

The 1992 UNFCCC and the 2015 Paris Agreement

Understanding the progression of
the Climate Change regime

Outline

Introduction, the full package from 1992 to date.

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Reporting

Institutional Mechanism Technical and Implementation bodies;

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Introduction

What triggered negotiations of the Climate change Convention;

UNFCCC adopted in 1992 a framework Convention that required defined emission reduction commitments and baselines from parties;

1998 – Kyoto Protocol to the UNFCCC was adopted with a first commitment of emission reductions from Annex 1 countries these expired in 2012; the protocol envisaged a second commitment period; The Doha Amendment to the Kyoto Protocol (2013-2020) is in place with new commitments .

The 2015 Paris Agreement on Climate Change;

UNFCCC and Kyoto on Climate Change

United Nations Framework Convention on Climate Change (UNFCCC), provides general obligations for countries in relation to mitigation, adaptation, etc;

Climate change is cross sectoral at the national level as it covers, industry, energy, transport, disaster, environment, etc

Kyoto Protocol 192 parties (For the 1st commitment period 37 industrialized countries and countries undergoing the process of transition to a market economy, had legally binding emission limitation and reduction commitments.

UNFCCC and Amendment to the Kyoto Protocol

In Doha in 2012, parties adopted a second commitment period (2013-2020) under the protocol.

These commitments will run for 8 years before the Paris Agreement kicks in.

Some countries reviewed their commitments in the second commitment period;

Objective

The objective of UNFCCC and the Kyoto protocol *is to stabilize greenhouse gas concentration in the atmosphere at a level that will prevent dangerous human interference with the climate system.*

The Paris Agreement has a clear objective in its post 2020 ambitions and commitment in Article 2 namely to enhance the Convention and its objectives aims to strengthen the global response to the threat of climate change in the context of climate change and efforts to eradicate poverty including by....

Paris Agreement objective continued

- (a) Holding the increase in the global average temperature **to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels**, recognizing that this would significantly reduce the risks and impacts of climate change;
 - (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and
 - (c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.
2. Agreement will be implemented to reflect **equity and the principle of common but differentiated responsibilities** and respective capabilities, in the light of different national circumstances.

Paris Agreement on Climate Change

Ad-Hoc Working Group on the Durban Platform for Enhanced Action (ADP) a subsidiary body established by decision 1/CP17 in Dec 2011; had a mandate to develop *a Protocol, another legal instrument or an agreed outcome with legal force* under the Convention applicable to all parties, to be completed by 2015 and adopted at the 21st COP in Paris, France expected to be effective by 2020.

First draft was discussed in March 2014 and in Lima Peru at COP 20. Countries were expected to mobilize action to advance climate change.

Paris Agreement on Climate Change

Decision -/19 on further advancing the Durban platform mandates the Ad Hoc Working Group on the Durban Platform for Enhanced Action **to further elaborate elements for a draft negotiating text of the 2015 agreement**, beginning at its first session in March 2014.

The elements took into consideration its work, including, inter alia, on **mitigation, adaptation, finance, technology development and transfer, capacity building and transparency of action and support.**

Paris Agreement main obligations

All parties are expected to be engaged in reporting.

Article 3, **Nationally determined contributions** to the global response to climate change, all Parties are to undertake and communicate ambitious efforts as defined in Articles 4, 7, 9, 10, 11 and 13 with the view to achieving the purpose of this Agreement as set out in Article

2. The efforts of all Parties will represent a progression over time, while recognizing the need to support developing country Parties for the effective implementation of this Agreement.

Paris Agreement main obligations

Article 4 .1. In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach **global peaking of greenhouse gas emissions** as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.

Conservation of sinks

Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases as referred to in Article 4, paragraph 1(d), of the Convention, including forests.

2. Parties are encouraged to take action to implement and support, including through results-based payments, the existing framework as set out in related guidance and decisions already agreed under the Convention for: policy approaches and positive incentives for activities relating to reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries; and alternative policy approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests, while reaffirming the importance of incentivizing, as appropriate, non-carbon benefits associated with such approaches.

Voluntary cooperation in the implementation of NDCs

Parties recognize that some Parties choose to pursue voluntary cooperation in the implementation of their nationally determined contributions to allow for higher ambition in their mitigation and adaptation actions and to promote sustainable development and environmental integrity.

2. Parties shall, where engaging on a voluntary basis in cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions, promote sustainable development and ensure environmental integrity and transparency, including in governance, and shall apply robust accounting to ensure, inter alia, the avoidance of double counting, consistent with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

Global Goal on Adaptation

Parties hereby establish the global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, with a view to contributing to sustainable development and ensuring an adequate adaptation response in the context of the temperature goal referred to in Article 2.

2. Parties recognize that adaptation is a global challenge faced by all with local, subnational, national, regional and international dimensions, and that it is a key component of and makes a contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems, taking into account the urgent and immediate needs of those developing country Parties that are particularly vulnerable to the adverse effects of climate change.

Loss and Damage

Article 8

1. Parties recognize the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.
2. The Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts shall be subject to the authority and guidance of the Conference of the Parties serving as the meeting of the Parties to this Agreement and may be enhanced and strengthened, as determined by the Conference of the Parties serving as the meeting of the Parties to this Agreement.
3. Parties should enhance understanding, action and support, including through the Warsaw International Mechanism, as appropriate, on a cooperative and facilitative basis with respect to loss and damage associated with the adverse effects of climate change.

Financial resources/Mobilizing climate finance

Developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention.

2. Other Parties are encouraged to provide or continue to provide such support voluntarily.

3. As part of a global effort, developed country Parties should continue to take the lead in mobilizing climate finance from a wide variety of sources, instruments and channels, noting the significant role of public funds, through a variety of actions, including supporting country-driven strategies, and taking into account the needs and priorities of developing country Parties. Such mobilization of climate finance should represent a progression beyond previous efforts.

4. The provision of scaled-up financial resources should aim to achieve a balance between adaptation and mitigation, taking into account country-driven strategies,

Establishment of a Technology framework

Technology Development and Transfer.

Parties share a long-term vision on the importance of fully realizing technology development and transfer in order to improve resilience to climate change and to reduce greenhouse gas emissions.

2. Parties, noting the importance of technology for the implementation of mitigation and adaptation actions under this Agreement and recognizing existing technology deployment and dissemination efforts, shall strengthen cooperative action on technology development and transfer.

3. The Technology Mechanism established under the Convention shall serve this Agreement.

4. A technology framework is hereby established to provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of this Agreement, in pursuit of the long-term vision referred to in paragraph 1 of this Article.

Capacity building

Capacity-building under this Agreement should enhance the capacity and ability of developing country Parties, in particular countries with the least capacity, such as the least developed countries, and those that are particularly vulnerable to the adverse effects of climate change, such as small island developing States, to take effective climate change action, including, inter alia, to implement adaptation and mitigation actions, and should facilitate technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.

2. Capacity-building should be country-driven, based on and responsive to national needs, and foster country ownership of Parties, in particular, for developing country Parties,

Education, Training, Public participation..

Climate change education, training, public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement.

Enhanced transparency framework

In order to build mutual trust and confidence and to promote effective implementation, an enhanced **transparency framework** for action and support, with built-in flexibility which takes into account Parties' different capacities and builds upon collective experience is hereby established.

2. The transparency framework shall provide flexibility in the implementation of the provisions of this Article to those developing country Parties that need it in the light of their capacities. The modalities, procedures and guidelines referred to in paragraph 13 of this Article shall reflect such flexibility.

3. The transparency framework shall build on and enhance the transparency arrangements under the Convention, recognizing the special circumstances of the least developed countries and small island developing States, and be implemented in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and avoid placing undue burden on Parties.

Conference of the Parties, Stocktake 2023

The Conference of the Parties serving as the meeting of the Parties to this Agreement shall periodically take stock of the implementation of this Agreement to assess the collective progress towards achieving the purpose of this Agreement and its long-term goals (referred to as the “global stocktake”). It shall do so in a comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support, and in the light of equity and the best available science.

2. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall undertake its first global stocktake in 2023 and every five years thereafter unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

Compliance mechanism

Article 15

1. A mechanism to facilitate implementation of and promote compliance with the provisions of this Agreement is hereby established.
2. The mechanism referred to in paragraph 1 of this Article shall consist of a committee that shall be expert-based and facilitative in nature and function in a manner that is transparent, non-adversarial and non-punitive. The committee shall pay particular attention to the respective national capabilities and circumstances of Parties.
3. The committee shall operate under the modalities and procedures adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement at its first session and report annually to the Conference of the Parties serving as the meeting of the Parties to this Agreement.

Institutional Arrangements

The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Agreement;

The Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation established by Articles 9 and 10 of the Convention shall serve, respectively, as the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement. The provisions of the Convention relating to the functioning of these two bodies shall apply *mutatis mutandis* to this Agreement. Sessions of the meetings of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of this Agreement shall be held in conjunction with the meetings of, respectively, the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the Convention.

2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the subsidiary bodies

Conclusion

The Paris Agreement projects the next steps of climate regulation as it progresses towards mobilizing all parties to implement the Climate Change Convention. There are aspects that reflect differentiation but in contrast to previous texts it progresses to engage all parties in taking action encouraging developed countries to take the lead.

The commitments rely on the countries progressing in time to take ambitious action to avoid human induced climate change.

The Paris Agreement.

Many thanks