Parties must take comparable and ambitious commitments subject to strict review and compliance procedure. Voluntary mitigation actions by developing countries; no internationally legally binding commitments. 	While it is useful for the aggregate emission reductions objectives of An- nex I Parties to be inscribed in a protocol or an agreement, it is not necessary for a legally binding outcome to take place in form of an agreement or a protocol in order to conclude the process of negotiations at COP16. A set of decisions by COP on several issues including those relating to aggregate emission reduction levels applicable to Annex I countries will be legally binding and enforceable on all Parties as per the principles and provisions of the Convention. Commitments of KP-party A1 countries should be finalized and inscribed under KP.	The Copenhagen Accord is a political document that constitutes "an input to negotiations on the text." "It is not legally binding and is not to be treated as the basis of a negotiating text unless it is agreed and adopted by all the Parties." The Accord should facilitate the two-track process of negotiations under the LCA and KP and lead to a successful conclusion of ongoing negotiations. Areas of conver- gence in the Accord could be used to help reach an agreement on the specific issues under negotiations. "UNFCCC and the Bali Action Plan should continue to be the basis for further work…". LCA text is "a legitimate basis for negotiations".
Japan (April 2010) (May 2010)	Adopt a "comprehensive legal document which establishes a fair and effective international framework with the participation of all major economies".	 Generate negotiating text at AWG-LCA session 10. Use AWG-LCA sessions 11 and 12 to start negotiations on the negotiating text. At session 12, issues should be identified that need political judgments for Cancun. Conduct discussions in an integrated manner in a single contact group. LCA and KP Chairs should coordinate. LCA chair to coordinate with COP16 host. Utilize small group meetings with participation with balanced regional representation. COP16: adopt a comprehensive framework and decisions on individual matters to implement it. 	Accord "provides high-level political guidance to our negotiators". Legal framework for all major economies should be "based on the Accord". All elements of Accord should be incorporated in Chair's text.
Maldives (April 2010)	 "[L]egally binding outcomes to implement the UNFCCC and its KP". A1 Parties formally submit the political pledges in the Copenhagen Accord to AWG-KP for inclusion in legally binding 2nd commitment period of KP commencing in 2013. Non-KP A1 countries' efforts should be comparable to those of other Annex I countries in terms of ambition, legal form and compliance. 	Deliberations in Copenhagen provide important foundation for future work in the AWG-LCA and AWG-KP. "[L]egally binding outcomes to implement the UNFCCC and its KP at COP16/CMP16".	Accord is "a political agreement that is a first step to a binding agreement in Cancun".

SECTION III. PARTY VIEWS ON LEGAL ISSUES

PARTY	LEGAL FORM OF AGREED OUTCOME	ORGANIZATION OF WORK	ROLE OF COPENHAGEN ACCORD AND DECEMBER LCA TEXT
Marshall Islands (May 2010)	Concerned about lack of clarity as the intended legal character of post-2012 climate regime. In favor of legally binding outcome from AWG-LCA.	COP16: "a strong, ambitious and comprehensive set of outcomes".	Accord should have "material influence upon the production of he negotiating text". Chair should draw from Accord where it captures political progress in crucial areas. Accord does not offer a complete solution and has significant gaps that need to be rectified through negotiations process (i.e., raise level of ambition).
New Zea- land (April 2010)	"A legally binding outcome of treaty status from the AWG-LCA that promotes broad participation by Parties". Outcomes of AWG-KP and AWG-LCA should be integrated. Leave open the possibility of a single legal instrument.	Work in the AWG-LCA must be coordinated with work of the AWG-KP to avoid ending up with different rules governing similar commitments. Chair's text may "take the form of a framework-type agreement, accompanied by a set of complementary COP decisions - each using language appropriate to their legal form."	Accord constitutes significant high level political guidance that should be used as a "touchstone" to make progress within UN- FCCC. Accord is not a textual basis for negotiation but points to where deals could be struck.
Norway (April 2010)			Accord provides important political guidance to the negotiators. Should be regarded as an integral input to the negotiations.
South Africa (May 2010)	 2-track approach leading to two outcomes: (1) Outcome of negotiations under KP on 2nd commitment period. (2) Separate legally binding agreement, "interpreted with the Convention and the KP" for the outcome under the Convention track. 	 Supports two-pronged approach: Develop a politically balanced comprehensive outcome under the AWGs. Use 2010 \$10billion fast-start funding to develop, test and demonstrate practical implementation approaches to adaptation and mitigation, which can be used to inform the comprehensive package. Roadmap to be proposed by the Chair of AWG-LCA should have as its outcome the adoption of a legally binding agreement under the Convention. Important to resolve politically the future of the Kyoto Protocol in 2010. LCA agreement and agreement under KP track should be concluded in Cancun, or at the latest in 2011.	The roadmap for the AWG-LCA should address how the political agreements on contentious issues, as reflected in the Accord, should be utilized to guide the official negotiations under AWG-LCA. "The basis of negotiation must be the text developed by the AWG-LCA, as further developed by Parties".
Spain, on behalf of EU (April 2010)	EU committed to concluding as soon as possible within the UN framework a "legally binding international agreement for the period starting 1 January 2013".	LCA Chair should have flexibility to work in close collaboration with incoming COP and COP/MOP Mexican Presidency.	Accord contains political guidance to be used by LCA Chair.

SECTION III. PARTY VIEWS ON LEGAL ISSUES

PARTY	LEGAL FORM OF AGREED OUTCOME	ORGANIZATION OF WORK	ROLE OF COPENHAGEN ACCORD AND DECEMBER LCA TEXT
United States (April 2010)	Legally binding outcome provided that the legally binding ele- ments are legally binding with respect to all relevant Parties. Flexible as to whether all aspects of BAP are addressed with or without an overarching instrument (series of decisions or a cover decision with other issues handled in companion decisions).		 Where progress would be facilitated by reflecting aspects of the Accord, or other submissions, the Chair should import those provisions. Substantive outcomes of Accord "unarguably relevant to progress under the Convention." The LCA text is a relevant document to "drawn on," rather than use as the basis of negotiations. Import provisions of LCA text on a provision-by-provision basis when it would facilitate progress. Favors using LCA text on REDD+ and the establishment of a registry. Considers LCA text inadequate on mitigation and MRV.
Venezuela, on behalf of Bolivia, Cuba, Ec- uador and Nicaragua (April 2010)	Legally binding agreement at COP16, which complements and strengthens UNFCCC and KP. 2nd commitment period to KP beginning in 2013.	A negotiation process based on transparency, inclusiveness, legitimacy and democracy. COP16: legally binding agreement; 2nd commitment period to the KP.	

Glossary of Acronyms

A1	Annex I Countries
AAU	Assigned amount unit
AGF	United Nations High-Level Advisory Group on Climate Change
	Financing
AOSIS	Alliance of Small Island States
AWG-LCA	Ad-hoc Working Group on Long-Term Cooperative Action
BAP	Bali Action Plan
CA	Copenhagen Accord
СОР	Conference of the Parties
ESTR	Environmentally Sound Technology Rewards
ERU	Emission Reduction Unit
FTCB	Finance, Technology and Capacity-Building
G77	The Group of 77 (a bloc of non-Annex I countries)
GDP	Gross Domestic Product
GEF	Global Environment Facility
ICA	International Consultations and Analysis
ICAO	International Civil Aviation Organization
IMO	International Maritime Organization
IPR	Intellectual Property Rights
KP	Kyoto Protocol
LDCs	Least-developed countries
MDB	Multilateral Development Bank
MOP	Meeting of the Parties
MRV	Measure, Report & Verify
MTAF	Multilateral Technology Acquisition Fund
NA1	Non-Annex I Countries
NAMAs	Nationally Appropriate Mitigation Action
NatComms	National Communications
ODA	Official Development Assistance
QERCs	Quantified Emission Reduction Commitments
QELROs	Quantified Emission Limitation and Reduction Objectives
REDD	Reduced Emissions from Deforestation and Degradation
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technological Advice
SIDS	Small Island Development States
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
US	United States

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