

[18. A Clean Development Fund shall be established by the Conference of the Parties to assist the developing country Parties to achieve sustainable development and contribute to the ultimate objective of the Convention. The Clean Development Fund will receive contributions from those Annex I Parties found to be in non-compliance with its quantified emission limitation and reduction objectives under this Protocol. The Clean Development Fund will also be open for voluntary contributions from Annex I Parties.]³

[Article 3 bis⁴

1. Any Parties included in Annex I to the Convention *or acting under Article 10* that have agreed that they shall jointly fulfil their obligations respecting quantified emission limitation and reduction objectives shall be deemed to have met those obligations provided that their total combined level of emission reductions meets the levels as set out in Attachment 1 for those Parties.
2. Such agreement will become operative only if all Parties to it have notified the secretariat of the terms of the agreement which shall remain operative for the duration of the Protocol or until a decision to amend or rescind the agreement is notified to the secretariat by all Parties to the agreement.
3. The Parties to any such agreement shall notify the secretariat of the terms of the agreement on the date of deposit of their instrument of ratification, acceptance, approval, or accession, or subsequently, in any event five years before the expiry of the period mentioned in Attachment 1. The secretariat shall in turn inform the other Parties of the terms of the agreement or any decision to amend or rescind it.
4. In the event of failure by the Parties to such an agreement to achieve their total combined level of emission reductions, the Parties to such an agreement shall be responsible for their levels of emissions according to the notifications made in accordance with this Article.
5. If Parties acting jointly do so in the framework of and together with a regional economic integration organization which is itself a Party to the Protocol, each member State of that regional economic integration organization individually and together with the regional economic integration organization acting in accordance with Article 22, shall, in the event of failure to achieve the total combined level of emission reductions, be responsible for its level of emissions as notified in accordance with this Article.]

³ The Group of 77 and China requested that paragraphs 17 and 18 above, which reproduce part of that group's proposal contained in FCCC/AGBM/1997/MISC.1/Add.6, be included in this text. It should be noted, that, due to lack of time, it was not possible to enter into discussion on this matter in the non-group.

⁴ A Party previously proposed text, which can be found as paragraph 20 in Annex I of document FCCC/AGBM/1997/INF.1, to cover the situation in which member States of regional economic integration organizations and the organizations themselves were Parties to this instrument and sought to undertake QELRO commitments as such. The text also covers possible future enlargement of regional economic integration organizations.