

# PARIS CLIMATE AGREEMENT Q&A



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**More than 190 nations meeting in Paris in December 2015 reached a landmark agreement to strengthen the global climate effort. The Paris Agreement commits countries to undertake “nationally determined contributions” and establishes mechanisms to hold them accountable and to strengthen ambition in the years ahead.**

C2ES offers a [summary](#) of the key outcomes in Paris and [other resources](#) related to the climate talks. Here are answers to some frequently asked questions.

## WHAT'S THE STATUS OF THE PARIS AGREEMENT?

The Paris Agreement will formally enter into force on November 4, 2016. Under the terms of the agreement, it enters into force 30 days after being formally accepted by 55 countries accounting for 55 percent of global greenhouse gas emissions. Those thresholds were reached on October 5, 2016. Other countries will become parties to the Paris Agreement as they complete their domestic approval procedures.

## WHAT WERE THE MAIN OUTCOMES OF THE PARIS CONFERENCE?

The Paris conference was the 21st session of the Conference of the Parties to the UNFCCC, known as COP 21. The conference concluded a round of negotiations launched in [Durban, South Africa](#), in 2011 with the aim of producing a new legal agreement among national governments to strengthen the global response to climate change. A record [150 heads of state and government](#) attended the opening day of the conference.

The Paris package had three main components: the [Paris Agreement](#), an international treaty setting common goals, commitments and expectations; the intended “nationally determined contributions” (NDCs) submitted by

more than 180 countries; and the thousands of contributions offered by companies, states, cities and civil society organizations.

## HOW DID THE PARIS NEGOTIATIONS RELATE TO THE UNFCCC?

The [UNFCCC](#), adopted in 1992, is a treaty among governments that provides a foundation for the global climate effort. Enjoying near-universal membership, the convention was ratified by the United States with the advice and consent of the Senate. The convention set a long-term objective (avoiding “dangerous human interference with the climate system”), established principles to guide the global effort, and committed all countries to “mitigate” climate change by reducing or avoiding greenhouse gas emissions. The Paris Agreement defines how countries will implement their UNFCCC commitments after 2020.

## WHAT ARE NATIONALLY DETERMINED CONTRIBUTIONS?

In 2013, at COP 19 in [Warsaw](#), parties were encouraged to submit their “intended nationally determined contributions” (INDCs) to the Paris agreement well in advance of COP 21. These INDCs represent each country’s self-defined mitigation goals for the period beginning in 2020. To date, 189 countries accounting for almost 99 percent of global emissions have submitted INDCs to the [UNFCCC secretariat](#).

Developed countries have offered absolute economy-wide emissions targets (the United States, for instance, has pledged to reduce its emissions 26-28 percent from 2005 levels by 2025). Developing countries have offered a range of approaches, including absolute economy-wide targets, reductions in emissions intensity (emissions per unit of GDP), reductions from projected “business-as-usual” emissions, and reductions in per-capita emissions. C2ES has produced a [summary of countries’ INDCs](#).

Final NDCs are submitted by each party upon its formal ratification or acceptance of the agreement, and are recorded in a UNFCCC [registry](#).

## WHAT OBLIGATIONS DO COUNTRIES HAVE UNDER THE AGREEMENT TO REDUCE THEIR EMISSIONS?

The Paris Agreement establishes a set of binding procedural commitments. Parties commit to “prepare, communicate and maintain” successive NDCs; to “pursue domestic mitigation measures” aimed at achieving their NDCs; and to regularly report on their emissions and on progress in implementing their NDCs. The agreement also sets the expectation that each party’s successive NDC will “represent a progression” beyond its previous one and “reflect its highest possible ambition.” The achievement by a party of its NDCs is not a legally binding obligation.

## DOES THE AGREEMENT MEET THE GOAL OF LIMITING WARMING TO 2 DEGREES CELSIUS?

In agreements adopted in [Copenhagen](#) in 2009 and [Cancún](#) in 2010, governments set a goal of keeping global temperature increases below 2 degrees Celsius above pre-industrial levels. The Paris Agreement reaffirms the 2 C goal, while urging efforts to limit the increase to 1.5 C. The agreement also sets two other long-term mitigation goals: first, a peaking of emissions as soon as possible (recognizing that it will take longer for developing countries); then, a goal of net greenhouse gas neutrality (“a balance between anthropogenic emissions by sources and removals by sinks”) in the second half of the century.

Analyses of the INDCs submitted by countries

conclude that, while they move us closer to the 2-degree goal, they are not ambitious enough to achieve it. An analysis by the [Climate Action Tracker](#), a consortium of research institutions, concluded that the INDCs, if fully implemented, could result in warming of 2.7 C, which would be 0.9 C lower than without them.

## HOW WILL THE PARIS AGREEMENT GET COUNTRIES TO INCREASE THEIR AMBITION?

The Paris Agreement provides a durable framework guiding the global effort for decades to come. The aim is to create a continuous cycle that keeps the pressure on countries to raise their ambition over time. To promote rising ambition, the agreement establishes two linked processes, each on a five-year cycle. The first process is a “global stocktake” to assess collective progress toward meeting the agreement’s long-term goals. Parties will then submit new NDCs, “informed by the outcomes of the global stocktake.”

Because the Paris Agreement is to apply post-2020, the first formal stocktake under the agreement will not take place until 2023. But under a decision accompanying the agreement, parties will jumpstart the five-year cycle with a “facilitative dialogue” on collective progress in 2018, and the submission by 2020 of NDCs running through 2030.

## HOW WILL PARTIES BE HELD ACCOUNTABLE?

Accountability will be achieved primarily through an “enhanced transparency framework.” All countries are required to submit emissions inventories and the “information necessary to track progress made in implementing and achieving” their NDCs. These reports will be subject to an independent review by technical experts and a “facilitative, multilateral consideration of progress” by fellow governments.

Unlike the [current transparency system](#) under the UNFCCC, which sets different requirements for developed and developing countries, the new transparency framework will apply to all countries but provide “built-in flexibility” to accommodate varying national capacities. The aim is for all parties to work

toward the same standards of accountability as their capacities strengthen over time.

In addition, the agreement establishes a new mechanism to “facilitate implementation and promote compliance.” This “non-adversarial” committee of experts will seek to help countries falling behind on their commitments get back on track. There are no penalties for noncompliance.

## HOW DOES THE AGREEMENT ADDRESS CLIMATE ADAPTATION?

Adaptation—steps to cope with the impacts of climate change—receives much greater emphasis under the Paris Agreement than previously under the UNFCCC. Just as parties will submit mitigation contributions, the agreement requires all parties, “as appropriate,” to plan and implement adaptation efforts and encourages all parties to report on their adaptation efforts and/or needs. The agreement also includes a review of adaptation progress, and the adequacy and effectiveness of adaptation support, in the global stocktake to be undertaken every five years.

## WHAT DOES THE PARIS OUTCOME DO TO SUPPORT THE EFFORTS OF DEVELOPING COUNTRIES?

Developed countries committed under the UNFCCC to support mitigation and adaptation efforts in developing countries. As part of the Copenhagen and Cancún agreements, developed countries committed to mobilize \$100 billion a year in public and private finance for developing countries by 2020.

The Paris Agreement reaffirms developed countries’ UNFCCC obligations; the COP decision accompanying the agreement extends the \$100 billion-a-year goal through 2025, and calls for a new goal beyond that “from a floor of” \$100 billion a year. The agreement also broadens the donor base beyond developed countries by encouraging other countries to provide support “voluntarily.” China, for instance, recently **pledged \$3 billion** to help other developing countries.

Many national governments offered new financial pledges in Paris. Collectively, developed countries pledged \$19 billion to help developing countries,

including an **announcement** by Secretary of State John Kerry that, by 2020, the United States will double its support for adaptation efforts to \$800 million a year. In another sign that developing countries are now also providing support, Vietnam **pledged \$1 million** to the new **Green Climate Fund (GCF)**. And for the first time, subnational governments also offered pledges, including **1 million euros** from the city of Paris for the GCF, and **CAD 6 million** from Quebec for the UNFCCC **Least Developed Countries Fund**. As of June 2016, \$10.3 billion has been pledged to the **Green Climate Fund** from 43 governments.

## DOES THE PARIS AGREEMENT ADDRESS CARBON MARKETS?

Many countries indicated in their INDCs that they intend to use some form of international emissions trading to implementing their contributions. To ensure the environmental integrity of such transactions, the agreement requires parties to follow accounting practices avoiding the double counting of “internationally transferred mitigation outcomes.” In addition, the agreement establishes a new mechanism contributing to mitigation and supporting sustainable development, which, depending on its design, could generate or certify tradable emission units.

## HOW DID THE PARIS CONFERENCE ENGAGE STAKEHOLDERS SUCH AS STATES, CITIES, AND BUSINESS?

Although only national governments participate directly in the negotiations, COP 21 provided many opportunities to showcase the contributions of “non-state actors” to the global climate effort. The strong display of commitments by cities, subnational governments and businesses at the New York Climate Summit in September 2014 led to the establishment at COP 20 of the **Lima-Paris Action Agenda** and the online **NAZCA portal**, where non-state actors can register their commitments. By the time of Paris, the portal listed nearly 11,000 commitments from 2,250 cities, 150 regions, 22,025 companies, and hundreds of states/regions, investors and civil society organizations. The unprecedented showing of action and support from all levels of society was widely credited as an important factor in Paris’ success. Governments and

stakeholder groups are working to strengthen non-state contributions to the UNFCCC.

## IS THE AGREEMENT LEGALLY BINDING?

Yes. The agreement is considered a “treaty” under international law, but only certain provisions are legally binding. The issue of which provisions to make binding was a central concern for many countries, in particular the United States, which wanted an agreement the president could accept without seeking congressional approval. Meeting that test precluded binding emission targets and new binding financial commitments. The agreement, however, includes binding procedural commitments – such as the requirements to maintain successive NDCs and to report on progress in implementing them.

## WILL CONGRESS HAVE ANY SAY OVER THE AGREEMENT?

Under U.S. law, a president may under certain circumstances approve U.S. participation in an international agreement without submitting it to Congress. Important considerations include whether the new agreement is implementing a prior agreement such as the **UNFCCC** that was ratified with the advice and consent of the Senate, and whether it is consistent with, and can be implemented on the basis of, existing U.S. law. Because the agreement does not include binding emission targets, or binding financial commitments beyond those contained in the UNFCCC, and can be implemented on the basis of existing law, the president could choose to approve it by executive action.

A C2ES **legal analysis** examines issues surrounding U.S. acceptance of the Paris agreement.

## COULD A FUTURE PRESIDENT WITHDRAW THE UNITED STATES FROM THE AGREEMENT?

Under U.S. law, U.S. participation in an international agreement can be terminated by a president, acting on executive authority, or by an act of Congress, regardless of how the United States joined the agreement. The Paris Agreement specifies that a party may not withdraw from the agreement within the first three years following its entry into force.

## WHAT HAPPENS NEXT?

As other countries complete domestic procedures to formally accept the Paris Agreement, all parties are also expected to continue moving forward with the domestic policies needed to implement their nationally determined contributions.

At the same time, governments are negotiating the details of how the Paris Agreement will be implemented – for instance, accounting rules and accountability procedures. These decisions are likely to be finalized by 2018.

The next major UNFCCC conference, COP 22, will take place in Marrakech, Morocco, in November 2016. The conference will mark the first meeting of the Paris Agreement’s governing body, known as the CMA. This initial session of the CMA will likely be suspended until next year or later to allow parties more time to complete the decisions needed to fully implement the agreement.



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The Center for Climate and Energy Solutions (C2ES) is an independent, nonpartisan, nonprofit organization working to forge practical solutions to climate change. Our mission is to advance strong policy and action to reduce greenhouse gas emissions, promote clean energy, and strengthen resilience to climate impacts.