MEETING THE OBJECTIVES OF THE PARIS AGREEMENT

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New York

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Implications of early entry into force of the Paris Agreement

Damon Jones, Senior Legal Advisor
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Signing -> ratification -> entry into force

- Paris Agreement (PA) **adopted 12 December 2015**, but has not yet entered into force – **PA is therefore not yet legally binding on any country**

- To become a Party to the PA, countries must now **sign AND ratify** the PA

- **Signing** means must “**refrain from acts which would defeat the object and purpose of**” the PA - Signing ceremony 22 April 2016, New York and open for signature until 21 April 2017

- **Ratification** indicates consent to be bound by the Agreement - **Can happen with or at any time after signing, and results in joining as a Party to Agreement**

- **Entry into force (EIF)** – 30 days after ratification by at least 55 countries and by countries representing at least 55% of global emissions – **This could happen prior to 2020, and as early as this year**
This Agreement shall enter into force on the thirtieth day after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55 per cent of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval or accession.
The Paris Agreement entry into force double threshold: 
ratification by at least 55 countries and by countries representing at least 55% of global GHG emissions

55% + 55
Bodies with responsibilities under the PA

• Preparatory work prior to EIF to be undertaken by:
  
  o the COP
  
  o the **Ad Hoc Working Group on the Paris Agreement (APA)**
  
  o other subsidiary bodies and constituted bodies

• **The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA)** will serve as the governing body for the Paris Agreement
  
  • The authority of the CMA extends to all substantive, procedural, administrative and operational matters
  
  • Upon EIF of the Paris Agreement and the opening of CMA 1, the CMA becomes the sole body with the authority to take decisions on matters concerning the Paris Agreement

• During the interim period between EIF and CMA 1, the COP and the subsidiary and constituted bodies will continue their preparatory work on the operational details of the Agreement for adoption at CMA 1
Work programmes under Paris Decision
(Source: UNFCCC Secretariat, Paris Informal 15-16 April 2016)

Decision 1/CP.21

- Oversight of the work programme
- Convene facilitative dialogue in 2018 to take stock… (§20)
- Undertake periodic assessment on support…(§69)
- Assess implementation of CBIT… (§87)
- Many other: §§ 55, 57, 81, 113, 115, 120, 131, 135

- Work on NDCs (Article 4)
- Work on Transparency (Article 13)
- Work on Global stocktake (Article 14)
- Work on Implementation/compliance (Article 15)
- Prepare for entry into force and CMA1 (also legal etc.)

- Modalities/procedures for the NDC registry
- Periodic assessment of support to Tech. Mechanism
- ToR/in-session support to Paris Committee on CB

- Cooperation / mechanism / non-market approaches (Article 6)
- Accounting for financial resources (Article 9)
- Elaboration of technology framework (Article 10)
- IPCC input to global stocktake (Article 14)

Moreover, there are multiple significant work items for other stakeholders:
AC, LEG, GCF, WIM, TEC, CTCN, GEF, PCCB, non-Party stakeholders…
Implications of EIF

Upon its EIF, Paris Agreement becomes legally effective and operational:

• Institutional structures and arrangements of the Agreement will become operational

• The Secretariat, under the guidance of the Bureau of the COP, will make arrangements for convening first session of the CMA in conjunction with the first session of the COP scheduled after the date of entry into force of the Agreement

• Parties to the Agreement will exercise governance, oversight, leadership and decision-making over the Agreement

• Specific legal, procedural and substantive rights and obligations will become effective for Parties to the Agreement, in particular substantive obligations (e.g. relating to nationally determined contributions (NDCs), support and transparency)

• Implementation of the Agreement may commence at the international, regional and national levels.
Implications of EIF

• EIF of the Paris Agreement will impact which countries subsequently participate in the negotiation of rules for the PA.

• After EIF, only Parties to the Paris Agreement under the CMA (and not all Parties to the Convention) will be able to *take decisions* under the Agreement on the applicable rules

• Convention Parties that are not Parties to PA may *participate as observers* in CMA sessions and proceedings and make interventions; but may not participate in *decision making* of the CMA

• An early EIF will require operational and procedural decisions regarding the work of the CMA, APA, SBs and constituted bodies
Implications of EIF: Secretariat information note


- If there is an early EIF and CMA1 is convened with “a minimal number of Parties” to the PA:

  “an option would be to convene CMA…and then suspend it, with a view to its resumption at the next ordinary session of the COP. This would allow many more Parties to the Convention to ratify the Agreement thereby enabling them to participate in decision-making at the resumed session. The on-going work under the APA and the subsidiary and constituted bodies would continue under the authority and guidance of the CMA and these bodies would report to the CMA on progress in their work”

- In its consideration of next steps, CMA 1 may need to assess and, where necessary, extend the timeline for the completion of work on those outstanding elements
The case for early ratification and EIF

- Helps build and continue political momentum at the international level for the PA, and create further momentum for domestic implementation

- Locks in a base level of ambition from ratifying Parties, by locking in Parties' initial INDCs as NDCs

- Provides a better chance of limiting temperature increase to 1.5 degrees

- EIF brings the legally binding requirements of the PA into place

- EIF will help ensure that Parties update their NDCs every five years: PA requirement to communicate updated NDCs every five years will only become legally binding upon entry into force

- EIF puts pressure on Parties to agree the necessary PA rule set and guidance at the earliest possible time
The case for early ratification and EIF

- Opens door for **participation and benefits** - for example:
  - participation in decision-making to further elaborate PA through development of rule-set
  - potential benefits arising from its implementation, including access to and scale of finance and other support
- Creates an additional incentive for countries that have not ratified the PA prior to EIF to ratify promptly so they can seek to influence the work and decisions of the CMA
UNITED STATES AND CHINA TOGETHER: CLOSE TO 40% OF GLOBAL EMISSIONS
US and China leaders pledge to join Paris Agreement this year

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The leaders of US and China on Thursday both vowed to put their name to the Paris Agreement at a signing ceremony later this month and formally join the pact later this year.

Chinese President Xi Jinping and US President Barack Obama made the pledge in a joint statement as they met in Washington on the sidelines of global nuclear security talks.

It marks a reaffirmation of intent from the world’s two biggest emitters since the global climate pact was struck in December, and reinforces the US’ commitment after its domestic climate strategy was dealt a blow in Feb. when the country’s Supreme Court halted enforcement of its Clean Power Plan – the cornerstone of its emissions reduction strategy.

The two leaders “encourage other parties to the UNFCCC to do the same, with a view to bringing the Paris Agreement into force as early as possible,” the statement said.
Other countries holding the key to an early EIF

• Countries most likely to ratify this year:
  
  • Many SIDS and LDCs
  
  • Members of the Climate Vulnerable Forum
  
  • Several Latin American and African countries

• These may still fall about 5-6% short of the 55% emissions threshold.

• It will take one more large emitter, such as the EU (12.10%) or Russian Federation (7.53%), or two such as India (4.10%) and Japan (3.79%) to cross the 55% global emissions threshold

• Other medium-large emitters that could contribute significantly to meeting the 55% threshold include Brazil (2.48%), Republic of South Korea (1.85%), Mexico (1.70%), Australia (1.46%), South Africa (1.46%), Turkey (1.24%)

• Expect more information from countries on ratification intentions at signing ceremony tomorrow
Climate Analytics –
Science based policy to prevent dangerous climate change

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