

ARTICLE 13 IMPLEMENTATION AND COMPLIANCE

General remarks:

- As requested by the different member state, my delegation understand that we believe that the mechanism should be facilitative in nature, not punitive, focusing on bringing countries back into compliance.

Our specific edits (in red)

1. A mechanism, including a Committee as a subsidiary body of the Conference of the Parties, is hereby established to promote the implementation of, and review [and facilitate] compliance with, all provisions of this Convention.
2. The committee referred to in paragraph 1 shall examine both individual and systemic implementation and compliance issues, including challenges faced by developing state Parties regarding implementation, and make recommendations to the Conference of the Parties.
3. The committee shall consist of 17 members nominated by Parties and elected by the Conference of the Parties with recognized competence in fields relevant to this Convention, including legal or technical expertise, with three members from the five regional groups of the United Nations and two members from the small island developing States. The Committee and its members shall be independent, transparent, and free from conflicts of interest.
4. Member shall be elected to the committee to serve for a period of [X] years and for a maximum of two consecutive terms. The Conference of the Parties, at its first meeting, shall elect [X] members to the committee for an initial term of [X] years and [X] members for a term of [half of X] years. Thereafter, the Conference of the Parties shall elect at its relevant regular meetings [x] members for a term of [X] years. The members and alternate members shall remain in office until their successors are elected.
5. The committee may consider issues on the basis of:
 - (a) Written submissions from any Party with respect to its own compliance;
 - (b) Information provided by the secretariat with respect to the status of submission of information under Article 15;
 - (c) Information available to the committee, *inter alia* from national reports
6. The committee referred to in this Article shall elaborate its rules of procedure, which shall be subject to approval by the Conference of the Parties at its second meeting. The Conference of the Parties may adopt further terms of reference for the committee.

7. The committee shall make every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted and no consensus is reached, such recommendations shall as a last resort be adopted by a three fourths majority vote of the members present and voting, based on a quorum of two thirds of the members.

Work in the interim period between the DipCON and COP1 (for adoption by the COP at its first meeting) could include the development of draft RoP and ToR for the Committee.

ARTICLE 14 NATIONAL PLANS

General remarks:

Rwanda supports the intervention made by Malawi on behalf of Africa Group and Explanation given by Ghana. Our understanding is that we are preparing a legally binding instrument and this article should be revised to be aligned with the nature of the treaty we are developing.

In this regard: NAP should be mandatory to all Parties to this treaty. The submission and periodic adjustment of the national plans should be mandatory. And this should be a fundamental activity under this treaty, somewhat like the approach taken to the national plans, called nationally determined contributions or NDCs may not fit in this treaty as one is legally binding and other voluntary. We therefore support changing the nature of the legal obligation to make it mandatory. However, to avoid having plans that are incompatible and incomparable, which would undermine effectiveness evaluation and monitoring, we suggest a role for the Conference of the Parties to adopt guidelines on their formats and will suggest language to this effect.

In this Regards, Rwanda proposed the specific changes and **Specific edits** (in red)

1. Each Party ~~[shall]~~ **may** develop and implement a national plan, **based upon its national needs, circumstances and capabilities, [identifying] to describe** the measures it intends to take to implement its obligations under this Convention. ~~[The] Any such~~ plans ~~[shall]~~ **should** be transmitted to the Conference of the Parties through the Secretariat **[within two years of becoming a Party]** ~~as soon as it has been developed.~~
2. A Party ~~[shall]~~ **may at any time** adjust **[, every five years,]** its national plan in order to enhance its level of ambition based on its national circumstances and capabilities.
3. Parties should, in undertaking work pursuant to paragraphs 1 and 2, consult national stakeholders to facilitate the development, implementation, review and updating of their national plans.

4. Parties are encouraged to collaborate and coordinate on the development and implementation of subregional and regional plans to facilitate implementation of this Convention, as appropriate.
5. The secretariat shall make national plans submitted by Parties under this Article publicly available.
6. The Conference of the Parties [shall, at its first session,] ~~may~~ adopt [the format and guidelines for national plans and other] guidance regarding implementation of this Article.]