



The Paris Agreement and Climate Intervention

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Climate Intervention Law
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Review - UN Framework Convention on Climate Change (UNFCCC)



- Entered into force – 1994 (189 parties)
- Key concepts:
 - Goal of preventing dangerous anthropogenic climate change
 - Common but differentiate responsibility; precautionary principle
 - All have duties to track and report inventories (+ sinks)
 - Annex I: adopt national policies to return to 1990 emission levels, and assist other non-Annex I nations

Review – The Kyoto Protocol



- Adopted on Dec. 11, 1997, and ratified in February 2005
- Core concepts:
 - Targets and timetables for binding emission reduction commitments for Annex I parties (Annex B to Kyoto)
 - Flexibility mechanisms: joint implementation, emissions trading, Clean Development Mechanism
- Now expired, but helped define tools and concepts



Review – Clean Development Mechanism

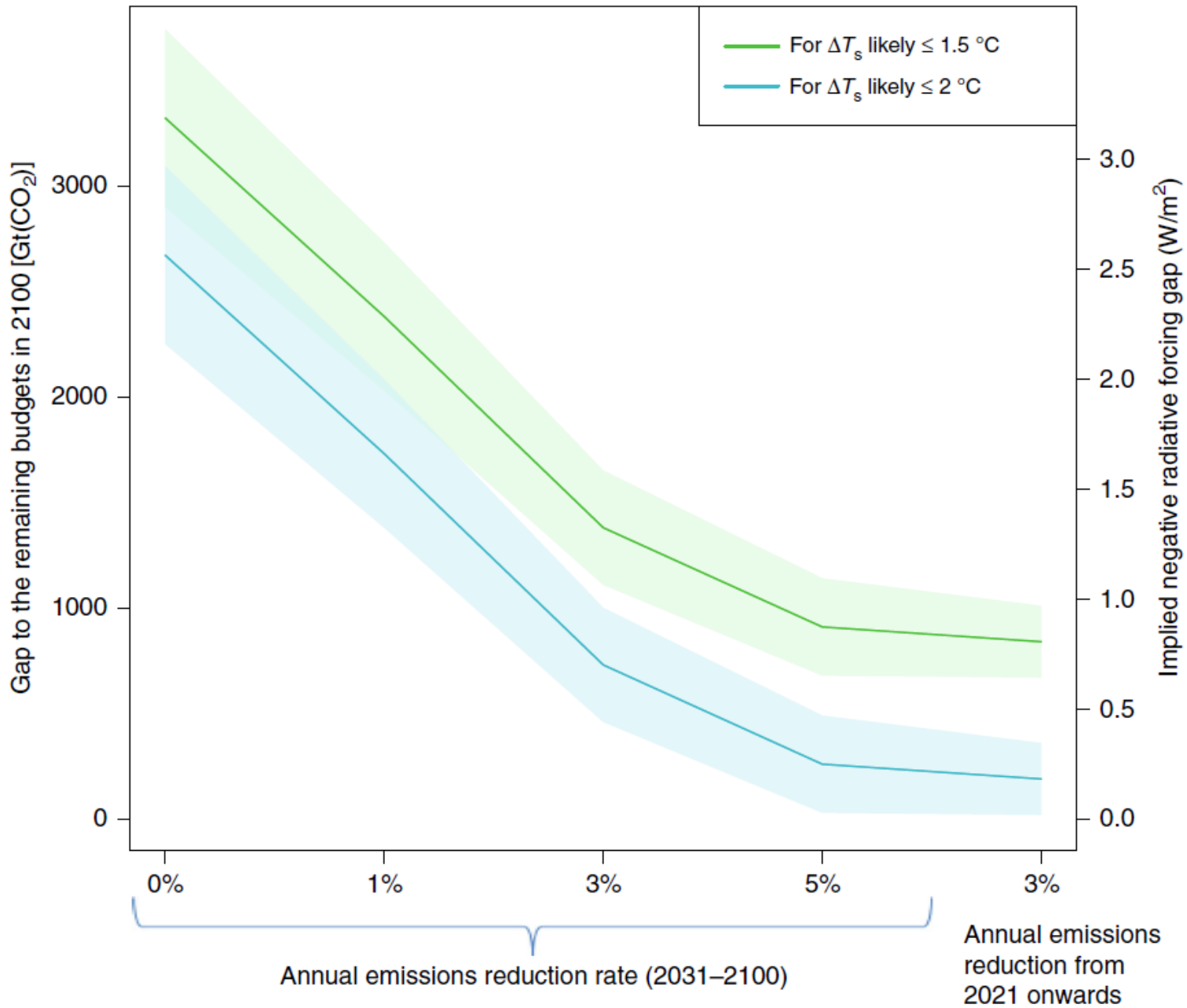
- Clean Development Mechanism (CDM) – allows Annex I Parties to benefit from emission reductions projects in non-Annex I countries
 - Allowed participation by private parties
- Under Article 12, a CDM project must have: “**additional**”, **voluntary and approved** by each Kyoto Party involved
- More generally, CDM projects should have helped non-Annex I parties to “achieve sustainable development”

Paris Accords



PARIS2015
UN CLIMATE CHANGE CONFERENCE
COP21·CMP11

- Preamble – human rights
- Article 2: 2 degree goal, 1.5 degree ambition
- Articles 3 through 5: Nationally Determined Contributions
 - Includes sinks (Article 5)
 - Progressive commitments with stock-taking and internationally determined rules (Article 14)
- Article 6: trades and market mechanisms (ITMOs)
- Article 7: Adaptation assistance
- Article 8: Loss and Damage Provisions



Climate Intervention and Paris Accords

- Preamble and goals:
 - Dangerous anthropogenic interference?
 - Two degrees C?
 - Human rights and equity impacts (BECC; SRM)
- NDC process and carbon dioxide removal and/or solar radiation management
 - Technologically achievable?
 - Commitment to progressive targets?
 - Sustainable development and human rights?
- Climate intervention as ITMO



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