Mr Co-Chairs,

Thank you for the opportunity to highlight a number of important elements that we believe should be part of the new agreement.

As a general note we wish to state that we do not believe that we would be able to agree on all the details of the crucial elements that should go into the agreement and that in many of the cases we foresee that we will only be able to agree on some elements with a mandate that the details be worked out between 2016 and 2020, following more or less the process followed for the KP.

In our previous interventions we have spoken on how we see a process for the ex ante assessment for the INDCs as well as mentioned our proposal for an ex post assessment of post-2020 commitments to ensure the transparency and credibility of the system and to ensure that based on these assessments the required adjustments could be made to ensure that the 2 degree global goal is met.

Co-Chairs,

Multilateral ex ante Assessment and Adjustment of Intended Nationally Determined Contributions and Inscription in the Agreement

In South Africa's view the Intended Nationally Determined Contributions (INDCs) is an essential part of the new agreement and that Parties need to agree to formalize and provisionally inscribe their INDCs in the Paris agreement in 2015 with the clear commitment that these can be upward adjusted reflect greater ambition by the Parties to respond to the outcome of the ex ante assessment and based on science and fairness.

As the INDCs would be known by all Parties when the political deal need to be made in Paris, there is no need to rush the very important ex ante assessment process in 2015. We see the ex ante assessment as the most important part of ensuring that we create a credible and effective response to the climate change challenge. We therefor do believe that it should not be rushed at the same time that we would be engaged with intense negotiations that will have to take place to be able to have an agreement in Paris. We need to take time to get this right, especially as the agreement will only be applicable from 2020.

We propose that the ex ante assessment will commences in 2016. The process should be organize in a manner that will allow for a peer review of each others INDCs and open to public participation. Party-driven, informed by science and equity and flexible enough to allow for adjustments of nationally determined contributions.

The process should be started with a request to the Secretariat to make a compilation of Parties' INDCs for purposes of clarity and to make comparability of efforts easier. The Secretariat should be mandated to commission a technical analysis of individual contributions as well as the adequacy and fairness of the contributions. The technical paper would be used to aid understanding of the individual and collective efforts.
The peer review part of the assessment could take place in the SBs in a joint sitting in June 2016 that will allow for the scrutiny and comparison by peers. The SBs’ assessment process can call for expert input, and should draw on various sets of information, including the latest science and the results of the 2013-2015 Review taking into account the adequacy and fairness of the contributions.

Based on the assessment Parties should be called on to consider the recommendations for adjustments in order to increase ambition as we suspect would be necessary. Parties will then have the opportunity to resubmit the final INDCs as their commitment for adoption by the COP22.

Mr Co-Chairs,

**Ex Post Assessment of Implementation of Commitments**

The ex post assessment is distinct from *ex ante* assessment of INDCs.

South Africa proposes creating incremental implementation periods of 10 years with midterm checks to ensure that we are on track to meet the 2 degree global goal. Adjustment of commitments at anytime during the period and the possibility of a seamless inscription of new sets of commitments for a next implementation periods should be provided for. Mid term checks done on the basis of regular reporting processes should be provided for to keep parties on track.

South Africa sees the ex post assessment process as a core element of 2015 Agreement.

The process of ex post assessment would be Party-driven, consultative, facilitative and non-threatening and based on science and equity. The assessment must include verification of financial and other support to developing countries and the subsidiary bodies should be given a mandate to further improve existing transparency measures. The review of the adequacy and fairness of these commitments will be done against the existing but strengthened MRV system, not only for mitigation, but also adaptation and means of implementation. The ambition and fairness of individual commitments and their implementation will be assessed in terms of historical responsibility, current capability and national circumstances, including sustainable development imperatives.

*Ex post* assessment will include the identification of opportunities, support requirements and the need for adjustments. The assessment should lead to setting of new commitments or adjustments of commitments and provide for an incremental adjustment process, e.g. 2020-2030, 2030-2040, etc.

- Individual mitigation commitments of a Party shall be more ambitious in a future period than its commitment for the previous period.

- Non-delivery on a Parties' individual contributions will be referred to a compliance mechanism. Gaps in the existing rules also need to be addressed.

The subsidiary bodies must be given the task to further elaborate the ex post assessment procedures in more detail.

Mr Co-Chairs,
Compliance

A compliance system is an important element of the new agreement. The aim of the compliance system is to strengthen the effective implementation of the Convention.

The compliance system could have various platforms/rooms that would be available to the Parties.

We see an early warning system as part of the compliance system. This is a valuable tool that can assist parties with the implementation of their commitments by alerting them of possible problem areas/challenges, based on the existing reporting processes and to ensure that problem areas are addressed early enough to ensure implementation of commitments.

A platform for facilitation should be available to parties to seek facilitation in order to solve specific implementation problems. Through this platform, Parties can receive assistance through interventions that are aimed at facilitating them to comply. In this context, we could consider the Multilateral Consultative Process (MCP), established in Article 13 of the Convention.

The platform for enforcement would at the end of implementation periods be mandated to deal with cases of non-compliance. A menu of interventions/ measures aimed at ensuring implementation should be available to assist Parties to get back to compliance.

Thank you