

21世紀政策研究所 研究プロジェクト

COP21 パリ協定と その評価

21世紀政策研究所 研究主幹 有馬 純

報告書

2016年1月

はじめに

2015年12月4日～13日にかけてパリで開催された第21回気候変動枠組条約締約国(COP21)は世界的な注目を集める会合であった。まず、温暖化交渉の流れの中でのCOP21の位置づけを考えてみたい。

1992年の気候変動枠組条約は、温暖化防止の国際的取組の基本法として大きな意義を有する反面、当時の経済力を前提とした附属書I国(先進国)、非附属書I国(発展途上国)の二分法と、「共通だが差異のある責任」の原則を条約に刻み込むこととなった。

1997年の京都議定書はこの二分法を更に進め、附属書I国のみが温室効果ガス削減義務を負い、国連の下で先進国の排出量を割り当てるという片務的、かつトップダウンの枠組みを作り出した。その結果、途上国と異なる義務を負うことが自国の経済力に悪影響を及ぼすと懸念した米国の離脱を招き、京都議定書体制は最初から重大な瑕疵をはらむこととなった。更に2000年以降、中国等の新興国の排出量の急速な伸びに伴い、京都議定書で削減義務を負う先進国の排出量シェアは4分の1以下となり、議定書が世界の温室効果ガス削減にほとんど役立たないことは、2005年の発効以前から既に明白だった。

第一約束期間が終了する2013年以降の枠組みの議論においても、京都議定書は気候変動交渉を呪縛し続けた。2007年のCOP13(インドネシア・バリ島)で合意されたパリ行動計画では2009年のCOP15(デンマーク・コペンハーゲン)で2013年以降の枠組みに合意することとしていたが、全ての主要排出国が参加する一つの枠組みを主張する先進国と、昔ながらの先進国・途上国二分論に固執し、第二約束期間の設定と先進国からの一層の資金、技術移転を主張する途上国との激しい対立は続いた。COP15の最終局面でオバマ大統領、メルケル首相の主導により20数カ国の首脳が「コペンハーゲン合意」を作成したが、一部途上国が手続の不透明性を非難し、「留意」に終わってしまう。

コペンハーゲン後、EUはあくまで第二約束期間設定に固執する途上国に妥協し、全ての国が参加する枠組みと第二約束期間の並立を認めるとの方針転換を行った。他方、日本、カナダ、ロシアは第二約束期間の設定は全ての国が参加する実効性ある一つの枠組み構築への逆行であるとの理由でこれに反対した。このため2010年のCOP16(メキシコ・カンクン)では第二約束期間の取り扱いが最大の争点となり、初日に第二約束期間への不参加を表明した日本は途上国や環境NGOからの強い非難を受け、国内の報道も「日本が孤立する」と書き立てた。しかし日本は粘り強く自国の立場を説明し、最後までポジションを貫いた。

COP16ではコペンハーゲン合意を発展させた「カンクン合意」が採択された一方、京都議定書第二約束期間については、参加を表明するEU等と不参加を表明する日本、ロシア、カナダに分かれることとなった。全ての国が参加する2013年以降の枠組みとして採択され

たカンクン合意は、先進国、途上国が緩和目標／行動を自主的にプレッジし、それを MRV (計測・報告・検証) するというボトムアップ型のプレッジ&レビューの枠組みである。これは先進国のみに義務を課したトップダウン型の京都議定書とは明確に異なるものであり、COP21 で採択されたパリ協定もこの流れに沿っている。温暖化交渉の歴史を振り返るとき、カンクン合意は「京都議定書時代の終わりの始まり」として記憶されることになるだろう。

2011 年の COP17 (南ア・ダーバン) ではポスト 2020 年の枠組みを交渉するための「ダーバンプラットフォーム」が採択され、2015 年の COP21 において「全ての締約国に適用される、枠組み条約の下での議定書、その他の法的文書あるいは法的効力を有する合意成果」を得るとの作業計画が合意された。京都議定書交渉では先進国の削減コミットメントのみに限定し、途上国のコミットメントはあらかじめ除外されていた。パリ行動計画は先進国、途上国の緩和目標／緩和行動を盛り込み、全ての国の参加する枠組みを目指したもの、並行して進む第二約束期間交渉のため、途上国は「先進国は京都議定書に基づく義務、途上国はパリ行動計画に基づく自主行動」という主張を展開した。ゆえに「全ての国が気候変動に取り組む必要があり、気候変動がグローバルな性格を有することから、地球全体の温室効果ガス削減を加速するためには全ての国の協力と実効ある適切な国際対応への参加が必要」との認識の下に、一つの交渉の場 (ADP) で「全ての締約国に適用される（一つの）枠組みを作る」というダーバンプラットフォームには大きな歴史的意義がある。

COP21 はこのような交渉経緯の中で、全ての締約国に適用される一つの枠組みに合意する場として、世界的な注目を浴び、見事に合意を導き出した。本稿では、パリ協定の採択、COP21 はなぜ成功したのか、パリ協定の概要とその評価、そして日本がとるべき方向について私見を述べてみたい。

* 本報告書は 21 世紀政策研究所の研究成果であり、経団連の見解を示すものではない。

目 次

| | |
|---------------------------------|----|
| はじめに | i |
| 1. パリ協定の採択 | 1 |
| 2. COP21 はなぜ成功したのか | 3 |
| (1) 米国、中国の前向き姿勢 | 3 |
| (2) 議長国フランスの不退転の決意 | 3 |
| (3) 合意を欲した脆弱国 | 4 |
| (4) 京都議定書ファクターの不在 | 4 |
| (5) フランスの会議運営の巧みさ | 5 |
| (6) 交渉官も人の子 | 6 |
| 3. パリ合意の概要 | 7 |
| (1) 目 的 | 7 |
| (2) 緩 和 | 9 |
| (3) 市場メカニズム | 11 |
| (4) ロス & ダメージ | 12 |
| (5) 資金援助 | 13 |
| (6) 技術開発・移転 | 14 |
| (7) 透明性 | 15 |
| (8) グローバルストックテーク | 18 |
| (9) 発効要件 | 18 |
| (10) その他 | 19 |
| 4. パリ協定をどう評価するか | 21 |
| (1) 全ての国が参加する枠組みの成立 | 21 |
| (2) ボトムアップ型のプレッジ&レビュー | 21 |
| (3) 全体としてはやや途上国寄り | 22 |
| (4) 非現実的な温度目標は将来の火種に | 22 |
| (5) 米国の動向を注視すべき | 24 |
| 5. 日本の対応 | 25 |
| (1) 建設的なプレッジ&レビュー実現に貢献を | 25 |
| (2) 技術開発でイニシアティブを | 25 |
| (3) 約束草案の実現に向け、原発の再稼働に取り組め | 26 |
| 6. 結 語 | 29 |
| 参考資料（パリ協定採択に関する COP 決定及びパリ協定全文） | 31 |

1. パリ協定の採択

2015年12月12日（土）フランス時間午後7時半頃、京都議定書に代わる新たな法的枠組みであるパリ協定が採択された。ファビウス外務大臣が「パリ協定を採択する」といつて木槌をおろすと、会場は大きな拍手に包まれた。筆者が陣取っていたプレスルーム周辺でも大きな歓声と拍手がわいた。その後の各国のステートメントも議長国フランスと新たな協定に対する最大級の賛辞が続いた。採択後、唯一、ニカラグアが合意内容に対する不満を長々と述べたが、ファビウス外相からは「早く発言を終えるように」と軽くあしらわれて終わった。2010年のCOP16でカンクン合意が採択された際、ただ一国反対をするボリビアに対し、議長のエスピノーザ・メキシコ外相が「ボリビアの発言は議事録に残す。しかしコンセンサスは全員一致を意味しない」として押し切ったことを思い出す。2009年のCOP15でボリビア、ニカラグア等の反対でコペンハーゲン合意の採択がブロックされたことを思うと隔世の感がある。

土曜朝の新聞は10日（木）夜に出た議長第二次テキストをめぐって各国の意見は未だ鋭く対立しており、議長の最終テキストが出るのは早くても12日（土）の夜、会議が終わるのは13日（日）午前中であろうとの観測を伝えていた。京都議定書に続く新たな法的枠組みに合意するというミッションの難しさを考えれば、合意がそのタイミングまでずれ込むことは容易に想定され、土曜午後7時半にパリ協定が採択されたのは予想よりも早かった感がある。

2. COP21 はなぜ成功したのか

筆者は、COP21 開催前から、「COP21 に向けては多くの対立点があるが、合意形成については慎重に楽観的（cautiously optimistic）である」と述べてきた。今回、COP21 が成功した背景には以下の諸要素があると考えられる。

（1）米国、中国の前向き姿勢

何より、世界第一位、第二位の排出国である中国、米国が合意を欲していたことは大きい。米国は COP15 の時も前向きであったが、オバマ大統領就任 1 年目の 2009 年と異なり、今回は大統領任期 2 期目を 1 年余り残すのみである。温暖化問題でレガシーを残したいオバマ大統領にとっては後がない。通常はトッド・スタン特使をヘッドとする米国代表団を二週目からはケリー国務長官自身が指揮し、各国との調整に精力的に動き回っていたのはその証左である。

他方、中国にとって深刻な大気汚染問題に本腰を入れて取り組むことは体制維持のためにも不可欠であった。自動車排気ガス、発電所からの煤塵等の大気汚染問題に取り組むことは、そのまま温室効果ガス削減にもつながることになる。また 2000 年以降、右肩上がりであった経済成長にも鈍化が見えてきたし、その方向性もより高効率、高付加価値の産業を目指す意向が鮮明になってきた。COP15 前のタイミングでは温室効果ガスのピークアウトのタイミングを示すことにすら後ろ向きであった中国が 2030 年ピークアウトを表明したのはこのような背景がある。更に南沙諸島等における拡張主義が周辺国との摩擦を引き起こしている中で、温暖化防止に積極的な姿勢を示すことは「国際的に前向きな役割を果たす中国」を演出する上で大きな意味がある。特に米国と協力することは中国の志向する「新たな大国関係」を印象付ける上でも外交政策上大きな意味がある。

こうした要素は COP15 時点には存在しなかったものであり、COP21 成功の大きな背景といえよう。

（2）議長国フランスの不退転の決意

議長国フランスは国の威信にかけて合意を作り出す決意であった。首相経験者であるファビウス外相が陣頭指揮をしたのもその決意の現れである。温暖化交渉の歴史の中でエポックメイキングな COP が欧州で開催されるのはコペンハーゲンに次いで 2 度目である。コペンハーゲンの無残な失敗がデンマークのみならず欧州の威信低下を招いたことを考えれば、コペンハーゲン以上に重要なパリでの失敗は絶対に避けねばならない。またフランスは 11 月のテロ攻撃に屈せず、COP21 を敢然と決行した。COP21 で合意を取りまとめ、フランスの国威を世界に示すことが一層の至上命題となつたことは想像に難くない。加え

て 13 日（日）には第二回地方選挙がある。直前の第一回地方選挙で極右政党の躍進を許したオランダ大統領にとっても国際協力、マルチラテラリズムの象徴ともいるべき地球温暖化問題では非とも得点を挙げたいところであった。

（3）合意を欲した脆弱国

議長国フランスと第一位、第二位の排出国である中国、米国が前向きであったとしても国連交渉は 190 カ国を超える国が合意しなければ前に進まない。その意味で途上国の多数を占めるアフリカ諸国、LDC、島嶼国等が合意を欲していたという要素も大きい。彼らにとって最大の関心事は先進国からの支援確保である。経済力の強い新興途上国や、目減りしているとはい石油収入の蓄積のある産油国とは事情が違う。会議が決裂して資金援助や技術援助が宙に浮いてしまえば、困るのは脆弱国である。また脆弱国の目から見れば、大排出国となった中国、インドにも排出削減に取り組んでもらわねば困る。今回の COP で米国、EU 等と島嶼国、アフリカ諸国等が「High Ambition Coalition」を組んだことは、G77+ 中国の中で分断が進んでいることを示すものであり、特に COP15 における中国を髣髴させるような強硬姿勢の目立ったインドへの一定の牽制となったことは想像に難くない。

（4）京都議定書ファクターの不在

コペンハーゲンに向けての交渉を難しくしていた一つの背景は京都議定書第二約束期間の存在である。当時、国連交渉では長期協力特別作業部会（AWG-LCA）でポスト 2013 年枠組みの交渉が進んでいる一方で、京都議定書特別作業部会（AWG-KP）では第二約束期間の議論が進められていた。先進国のみが義務を負うという京都議定書的な二分法にこだわる途上国は京都議定書第二約束期間の設定をポスト 2013 年枠組み交渉の進展の条件とする戦術をとっていた。京都議定書が依然として「生きて」いたことが、全ての国が参加する枠組みの策定の阻害要因になったのである。しかし COP21 交渉では、こうした京都議定書ファクターは消滅していた。地球レベルの温室効果ガス削減にとって京都議定書のような枠組みは何の役にも立たないことは明らかであり、京都議定書第二約束期間の設定を受け入れた EU ですら、第三約束期間という議論には見向きもしなかった。また京都議定書のように目標数値に拘束力をもたせる枠組みには米国や新興国が乗ってこないという点についても共通認識が広がっていた。もちろん、EU や島嶼国のように引き続き京都議定書のような目標数値に義務をもたせる枠組みを主張する国々、LMDC（Like Minded Developing Country Group）のように先進国のみが義務を負う枠組みを主張する国々もいたが、それは多分に交渉上のポジションあり、本気でそれが実現可能であると信じていたとは思えない（そうであるとすれば交渉官失格であろう）。交渉成果の暗黙の了解はカンクン合意をモデルとしたボトムアップのプレッジ&レビューであった。京都議定書策定後 18 年を経て温暖化交渉の地合いも変化・成熟しており、それが交渉妥結にプラスの要素となった。カン

クン合意の元となったコペンハーゲン合意ができる前にはこうした状況ではなかった。

(5) フランスの会議運営の巧みさ

議長国フランスの会議運営の巧みさも特筆せねばならない。彼らはコペンハーゲンの失敗の経験を綿密に研究していたに違いない。首脳プロセスを会議冒頭に持ってきてモメンタムを高めたのはその一例だ。コペンハーゲンでは交渉が未だ収斂しない二週目中盤に首脳が続々と到着し、混迷の極に達したことと対照的である。コペンハーゲンではデンマークの稚拙な会議運営に危機感を覚えたオバマ大統領他主要国首脳が「コペンハーゲン合意」という前代未聞の首脳レベルドラフティング交渉につながった。COP15 終盤、デンマークは議長国としての機能を喪失していたと言って良い。これに対してフランスは最後まで議長として運転席に座り続けた。透明性、全員参加にも最大限の配慮を払ったものであった。COP15 では、デンマークが用意していた「議長テキスト」が新聞にすっぱ抜かれ、途上国の不信を招き、会議が胸突き八丁にかかる二週目の大事な局面で議長提案を出すきっかけを失ってしまった。コペンハーゲン合意の採択に失敗したのは少数国首脳による密室での協議が手続上の批判を招いたことによる。今回、フランスは 1 週目で終了した ADP 交渉を引き継ぎ、自然かつ円滑な形で議長テキストを出した。全体会議場のそこかしこでテーマに応じた「解決のためのインダバ（関心国が頭を寄せ合って相談すること）」を行わせ、「見えないところで少数国間で何かが進んでいる」という印象を与えないようにした。温暖化交渉では途上国がプロセスに難癖をつけ、交渉が停滞することが日常茶飯事だが、今回の COP ではこうした手続上のトラブルが驚くほど生じなかった。フランスが G77+ 中国の議長国である南アフリカやフランスの影響が強いアフリカ諸国と密接に連絡を取っていたことも奏功したのであろう。また COP15 最終局面で手続上の瑕疵を理由に大暴れしたボリビア、ベネズエラをイシュー毎の閣僚級ファシリテーターとして取り込んだこともフランスらしい老獴さである。COP15 で血の流れる手をかざして議長国デンマークに詰め寄ったベネズエラのクラウディア・サレルノ首席交渉官が、パリ協定採択の際には満面の笑みで議長国フランスと合意内容を称えていたのは「一代の奇観」との感があった。

議長ドラフトの出し方もよく考えられたものであった。10 日夜に出された第二次テキストは、第一次テキストから途上国に更に大きく寄ったものとなっていた。資金面では 1,000 億ドルを下限とする数値目標、二年に一度の報告義務、先進国は資金援助義務、その他の国は資金供与は自主的・補完的といった途上国寄りのテキストがプラケットなしで提示される一方、先進国が最も重視する透明性については、先進国と途上国の二分化を容認するオプションが残されていた。資金面については途上国寄りのクリーンテキストをそのままにし、透明性については途上国寄りのオプションと先進国が支持するオプションの間で着地点を探るというのでは、先進国にとって受け入れられない。フランスもそんなことは百も承知だったはずだ。大詰めの段階で「途上国が反発して合意に失敗するリスクはあるが、

先進国は最後には合意を壊さないだろう」という読みに基づき、まずは途上国に大きく寄つたテキストを出し、途上国の支持を取り付けようとしたのではないか。その後、最終テキストでは先進国のコメントを入れて途上国に大きく振れた資金のテキストの振り子を戻す一方、透明性については先進国の重視する「先進国、途上国共通のフレームワーク」をベースとしつつ、途上国への配慮条項を随所に書き入れた。全体的には途上国側への配慮が引き続き目立つものの、大きく途上国寄りだったテキストを真ん中方向に戻しているため、先進国の納得も得やすい。交渉の「相場」をうまくコントロールしたと言えよう。

駄目押しさ合意に向けた雰囲気づくりである。12日に最終テキストを出す直前にパリ委員会を開催し、ファビウス議長は「我々は合意に非常に近づいている。これから出す最終テキストは考えうる最善のバランスを図ったものだ。皆が100%自分の意見を通せば、全体はゼロになってしまふ。皆は合意を欲しているのか、いないのか?」として最終テキストをそのまま受け入れることを強く求めた。パンキムン国連事務総長、オランド大統領も次々に登壇して各国に柔軟性と合意を求め、そのたびに大きな拍手を浴びた。この時点でフランスは紛糾していた部分について関係国との調整を終えていたことは間違いない。しかし協定案全体について190カ国超の意向を確認していたわけではなく、どこかの国が異議を唱える可能性も排除できない。そのため、最終案に文句を言わせない空気を事前に作り出そうとしたのであろう。

いずれも外交達者、粘り腰のフランスらしい老舗である。猪突猛進型のデンマークとは役者が違うと言わねばなるまい。

(6) 交渉官も人の子

最後になかば冗談、なかば本気の感想だが、開催地の環境も交渉官の心理に影響を与えるのではないかと思う。COP15は国際交渉のおかれた環境が厳しかったことももちろんだが、冬のコペンハーゲンの寒さと暗さ、食べ物の不味さと値段の高さ等が交渉官のメンタリティをより対立的なものにしていった気がしてならない。ニューヨークタイムズの記事によればフランスはCOP議長国を受けた直後から世界各国のフランス大使館、総領事館に指示を出し、フランスの武器であるワインやフランス料理を使って各国の関係者との関係強化に腐心したという。オープンサンドイッチくらいしか売り物のないデンマークにはできない芸当である。またCOP21は暖冬のせいか、気候も比較的おだやかで、会場の至る所で美味しいPaulのパンやエスプレッソコーヒーが良心的な値段で売られていた。こうした有形無形のソフトパワーが交渉官の心理にポジティブな影響を与えた側面は無視できないと考える。

3. パリ合意の概要

次に今回合意されたパリ協定の主要ポイントを見ていこう。パリ協定採択に関する COP 決定及びパリ協定全文は参考資料として 31 ページ以降に添付したのでご覧いただきたい。

（1）目的

パリ協定第 2 条では本協定の目的として「世界的な平均気温上昇を産業革命以前に比べて 2°C より十分低く保つとともに、1.5°C に抑える努力を追求すること」（第 1 項 (a)）、「適応能力を向上させること」（第 1 項 (b)）、「資金の流れを低排出で強靭な発展に向けた道筋に適合させること」（第 1 項 (c)）等によって、気候変動の脅威への世界的な対応を強化することであると規定している。

また第 2 項では「この協定は、衡平及び各国の異なる事情に照らしたそれぞれ共通に有しているが差異のある責任及び各国の能力の原則を反映するよう実施する」と規定した。

本条で特記すべき点は、初めて国際条約に温度目標が記載されたことである。もちろん、第 2 条の柱書「This Agreement... aims to strengthen the global response to the threat of climate change..., including by:」を受けて「(a) Holding the increase in the global temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels...」となっているため、努力目標ではある。しかし気候変動枠組条約第 2 条では「この条約及び締約国会議が採択する法的文書には、この条約の関連規定に従い、気候系に対して危険な人為的干渉を及ぼすこととならない水準において大気中の温室効果ガスの濃度を安定化させることを究極的な目的とする。そのような水準は、生態系が気候変動に自然に適応し、食糧の生産が脅かされず、かつ、経済開発が持続可能な態様で進行することができるような期間内に達成されるべきである」と規定されているのみで、具体的な濃度目標や温度目標は記載されていなかった。カンクン合意前文においては「IPCC 第 4 次評価報告書にあるように産業革命以降の温度上昇を 2°C 以下に抑制するためには大幅な温室効果ガスの抑制が必要であり、締約国はこの長期目標を満たすために迅速な行動が必要であることを認識する。また最良の科学的知見に基づき、1.5°C を含む長期目標の強化を検討する必要があることを認識する」という文言が入っていたが、あくまで「認識」の対象であった。今回は特定の温度が「認識」を超えて条文本体の目的に入り、しかもカンクン合意の「2°C 以下 (below 2 °C)」が「2°C を大幅に下回る (well below 2 °C)」に強化され、更に「1.5°C を目指す」という文言も加わったのは大きな違いである。加えて COP 決定パラ 21 では IPCC に対し、2018 年に 1.5°C 目標を達成するための温室効果ガス排出経路についての特別レポートの作成することを指示している。

1.5℃への言及は島嶼国や環境 NGO が強く求めていたものであり、彼らが今回の合意で最も高く評価するのはこの部分であろう。温暖化の被害を最も甚大に受けるといわれる島嶼国は温暖化交渉の中で特殊な地位を占めている。彼らの賛同を得るために温度目標の文言が強化されたわけだが、今後に向けて大きな課題を残すことにもなった。この点については後述したい。

温度目標と併せ、資金フローが目的に明記されたのも本条の特色である。この点は本交渉の目的を先進国からの支援獲得に置いていた多くの途上国の強い主張を踏まえたものであり、以後、「資金」はパリ協定のいたるところに登場することになる。

もう一つ特筆すべき点は、第 2 項の「各国の異なる事情に照らしたそれぞれ共通に有しているが差異のある責任及び各国の能力の原則 (principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances)」という表現である。気候変動枠組条約、京都議定書、ポスト 2013 年交渉を通じて常に交渉を呪縛してきたのが「共通だが差異のある責任と各国の能力」、いわゆる CBDRRC (Common But Differentiated Responsibilities and Respective Capabilities) である（通常は短縮して CBDR と呼ばれる）であり、先進国、途上国の差異化の根拠とされてきた。今回の交渉の最大の争点は条約上の原則である CBDR を条約策定後の国際経済環境変化の中でどのように新たな法的枠組みに反映させていくかにあった。従来の CBDRRC に「各国の異なる状況に照らして」を加えることにより、CBDRRC が固定的なものではなく、各国の経済発展の変化を踏まえてダイナミックに解釈されることを含意することとなった。この表現はリマの COP20 で合意されたものであるが、今回、新たな法的枠組みに盛り込まれることとなった。後述するようにパリ条約には附属書 I 国、非附属書 I 国という表現ではなく、先進締約国、開発途上締約国という、よりダイナミックな解釈が可能な主語が用いられていることと併せ考えれば、今後は CBDR を根拠に 1992 年当時の先進国、途上国分類に基づく差別化を主張することが難しくなることを含意している。BBC は「CBDRCILDNC が合意を導き出した」と報じているが、交渉官は今後の交渉で、CBDR ではなく、その 3 倍近い長さの舌を噛みそうな略語を連発することになるだろう。

パリ協定第 3 条では、本協定の総則として「締約国は、気候変動への世界的な対応への自国が決定する貢献 (nationally determined contribution) に関し、この協定の目的達成のため、第 4 条 (緩和)、第 7 条 (適応)、第 9 条 (資金)、第 10 条 (技術)、第 11 条 (キャパシティビルディング) 及び第 13 条 (透明性) に定める野心的な取組を実施し、提出する。締約国の取組は、この協定を実効的に実施するために開発途上締約国を支援する必要性を認識しつつ、長期的に前進を示す (As nationally determined contribution 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)」と定めている。

今次交渉を通じて各国は温暖化防止に対する貢献として約束草案（INDC：Intended Nationally Determined Contribution）を提出してきたが、パリ協定参加後は「自国が決定する貢献（Nationally Determined Contribution）」としてその達成に努力することになる（以後、簡略化のため、「NDC」と呼ぶこととする）。COP 決定パラ 22 では「批准、加入、承認書の寄託よりも前に最初の NDC を提出することが求められているが、パリ協定参加前に約束草案を提出した締約国については、別の決定をしない限り、この要請を満たしたものとみなす」と規定されており、日本のように既に約束草案を提出した国は新たな提出手続きは不要となる。

（2）緩和

パリ協定第 4 条では緩和（温室効果ガスの削減・抑制）に関する規定が盛り込まれた。

第 1 項では上記の温度目標を達成するため、「開発途上締約国のピークアウトにはより長い時間がかかることを認識しつつ、できるだけ早く温室効果ガスのピークアウトを目指し」「その後、迅速に排出を削減し」「今世紀後半に温室効果ガスの排出と吸収のバランスを図る」とこととされた。交渉途上では昨年のエルマウサミット首脳声明に盛り込まれた「2050 年までに 2010 年比 40-70% の高い方の削減を目指す」との全球削減目標も検討されたが、中国、インド等の強い反対によって盛り込まれなかつた。先進国の長期削減目標を差し引けば自動的に途上国全体の長期削減目標にもつながることを嫌つたからであろう。この点については 2009 年の主要経済国フォーラム (MEF) における構図と全く変わっていない。温度目標を排出削減目標に「翻訳」するためには産業革命以降の温室効果ガス濃度が倍増した場合、どの程度の温度上昇をもたらすかという気候感度を決める必要があるが、この点についてはまだ多くの不確実性がある。温度目標は受け入れられるが、排出削減目標は受け入れられないというのをそういった背景がある。

第 2 項では「各締約国が累次の NDC（削減目標・行動）を作成、提出、維持する。また、NDC の目的を達成するための国内措置をとる（Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions）」と規定された。主語が先進締約国、開発途上締約国で差別化されず、全ての締約国が緩和に向けて目標を設定することが法的拘束力を示す shall という助動詞で義務付けられたことは特筆大書してよい。先進国のみが数値目標と義務を負う京都議定書からの非常に大きな転換であり、全ての国が参加する枠組みの根幹となる非常に重要な規定である。

第 3 項では、「累次の NDC は、各国の異なる事情に照らしたそれぞれ共通に有している

が差異のある責任及び各国の能力を反映し、従前の NDC を超えた前進を示し、及び可能な限り最も高い野心を反映する (Each Party's successive nationally determined contribution will represent a progression beyond the Party's then current nationally determined contribution and reflect its highest possible ambition, reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances) と規定された。日本の報道では「野心のレベルを引き上げねばならない後退禁止条項」とも呼称されたが、助動詞は法的拘束力を示す shall よりもずっと弱い will であり、いわば努力目標と言ってよい。交渉ではまさしくこの助動詞が論点となり、オプションとして shall、should も検討された。法的拘束力を持たせる shall となった場合、各国の提出した NDC が事実上の下限値として法的拘束力を持つことになり、米国はじめ多くの国にとって受け入れられるものではない。このため、12月10日夜に出された第二次テキストでは、プラケットなしで should と明記されていたのだが、それでも受け入れられないとした意見が多かったのか、最終的には最も弱い will で決着した。今後、この条文の解釈・運用に当たってはこうした交渉経緯を念頭に置く必要があろう。

第4項では、「先進締約国は、全経済にわたる排出の絶対量の削減目標をとることによって、引き続き先頭に立つべき。開発途上締約国は、緩和努力を高めることを継続すべきであり、各国の異なる事情に照らしつつ、全経済にわたる排出の削減又は抑制目標に移行することを奨励される (Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances) と規定された。ここで特筆されるべきは、パリ協定を通じて「先進締約国 (developed country Parties)」と「開発途上締約国 (developing country Parties)」という表現が使われ、気候変動枠組条約や京都議定書のように「附属書 I 国」、「非附属書 I 国」という表現が使われていないことである。各国の発展段階は進化するのであり、1992年の気候変動枠組条約当時の国の区分を固定する「附属書 I 国」という用語を使わなかつたことは高く評価される。なお、本項では先進締約国、開発途上締約国いずれも助動詞は should となっているが、フランスが提示した最終案の段階では先進締約国が shall、開発途上締約国が should と使い分けされていた。最終案配布後に開催されたパリ委員会では、キンリー事務局次長が本件を含むいくつかの「テクニカルエラー」を早口で読み上げ、間髪をいれずファビウス議長が「今事務局から提示されたテクニカルエラーを修正するとの理解の上でパリ協定を採択する」と木槌を下した。しかし shall と should では法的拘束力が全く異なり、通常であれば「テクニカルエラー」で片づけられる話ではない。ニューヨークタイムズでは会議開催前に米国のケリー国務長官が「このままでは米国は採択に参加できない」とファビウス議長に迫り、修正させたという内輪話が暴露されている。

第 8 項では、全ての締約国は NDC の提出にあたって明確性、透明性、理解増進のために必要な情報を提供すること、第 9 項では後述の第 14 条のグローバルストックテークの結果を踏まえ、5 年ごとに NDC を提出することが義務付けられた（助動詞はいずれも shall）。また COP 決定パラ 23、パラ 24 では 2025 年目標の国は 2020 年までに、その後は 5 年ごとに新たな NDC を提出し、2030 年目標の国は 2020 年までに、その後は 5 年ごとにその NDC を提出又は更新することが要請された。2030 年目標を提出した日本の場合、2020 年に現在と同じ目標を提出することが認められることになる。更に第 10 項では第 1 回パリ協定締約国会合において「NDC」の共通の期間を検討することが定められた。これは現在バラついている目標年次を揃えていくという趣旨である。

第 12 項では締約国の提出した NDC は条約事務局が管理する公的な登録簿に記載されることが規定された。京都議定書のように附属書に目標値を記載した場合、変更するたびにパリ協定の改正が必要となるため、制度の安定性に配慮した措置である。

第 19 項では、「全ての締約国は各国の異なる事情に照らしたそれぞれ共通に有しているが差異のある責任及び各国の能力を考慮し、第 2 条（協定の目的）に留意し、長期の温室効果ガス低排出発展戦略を作成、提出するよう努めるべき（should strive to）」と規定された。

（3）市場メカニズム

今回の交渉における争点の一つは市場メカニズムを認めるか否かであった。日本を含め多くの国々は何等かの形で温室効果ガス削減量の国際移転を認めるべきとの主張を行っており、パリ行動計画以来、ずっと議論が行われてきたが、ベネズエラ、ボリビアのような社会主義国が市場メカニズムに強固に反対していたため、議論は進展しないままであった。

パリ協定第 6 条第 1 項では締約国が NDC の実施にあたって自主的な協力をすることを選ぶことがあることを認識し、第 2 項では「NDC 達成のために緩和成果の国際的移転を含む自主的な協力的アプローチを行う場合、・・・ガバナンスを含む環境十全性と透明性を確保し、ダブルカウントの防止を含む強固なアカウンティングを適用する」と規定された (Parties shall, where engaging on a voluntary basis in cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions...ensure environmental integrity and transparency, including in governance, and shall apply robust accounting to ensure, inter alia, the avoidance of double counting...)。また第 3 項では「緩和成果の国際移転は自主的なものであり、当事国が承認する (The use of internationally transferred mitigation outcomes to achieve nationally determined contributions under this Agreement shall be voluntary and authorized by participating Parties)」と規定された。この第 2 項、第 3 項はまさしく日本が追求してきた二国間クレジット制度 (JCM) の考え方であり、日本にとって今次交渉の

大きな成果といって良いであろう。

第6条第4項～第8項ではパリ協定締約国会合の元に設立され、その監督を受ける新たなメカニズムについても規定されている。第4項～第8項の新たなメカニズムが「パリ協定締約国会合の元で設立・管理される」とメカニズムが併記されていることにより、前者がパリ協定締約国会合の管理下にないことが確保されているといえるが、注意すべきは第2項、第3項に基づく緩和成果の国際移転がパリ協定締約国会合の採択するガイダンスと整合的 (consistent with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement) であることが求められ、ガイダンスは今後検討されることだ。パリ協定の元に設立される新たなメカニズムのルール、手続についても今後パリ協定締約国会合において定められることになる。当事国間で弾力的・機能的に運用すべき第2項、第3項のガイドラインが国連管理型の第4項～第8項のメカニズムのルール、手続のコピーになることは厳に避けるべきだ。かつて京都メカニズムの制度設計に関与した経験に照らせば、国連で策定するルールや手続はどうしても制限的、官僚的なものになる。第2項、第3項のガイダンスが過度に制限的なものとなり、二国間クレジット制度のメリットである柔軟性、機動性を損なうことのないよう、今後心して交渉せねばなるまい。

(4) ロス&ダメージ

温暖化に伴うロス&ダメージに関する規定は温度目標と並んで島嶼国が強く主張していた点であるが、先進国は気候変動枠組条約にない新たな概念が盛り込まれ、先進国の法的責任 (liability) や補償 (compensation) につながることを強く警戒し、あくまで既にプログラムが存在する適応の一環として取り組むことを主張してきた。特に訴訟大国の米国は、パリ協定に基づく訴えが頻発するような事態になれば国内世論が硬化するのは間違いないと見て、極めてこの問題に神経質になっていた。

パリ協定では適応（第7条）とは別途の条文（第8条）でロス&ダメージを規定し、島嶼国の要求を一部盛り込むこととなった。ただし、その文言は「気候変動の悪影響に伴うロスやダメージを回避し、最小化し、取り組むことの重要性を認識する」（第1項）、「気候変動のインパクトに伴うロス&ダメージのためのワルシャワ国際メカニズムはパリ協定締約国会合の元におかれ、締約国会合の決定に基づき強化される」（第2項）、「締約国はワルシャワ国際メカニズムを通じ、協力的、促進的にロス&ダメージに関する理解、行動、支援を強化する」（第3項）という穏当なものとなった。また第8条に関するCOP決定パラ52では「パリ協定第8条は責任や賠償の根拠とはならない (Agrees that Article 8 of the Agreement does not involve or provide a basis for any liability or compensation)」と明記された。

このようにロス&ダメージでは島嶼国の主張を形式的には盛り込みつつ、実質的には先

進国の懸念を払拭するものとなった。温度目標が島嶼国の主張を容れて強化されたこととのパッケージであったと解釈できよう。

（5）資金援助

資金援助（第9条）は今次交渉において透明性（第13条）と並んで最も交渉が難航した部分である。ほとんどの途上国にとって交渉に参加している動機は先進国からの支援の上積みであるから、それも当然であろう。

交渉の大きな争点の一つは資金援助の出し手を従来のような先進国オンリーから中国等、能力のある途上国にも拡大できるかであった。この点については資金援助の主体を先進締約国及び「その（資金援助）立場にある他の締約国（in a position to do so）」、「その能力のある（with the capacity to do so）」、「その意思のある（willing to do so）」等がオプションとされていたが、パリ協定最終案の一つ前の議長テキストでは「他の締約国は自主的かつ補完的な形で資金供与するかもしれない（Other Parties may, on a voluntary and complementary basis, provide...）」という途上国に大幅に譲った表現となっていた。

パリ協定第9条第1項では「先進締約国は、条約に基づく既存の義務の継続として、緩和と適応に関連して、開発途上締約国を支援する資金を提供する（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）」とされ、第2項では「他の締約国は、自主的な資金の提供又はその支援の継続を奨励される（Other Parties are encouraged to provide or continue to provide such support voluntarily）」とされた。「支援するかもしれない」という直近の議長テキストに比べて「支援することを奨励される」という、より前向きな表現となり、先進国の主張が一部取り入れられた形となった。

第3項では「世界的な努力の一環として、先進締約国は、公的資金の重要な役割に留意しつつ、広範な資金源、手段、経路からの、国の戦略の支援を含めた様々な活動を通じ、開発途上締約国の必要性及び優先事項を考慮した、気候資金の動員を引き続き率先すべき。気候資金の動員は、従前の努力を超えた前進を示すべき（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 Such mobilization of climate finance should represent a progression beyond previous efforts）」と規定された。第1項の助動詞がshallであるのに対し、第3項の助動詞はshouldであり、米国を中心とする先進国の懸念を踏まえ、公的資金を中心とすることや資金動員の増額が法的義務とならないような表現ぶりとなっている。

カンクン合意では2020年までに先進国から途上国に対し、年間1,000億ドルの資金援助を行うことが規定されていたが、今次交渉では条約本体に新たな数値目標を書き込むかど

うかも大きな争点であった。激しい交渉の末、協定本体ではなく、COP 決定パラ 54 に「先進締約国は開発途上締約国の意味のある緩和行動と透明性のコンテクストの下で既存の資金動員目標（注：年間 1,000 億ドルを指す）を 2025 年まで継続する意向であり、2025 年に先立ってパリ協定締約国会合は 1,000 億ドルを下限として新たな数値目標を定める（Also decides that... developed countries intend to continue their existing collective mobilization goal through 2025 in the context of meaningful mitigation actions and transparency on implementation; prior to 2025 the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall set a new collective quantified goal from a floor of USD 100 billion per year）」という文言が入った。協定本体から法的拘束力のない COP 決定に落とすことにより先進国の懸念に対応した形である。

数値目標が COP 決定に落とされたとはいえ、先進締約国は開発途上締約国に対する公的資金の移転を含め、資金援助に関する量的、質的報告を 2 年に 1 度行うことを義務付けられ（第 5 項）、公的介入を伴う資金援助に関する透明性のある情報を 2 年に 1 度提供することが義務付けられる（第 7 項）。また第 14 条のグローバルストックテークの際にも先進締約国による資金援助の情報が考慮される（第 6 項）。先進国に対して間断なく途上国への資金援助についてのプレッシャーがかかる形となっており、途上国の主張が相当部分取り入れられている。換言すればこの部分なくして途上国の同意を得ることは不可能であったというべきであろう。

（6）技術開発・移転

パリ協定第 10 条は技術開発・移転について規定している。この部分での最大の論点は知的財産権の扱いであった。特にインドが知的財産権を技術移転のバリアーとみなし、エイズ特効薬と同様に環境に優しい技術の知的財産権の強制許諾や知的財産権に守られた技術獲得に対する資金援助を強く求めていたのである。知的財産権は技術開発の基礎インフラともいるべきものであり、多大なリスクとコストをかけた知的財産権が強制許諾の対象となつたのではイノベーションを阻害することになりかねない。このため先進国は一体となってインドの主張に反対してきた。

幸いなことに技術交渉グループの調整努力により、パリ協定からは知的財産権に関する言及は一切なくなった。もちろん火種が皆無ではない。第 10 条第 4 項では技術開発・移転を推進する技術メカニズムに横断的なガイダンスを与える目的で「技術フレームワーク」を設置することが規定された。COP 決定パラ 68 では、今年 5 月の補助機関会合 (SBSTA) で技術フレームワークの詳細の検討を開始することとされているが、技術フレームワークの目的の一つとして、「社会面、環境面で健全な技術の開発・移転を可能にするような環境整備と障壁への取組を強化する（The enhancement of enabling environments for and the addressing of barriers to the development and transfer of socially and environmentally

sound technologies)」が盛り込まれている。この「障壁」の中で知的財産権の問題が蒸し返される恐れもある。しかし「障壁」というのは色々なものを含み得る概念であり、先進国の中から見れば、途上国の投資環境の悪さや知的財産権制度の未整備等も立派な「障壁」であり、双方向の議論が可能だ。

またパリ協定第10条第5項には「イノベーションの加速、促進は長期的な気候変動への対応や経済成長の促進、持続可能な発展にとって重要。こうした努力は研究開発の協力的アプローチに対する技術メカニズム、資金メカニズムや特に技術サイクルの早期段階に対する開発途上締約国のアクセスの容易化を通じて支援される (Accelerating, encouraging and enabling innovation is critical for an effective, long-term global response to climate change and promoting economic growth and sustainable development. Such effort shall be, as appropriate, supported, including by the Technology Mechanism and, through financial means, by the Financial Mechanism of the Convention, for collaborative approaches to research and development, and facilitating access to technology, in particular for early stages of the technology cycle, to developing country Parties)」という文言が入った。これは気候変動問題の究極的な解決のためのイノベーションの重要性を明記したものであり、高く評価される。これまでの交渉においても技術分野は資金や緩和分野に比して現実的な議論がなされる傾向が強かった。相対的に技術に知見を有する者が交渉を担当し、とかく先進国との対立軸から議論をスタートする途上国の職業交渉官の関与が少ないからかもしれない。

(7) 透明性

緩和目標の実施状況に関する情報提供、レビュー（これを総称して「透明性」と呼んでいる）は今回の交渉の中で先進国が最も重視したイシューの一つである。新たな枠組みが目標値を義務付けるものではなく、目標の策定、登録、レビューといったプロセスを義務付けるものとなる中で、枠組みの実効性を確保するためには各国が自国出した目標達成に向けて努力していることが「見える化」していることが重要だからだ。

今次交渉における透明性をめぐる交渉では、まず、そのスコープが議論となった。先進国は透明性の元で途上国の緩和行動の進捗状況をきちんとフォローすることを重視していた。これに対して途上国は「自分たちの緩和行動の成否は先進国からの支援次第である。緩和行動の進捗状況をチェックするならば、そのための支援の状況もチェックすべきである」という論理に基づき、透明性のスコープを緩和のみならず、途上国の緩和、適応に対する支援（資金、技術、キャパシティビルディング）も対象とすべきであると主張してきた。この点については、交渉終盤頃には先進国が妥協し、透明性のスコープに支援も加わることが既定方針となっていた。

最後までもめたのが透明性のプロセスにおいて先進国と途上国の差異化をどこまで認め

るかという点である。直近の議長テキストでは NDC の実施状況に関するレビューが全ての締約国に等しく適用されるオプション 1 と、先進国は「強固なレビューと国際的な評価プロセスを受け、遵守に関する結論につなげる (robust technical review process followed by a multilateral assessment process, and result in a conclusion with consequences for compliance)」一方、途上国の提供した情報については「内政干渉的でなく、懲罰的でなく、国家主権を尊重し、先進締約国からの支援に応じた形で、技術的な分析を受け、国際的な場で意見交換を行い、サマリーを作成する (technical analysis process followed by a multilateral facilitative sharing of views, result in a summary report, in a manner that is nonintrusive, non-punitive and respectful of national sovereignty, according to the level of support received from developed country Parties)」というオプション 2 が併記されていた。これは露骨な先進国・途上国二分論であり、先進国にとって受け入れられるものでは全くなかった。

以上の背景を念頭にパリ協定の透明性に関する規定を見ていこう。

第 13 条第 1 項では、「相互の信頼を構築し実効的な実施を促進するため、締約国の異なる能力を考慮し全体の経験に基づく柔軟性が組み込まれた、行動及び支援の強化された透明性フレームワークを設ける (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)」と規定された。上述のとおり、透明性の対象は行動（温室効果ガスの削減、抑制）と途上国の緩和、適応への支援の双方となった。

第 2 項では透明性フレームワークの実施に当たっては「能力に照らし柔軟性を必要とする開発途上締約国には、透明性の枠組みの柔軟な運用を認める」とされた。また本条を引用した COP 決定パラ 90 では「開発途上国に対し透明性のスコープ、頻度、報告の詳細度、レビューのスコープの面で柔軟性を認めなければならず、各国訪問審査については選択を認める。こうした柔軟性は透明性フレームワークのモダリティ、手続、ガイドライン策定に反映されねばならない (developing countries shall be provided flexibility in the implementation of the provisions of that Article, including in the scope, frequency and level of detail in reporting, and in the scope of review, and that the scope of review could provide for in-country reviews to be optimal, while such flexibilities shall be reflected in the development of modalities, procedures and guidelines referred to in paragraph 92 below)」と規定された。

第 3 項では透明性フレームワークの実施に当たっては「協力的、内政不干渉的、非懲罰的で国家主権を尊重し、締約国に無用の負担を与えない (in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and avoid placing undue

burden on Parties)」こととされている。この表現は冒頭に掲げた直近の議長テキストでは開発途上締約国の透明性にのみ適用されていたものが、先進締約国、開発途上締約国全体にかかることとなった。

第 5 項では行動 (action) の透明性フレームワークの目的を「グッドプラクティス、プライオリティ、ニーズとギャップを含め、パリ協定第 2 条に規定する気候変動枠組条約の目的に照らした行動に関する明確な理解を提供し、各国の NDC と適応行動の進捗状況をフォローし、第 14 条のグローバルストックテークへのインプットとすること」と規定している。

第 6 項では支援 (support) の透明性の目的を「第 4 条 (緩和)、第 7 条 (適応)、第 9 条 (資金)、第 10 条 (技術)、第 11 条 (キャパシティビルディング) において各国が提供し、受領した支援を明確化し、全体としての資金援助額をグローバルストックテークへのインプットとする」と規定している。

第 7 項では各国が温室効果ガス排出量と吸収量のインベントリーと、NDC の進捗状況把握に必要な情報を提供するとされた。第 9 項では「先進締約国は、開発途上締約国に提供された資金、技術移転及び能力開発の支援に関する情報を提供する。また、支援を提供する他の締約国は、当該情報を提供すべき」と規定され、第 10 項では「開発途上締約国は必要とする支援と供与された支援の情報を提供すべき」とされた。

第 11 項は冒頭に紹介したレビューに関する部分であり、「第 7 項、第 9 項に基づいて提出された情報は、技術専門家によるレビューを受ける。開発途上締約国であってその能力に照らして支援が必要な国においては、専門家による検討には、能力開発の必要性の特定の支援が含まれる。各締約国は、第 9 条 (資金) に基づく努力に関する進捗及び NDC の実施と達成について、促進的かつ多国間の検討に参加する」と規定された。第 12 項では「技術専門家レビューは各国の支援の提供、NDC の実施・達成状況を内容とする。レビューは第 13 項に規定する透明性に関するモダリティ、手続、ガイドラインとの整合性のレビューを含め、各国の改善すべき点を示す。レビューにおいては途上国の能力や状況に特に注意を払う」とされている。行動と支援の透明性に関する共通のモダリティ、手續、ガイドラインは第 1 回パリ協定締約国会合で採択することとなっている。第 14 項、第 15 項では透明性の実施に必要な支援を途上国に提供することが規定された。

以上、透明性フレームワークの条文全体を眺めてみると、緩和のみならず支援も報告、レビューの対象となっていること、直近の議長案のような先進国と途上国の露骨な二分論は影を潜め、先進国、途上国が一つのフレームワークに参加する形式は取りつつも、その実施に当たっては「これでもか」というほどの途上国配慮の「芽」が埋め込まれており、途上国の主張を相当程度盛り込んだものになっている。透明性フレームワークに関する実施細則は第 1 回パリ協定締約国会合で採択されることになるが、「悪魔は詳細に宿る」である。透明性フレームワークがもっぱら先進国の緩和努力や支援実績、予定に偏重したことになること、特に緩和努力が期待される大排出途上国にとって「大甘」のものとなり、

地球全体の温室効果ガス削減に向けた枠組みの実効性を損なうことは厳に避けねばならない。透明性フレームワークの実施細則は今回設置が決まったパリ協定特別作業部会の検討を経て、第1回パリ協定締約国会合への送付を念頭に2018年のCOP24で検討されることになる。透明性フレームワークを実効あるものとするための勝負はこれからであろう。

（8）グローバルストックテーク

パリ協定には、各国の行動が全体としてパリ協定の目的及び長期目標の達成に向かっているかをチェックするための枠組みとして、第14条にグローバルストックテークのメカニズムが盛り込まれた。第1項ではグローバルストックテークは緩和、適応、支援を含めた包括的かつ促進的なものであると規定されている。先進国、途上国の温室効果ガス削減・抑制に向けた取組の全体的な進捗状況のみならず、途上国への支援についてもグローバルストックテークの対象となっているところが特徴だ。グローバルストックテークは2023年から開始され、以後5年ごとに行われ（第2項）、その結果は各国が行動、支援を更新、拡充する際の参考とされる（第3項）。なお、その予行演習とも言うべき各国の努力の総計についての「対話」が2018年に行われることも決まっている（COP決定パラ20）。

パリ協定は各国がNDCを持ち寄り、その実施状況をレビューするというボトムアップのプレッジ&レビューの枠組みを基本としているが、このグローバルストックテークの規定により、トップダウンで設定された長期目標（第2条の温度目標、第4条第1項の早期のピークアウト、今世紀後半の排出と吸収のバランス等）との整合性をチェックされることになる。換言すればボトムアップとトップダウンのハイブリッド型であるとも言える。

（9）発効要件

パリ協定の発効要件は第21条第1項において「世界の温室効果ガス排出総量の少なくとも55%と見積もられる少なくとも55カ国が批准書（ratification）、受託書（acceptance）、承認書（approval）もしくは加入書（accession）を寄託した日の後、30日目の日に効力を生ずる」とされている。京都議定書における発効要件「附属書Iの締約国の中における二酸化炭素排出総量の少なくとも55%を占める附属書Iの締約国を含む55カ国以上の条約の締約国が批准書、受託書、承認書又は加入書を寄託した日の後90日目の日に効力を生ず」の考え方を踏襲するものであるが、先進国、途上国が共に温室効果ガス削減に取り組む本協定では、温室効果ガスのカバレッジ要件が附属書I国から世界全体に広げられた。先進国に比して途上国は温室効果ガス排出量データ整備が遅れているため、第2項では「第1項の目的に限定し、『温室効果ガス排出総量』とは条約採択の日もしくはそれ以前に締約国から条約事務局に提出された最新の量を意味する」とし、各国のデータ年のバラつきを許容することとした。

発効要件については、国数と併せ、温室効果ガスカバレッジも要件とする案がプラケッ

トの形で残っていたが、直近の議長案では、55カ国が批准、受託、承認、加入すれば発効するという案になっていた。これは、温室効果ガス排出量は少ないが、国数だけは多いアフリカ諸国や低開発国が批准すればすぐに発効することを意味し、世界全体の温室効果ガス排出削減という目的に照らせば実効性に大きな疑問符がつく。このため、丸川環境大臣は全体会合で温室効果ガス排出量のカバレッジも発効要件に加えるべきと主張し、最終案においてそれが取り入れられたわけである。

ただし、発効要件の55%は全ての主要排出国の参加を確保するものとは言えない。世界第1位、第2位の排出国である中国、米国が両方参加しなければ発効しないものとするためには温室効果ガスカバレッジ要件を80%程度まで引き上げねばならないからだ。米中の温室効果ガスカバレッジは合計で4割弱であるため、55%という要件では米国、中国のいずれか一方、更には両方が参加しなくとも計算上は発効可能ということになる。京都議定書の発効要件55%も米国が批准しなくとも発効するような設計となっていたことを想起させる。

なお、パリ協定の発効時期については、ダーバンプラットフォーム上、「in order to adopt this protocol, another legal instrument or an agreed outcome with legal force at the COP21 and for it to come into effect and be implemented from 2020」とあり、2020年からの発効が想定されているが、パリ協定上、上記の発効要件を満たせば、2020年以前の発効も可能と思われる。ただしパリ協定の根幹となる透明性フレームワークの実施細則が2018年のCOP24で検討されることを考慮すれば、実際に協定が動き出すのはその後と考えることが自然であろう。

(10) その他

今回の交渉では京都議定書第二約束期間が焦点となったCOP16のように日本が突出する局面はなかったが、一部マスコミでは日本による高効率石炭火力発電技術の輸出が問題視されるのではないかとの報道もあった。10日夜に出された議長テキストのCOP決定パラ62には「締約国に対し、高排出投資への国際支援を減少させるよう求める(Urges Parties to reduce international support for high-emission investments)」との文言が含まれていたのも事実である。しかしCOP21に先立つOECD輸出信用会合において、高効率石炭火力技術の輸出については引き続き支援対象とすることが合意されており、そもそも上記の文言は高効率石炭火力を想定したものではない。環境NGOの中には本パラグラフを「日本へのメッセージだ」と説明した団体もあったというが、全くの見当違いである。しかも最終的に合意されたCOP決定では本パラグラフ自体が削除された。おそらく経済発展のために石炭火力技術を今後とも必要とするインド等の途上国の強い反対があったものと思われる。COP21期間中にインド産業連盟と意見交換をする機会があったが、彼らは「インドの経済発展にとって石炭は不可欠であり、インドの経済発展は後に続く途上国にとっても重

要。石炭を使うなと言うのではなく、石炭を効率的に使えと言うべきだ」と明言していた。エネルギーや経済の実態を無視した環境原理主義的な議論に辟易していた筆者にとっては胸にストンと落ちる議論であった。

4. パリ協定をどう評価するか

以上のパリ協定をどう評価するか。激しい交渉の結果、成立した合意であり、様々な立場から様々な評価が可能であろうが、ポスト 2013 年交渉に関与してきた立場から、私見を述べてみたい。

（1）全ての国が参加する枠組みの成立

何よりもまず、一部の先進国のみが義務を負う京都議定書に代わり、全ての国が温室効果ガス排出削減、抑制に取り組む枠組みが出来上がったことは歴史的意義があるということを特筆大書したい。これは京都議定書以降の国際交渉において日本が一貫して主張してきた方向性であった。京都議定書第一約束期間後のポスト 2013 年枠組交渉においては京都議定書第二約束期間が検討途上にあったこともあり、全ての国が参加する法的枠組みは実現せず、COP 決定であるカンクン合意にとどまった。パリ協定はカンクン合意を発展させ、法的枠組みとしたものであり、日本が長く追及してきた目的がようやく実現したことになる。コペンハーゲン、カンクンの交渉を経験した筆者として深い感慨を覚える。

（2）ボトムアップ型のプレッジ&レビュー

パリ協定の中核をなすのは、先進国、途上国が約束草案を持ち寄り、その進捗状況を報告し、専門家によるレビューを受けるというボトムアップのプレッジ&レビューの枠組みである。この一連の手続が法的拘束力の対象となっている一方、目標値の達成自体は法的義務とはなっていない。目標達成が法的義務になっていないことをもって、パリ協定の実効性に疑問を呈する論者もいるだろう。しかし、米国、新興国の参加を得るためににはこの方式が唯一の解であることは自明であった。目標達成を法的義務化すれば、制度そのものは堅牢なものとなっても、米国や新興国の参加の得られない実効性の乏しいものになってしまう。また目標値を法的義務にすれば、各国は未達成時の遵守規定の適用を避けるため、必然的に「堅めの」目標を登録することになるであろう。かつて英 *Economist* 誌は「strong weak agreement is better than weak strong agreement」と述べた。堅牢だが参加国が限られ、実効性の弱い合意よりも、枠組み自体は柔軟でも全ての国が参加し、実効性の高い合意の方が良いとの意味である。京都議定書型の枠組みとプレッジ&レビューの枠組みの関係はまさにそれに一致する。日本は既に気候変動枠組条約交渉時からプレッジ&レビューの枠組みを提唱してきた。しかしその後の国際交渉の流れは先進国のみに目標達成を義務付けるトップダウン型の京都議定書に向かった。パリ協定は、堅牢だが主要排出国の参加を欠き、温室効果ガス削減にほとんど効果がなかった京都議定書の反省の上に生まれたものであり、「思えば長い回り道をしてきた」との感を禁じ得ない。

（3）全体としてはやや途上国寄り

このようにパリ協定は温暖化交渉の歴史上、大きな意義を有しているが、先進国のみが義務を負う京都議定書体制から途上国を含む全員参加型の体制に移行するためには、いろいろな代償を払わねばならなかったのも事実である。資金についての規定は金額こそ条約本文に書き込まれなかつたものの、多くの面で途上国の主張を受け入れるものとなった。また資金とのパッケージディールとなった透明性の規定についても、先進国と途上国を手続上切り分けず、「一つの強化された透明性フレームワーク (an enhanced transparency framework)」に参加する形としつつも、個々の条文の中では途上国配慮が随所に盛り込まれることとなった。また透明性フレームワークの対象には緩和のみならず途上国支援も含まれ、5年に1度のグローバルストックテークの対象にも途上国支援が盛り込まれている。すなわち、今後のレビュー やストックテークの度に先進国は途上国から請求書を突き付けられることになる。途上国は「自らの緩和行動が予定通り進まないのは先進国からの支援が足りないからだ」という主張を展開することになる。パリ協定において緩和努力の主体が先進国から全ての国に広がったことは大きな成果である一方、途上国もその代償を確保し、全体をバランスして見ればやや途上国寄りの決着であったと言える。12月15日付のインド Hindu 紙が「インドは先進国と途上国との差異化を守るのに大きな役割を果たした。差異化は合意の各所に埋め込まれている」と評価しているのはその証左であろう。逆に言えば、これくらいの代償を払わなければパリ協定に合意することはできなかつたということでもある。途上国は是が非でも合意を得たい議長国フランスや、オバマ大統領のレガシーを残したい米国の弱みを利用したとも言える。

（4）非現実的な温度目標は将来の火種に

世界の環境 NGO や島嶼国は 1.5°C 安定化が努力目標として温度目標に書き込まれたこと、このため今世紀後半に温室効果ガス排出量と吸収量のバランスを図ることが緩和の長期目標に盛り込まれたことをパリ協定最大の成果として喧伝している。筆者はこの点がパリ協定最大の問題点であると考える。

そもそも 2°C 目標の実現可能性は極めて低いものであった。IPCC 第5次評価報告書においては、 2°C 目標に相当するとされる 450ppm シナリオを達成するためには 2100 年まで温室効果ガスを 100% 近く削減することが必要と分析されている。このためには発電部門においてバイオマス CCS を大量導入することにより現在の発電部門の排出量をそのままマイナスにしたような規模のマイナス排出にするという、およそ実現性に疑問符のつくビジョンが提示されている。近年の IEA の世界エネルギー展望 (World Energy Outlook) は 450ppm シナリオを毎回提示しているが、途上国を中心とする足元の温室効果ガス拡大により、450ppm シナリオの実現可能性は年々低下しており、それを実現するためには、およそ現実味に乏しいエネルギー ミックス、投資規模を描かざるを得ない状況であった。 2°C 目

標ですらこの有様であるから、 1.5°C あるいは 350ppm シナリオとなれば「推して知るべし」であろう。

温暖化防止のために志を高く持つことは良い。しかし実現可能性を顧慮せず、ひたすら野心的な目標にこだわるのはこのプロセスの通弊である。一般に政治家は長期の温度目標を安易に設定する傾向が強いように思われる。しかし既存の温度目標の実現可能性が厳しい中で更に厳しい温度目標を設定するというのは、戦時中、「精神力で B29 を撃墜する」といった陸軍のマインドセットにも似た精神論であり、結局のところ枠組み自体のクレディビリティを下げるだけではないか。

温度目標が大きな方向性を示す努力目標というならばまだわかる。しかしパリ協定では5年ごとのグローバルストックテークというメカニズムを通じて $1.5^{\circ}\text{C} \sim 2^{\circ}\text{C}$ 目標や今世紀後半の排出・吸収バランス目標と、各国の緩和努力、緩和目標の合計とが比較され、それが各国のNDCにフィードバックされるとの設計がなされている。トップダウンの目標をボトムアップのレビュー・プロセスと融合させようという試みとも言える。これは枠組みとしては首尾一貫している。問題はトップダウンの目標とボトムアップの積み上げは永遠に交わらないだろうということだ。昨年10月末、条約事務局は各国の約束草案の合計値と 2°C 目標に必要な排出削減パスを比較して2030年時点で150億トンものギャップがあるという分析を提示した。2018年にはCOP決定パラ21に基づきIPCCが 1.5°C 達成に必要な排出削減パスの特別レポートを提示するが、ギャップの幅は150億トンを大幅に上回ることは確実だ。もとより、 2°C 、 1.5°C 目標を排出削減パスに「翻訳」するに当たって、気候感度（産業革命以降の温室効果ガス濃度が倍増した場合の温度上昇幅）の不確実性があることを忘れてはならない。この点についてはIPCCでも意見が収斂しておらず、 $1.5^{\circ}\text{C} \sim 4.5^{\circ}\text{C}$ まで幅がある。IPCCにおける更なる科学的知見の蓄積を促進すると共に、ギャップ論に対しては気候感度の不確実性を指摘する必要があろう。

それでは各国はその膨大なギャップを埋めるために皆で負担を分担して約束草案を引き上げるだろうか？筆者の答えは「ノー」である。野心のレベルが徐々に引き上げられたとしてもその合計値が 1.5°C 目標はおろか 2°C 目標にも達するとは思えない。150億トンというギャップは2010年時点の中国全体の排出量の1.5倍に相当するとんでもない量なのだ。そもそも各国の政策は温暖化対策だけで動いているわけではない。各国はその時々の経済情勢、雇用情勢、エネルギー情勢等を総合勘案して約束草案を策定している。その実施状況をレビューするが、約束達成そのものは法的義務とはしない。だからこそボトムアップのプレッジ&レビューは現実的な枠組みとして全ての国の参加を得ることができたのである。「 1.5°C や 2°C 目標を達成するためには各国の目標を○割上乗せすることが必要」と条約事務局に強要されるようでは、ボトムアップのプレッジ&レビューの意味をなさなくなる。 2°C 目標の時もギガトンギャップ論は存在したが、こうしたトップダウンの負担分担論が何の結論にもつながらなかったことはこれまでの交渉経緯からも明らかである。

要するにパリ協定では非現実的なトップダウンの温度目標と、現実的なボトムアップのプレッジ&レビュープロセスが併存した枠組みなのである。両者の間には埋めがたいギャップが存在し続け、各国の約束レベルの引き上げでそのギャップを埋められると考えるのは幻想であろう。それではどうすればよいのか。答えはイノベーションしか有り得ない。上述のようにパリ協定の中でイノベーションの重要性が明記されたことは大きな成果だ。他方、イノベーションは国連交渉の場からは決して生まれてこないことも肝に銘ずるべきだ。イノベーション力を有する国の官民の努力及び有志国による国際連携によって初めて可能となる。ゆめゆめ職業交渉官による官僚的な「国連イノベーションメカニズム」の創設等にリソースを費やすべきではない。

国連プロセスが非現実的な温度目標を設定したことは、逆説的ではあるが国連プロセスでは温暖化問題は解決できないということを明らかにする結果に終わるであろう。

（5）米国の動向を注視すべき

既述のとおり、COP21 では米国の積極姿勢が目立ったが、それがそのまま米国の参加リスクにつながっていることも忘れてはならない。COP21 中のサイドイベントで米国商工会議所 21 世紀エネルギー研究所のスティーブン・ユール副所長より「米国の約束草案策定に当たって産業界は全く相談を受けていない。2005 年比 26–28% という米国の目標のうち 4 割については根拠不明なものだ」とコメントしていた。もともとオバマ大統領の温暖化対策に批判的であった議会共和党はパリ協定にも極めて批判的であり、マッコネル共和党上院院内総務は「いかなる気候変動国際協定も議会の承認なしには通さない」と述べている。もとよりオバマ政権はこうした議会の姿勢を十分承知の上で議会の承認を要さないぎりぎりのラインで合意をまとめているので、2016 年中の早い段階で行政協定としてパリ協定を承認することになるだろう。問題はオバマ政権がレガシーを賭けて種々の妥協の末に取り付けた合意が、国内で支持されるのかどうかだ。オバマ政権の温暖化対策の目玉とも言うべきクリーンパワープランについても多くの訴訟が提起されている。更に来年に誕生する米新政権がパリ協定及びパリ協定に向けて米国が提出した目標をきちんと実施するのかも見極めねばならない。

5. 日本の対応

最後に日本の取るべき対応について何点か述べたい。

(1) 建設的なプレッジ&レビュー実現に貢献を

パリ協定の中核となるプレッジ&レビューは日本が経団連自主行動計画や低炭素社会実行計画を通じて経験を蓄積してきたプロセスである。パリ協定に基づくプレッジ&レビューはこれから詳細を詰めることとなるが、それを生かすも殺すも協定第13条第11項に規定される促進的な多国間の検討が協力的、建設的な雰囲気の下で行われるか否かにかかっている。お互いのアラ探しや非難の応酬になってしまったのでは「仏作って魂入れず」になる。筆者が経験したOECDやIEAのピアレビュープロセスは被審査国の政策に対する照会やコメントはあっても決して指弾的なものではなかった。日本が経験してきたPDCAサイクルも同様である。日本は今後のガイドライン策定やプレッジ&レビューの実施の際に協力的、促進的なプロセスの実現に向けて最大限の貢献をするべきである。

(2) 技術開発でイニシアティブを

パリ協定にはトップダウンの目標とボトムアップのプロセスの不整合が内包されており、そのギャップを埋めるのは国連プロセスではなくイノベーションしかないという点は既に述べたとおりである。そしてこれこそ日本が世界に貢献すべき分野である。今回、安倍総理はCOP21冒頭にエネルギー・環境イノベーション戦略の策定を表明した。米仏を中心に、5年間でクリーンエネルギーのR&D予算倍増を目指す有志国政府と、同分野への投資を拡大する民間投資家有志による「ミッション・イノベーション」も立ち上がる等、温暖化問題解決におけるイノベーションの重要性がクローズアップされたことは今回のCOP21の特色でもあった。日本が議長を務める今年のG7伊勢志摩サミットはCOP21後、最初のサミットでもある。非効率的な国連プロセスにとらわれず、革新的技術開発の促進に向けた国内政策環境の整備、国際連携の在り方について議論をリードしてほしい。このテーマは1回のサミットのコミュニケーションで終わる話ではない。サミットで打ち出される方向性を、日本が毎年主催するICEFで発展させ、フォローアップしていくべきだろう。

また国内のイノベーション環境整備にも取り組むべきだ。日本が強みとする技術を更に伸ばすことも重要だが、温暖化防止のためには特定技術をpick and chooseして支援するだけではなく、現在、想定されていないようなイノベーションを可能にするような技術非特定的な支援措置も必要になるのではないか。何よりもリスクの高い長期のイノベーションを可能にするのは良好なマクロ経済環境、企業経営環境である。景気が後退し、企業収益が厳しくなれば企業のR&D投資は必然的に既存技術の改良といったタイムスパンの短い

ものに集中する。短期的な温室効果ガスの削減にこだわるあまり、管理経済的、成長制約的な施策を導入することは、結局、長期の温暖化防止に必要なイノベーションを阻害するということを忘れてはならない。

パリ協定第4条第19条には長期低排出発展戦略の策定に努めると規定されている。日本は第4次環境基本計画の中で2050年までに温室効果ガスの80%削減を目指すという目標を盛り込んでいるが、 $2^{\circ}\text{C} \sim 1.5^{\circ}\text{C}$ を根拠にこの数値をもっと引き上げるべきだという議論が必ず出てくるだろう。しかし、それでは達成の見込みも無く 1.5°C 目標を書き加えたのと同じである。日本が策定すべき長期戦略の中核は空虚な理念先行型の目標数値ではなく、革新的技術開発戦略であるべきだ。

（3）約束草案の実現に向け、原発の再稼働に取り組め

今回、 1.5°C 目標が追記されたことを踏まえ、早速、「日本も中期目標を見直すべき」という議論が環境関係者から提起されている。彼らの議論に共通するのは「野心的な目標を掲げれば現実はそれについてくる」という素朴なまでの思い込みである。しかしこれは 2°C 目標ですら実現が危ぶまれているのに 1.5°C 目標を追加するマインドセットと全く同じである。

筆者は2013年比で2030年26%削減という目標が、省エネ、原子力、再生可能エネルギーいずれの面でも非常にハードルの高い目標であることを様々な場で指摘してきた。新たな目標を検討する前に、まずやらねばならないことは、現在の目標を着実に実現することである。そしてそのカギとなるのは安全性の確認された原発を着実に再稼働し、可能な場合、運転期間を延長することだ。エネルギー自給率を震災前の水準に戻し、電力コストを現在のレベルよりも引き下げるという要請を満たすためには、再生可能エネルギーの拡大に伴う負担増を、原発再稼働等による化石燃料輸入コストの節約分で吸収していくしかない。電力自由化に伴い石炭火力発電所新設計画が増大していることが問題視されているが、この問題の根源は安価なベースロード電源である原発再稼働の見通しの不透明性にある。換言すれば、石炭火力の増大を最小限にとどめるために最も有効な方法は原発の着実な再稼働である。

世論調査では原発再稼働に否定的な意見が多く、再稼働実現には並々ならぬ政治キャピタルを要する。しかし日本が真剣に26%目標を達成するつもりなのであれば、これを避けでは通れない。パリ協定が合意され、各国が約束草案の実現に乗り出す以上、政府は「原発再稼働が日本の目標達成のために不可欠である」という疑いのない事実を辛抱強く地元住民に説明し、理解を得る努力をしなければならないだろう。更には電力自由化の下で既存原発のリプレースを可能にするような政策環境の整備についても検討を早急に開始すべきだ。

我が国の環境関係者の中には野心的な目標を主張しつつ、原発の再稼働にも反対、石炭

火力にも反対という論者が余りにも多い。彼らの提示する処方箋は判で押したように再生可能エネルギーの更なる拡大であるが、それに伴う電力コスト増やマクロ経済への影響をどうするつもりなのか、説得力ある説明は皆無である。彼らの処方箋に従えば間違いなく電力コストは大幅に上昇し、マクロ経済環境、企業収益の悪化を招き、長期的なイノベーション環境が損なわれる。何よりそのような政策は政治的・経済的に持続可能ではない。より野心的な目標を主張するのであれば、何よりもまず、足元の目標を達成する環境を整えるべきであり、そのためには好むと好まざるとにかかわらず原発の再稼働が必要であるという「不都合な真実」に向き合うべきだ。

6. 結 語

以上、私見を交えつつ、パリ合意の概要、評価について紹介した。協定について不満があるのは事実だが、それでは「より良い合意が可能だったのか」と聞かれれば、「パリ合意は現時点での可能な最良の合意」と言わざるを得ない。利害の異なる 190 カ国超の先進国、途上国が参加する国際交渉で合意を得るために、妥協はやむを得ない。京都議定書からパリ協定への移行に伴い、途上国に多くの妥協をしなければならなかつたのは事実だ。しかし、それでも全ての国が緩和努力に参加する枠組みができたことの歴史的意義はいくら強調しても足りないくらいである。交渉初日から辺鄙なブージュ空港近くの会議場で深夜に及ぶ交渉に従事してきた現役交渉官の皆さんに対し、心から「よく頑張った。ご苦労様」と言いたい。

同時にパリ協定は新たな国際枠組みの始まりでしかない。その実施細則は今後の交渉にゆだねられており、パリ協定が真に実効的な枠組みになるかどうかはそこにかかっている。筆者は負け戦であった京都議定書の実施細則の交渉に参加したため、「負けを大負けにしないための交渉」に奔走しなければならなかつた。パリ協定はそれに比べればはるかにバランスのとれた枠組みになるポテンシャルを秘めている。それを可能にするのは今後の実施細則交渉である。現役交渉官の皆さんには次なる戦いに向けて刃を研いでほしい。

またパリ協定の根幹は NDC の達成に向けた努力であり、今後、国内対策の在り方が活発な議論の対象となろう。くれぐれも「1.5℃目標に対応した野心レベルの引き上げ」といった空虚な精神論に時間を費やすのではなく、大幅な排出削減を可能とするような技術開発環境の整備に努力を傾注してほしい。

参考資料

パリ協定採択に関するCOP決定及びパリ協定全文

出所：UNFCCC（気候変動に関する国際連合枠組条約）ホームページ

<http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>



United Nations

FCCC/CP/2015/L.9/Rev.1



Framework Convention on
Climate Change

Distr.: Limited
12 December 2015

Original: English

Conference of the Parties

Twenty-first session

Paris, 30 November to 11 December 2015

Agenda item 4(b)

Durban Platform for Enhanced Action (decision 1/CP.17)

**Adoption of a protocol, another legal instrument, or an
agreed outcome with legal force under the Convention
applicable to all Parties**

ADOPTION OF THE PARIS AGREEMENT

Proposal by the President

Draft decision -/CP.21

The Conference of the Parties,

Recalling decision 1/CP.17 on the establishment of the Ad Hoc Working Group on the Durban Platform for Enhanced Action,

Also recalling Articles 2, 3 and 4 of the Convention,

Further recalling relevant decisions of the Conference of the Parties, including decisions 1/CP.16, 2/CP.18, 1/CP.19 and 1/CP.20,

Welcoming the adoption of United Nations General Assembly resolution A/RES/70/1, “Transforming our world: the 2030 Agenda for Sustainable Development”, in particular its goal 13, and the adoption of the Addis Ababa Action Agenda of the third International Conference on Financing for Development and the adoption of the Sendai Framework for Disaster Risk Reduction,

Recognizing that climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires the widest possible cooperation by all countries, and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions,

Also recognizing that deep reductions in global emissions will be required in order to achieve the ultimate objective of the Convention and emphasizing the need for urgency in addressing climate change,

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples,

local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

Also acknowledging the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures and, in this regard, decisions 5/CP.7, 1/CP.10, 1/CP.16 and 8/CP.17,

Emphasizing with serious concern the urgent need to address the significant gap between the aggregate effect of Parties' mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 and aggregate emission pathways consistent with 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,

Also emphasizing that enhanced pre-2020 ambition can lay a solid foundation for enhanced post-2020 ambition,

Stressing the urgency of accelerating the implementation of the Convention and its Kyoto Protocol in order to enhance pre-2020 ambition,

Recognizing the urgent need to enhance the provision of finance, technology and capacity-building support by developed country Parties, in a predictable manner, to enable enhanced pre-2020 action by developing country Parties,

Emphasizing the enduring benefits of ambitious and early action, including major reductions in the cost of future mitigation and adaptation efforts,

Acknowledging the need to promote universal access to sustainable energy in developing countries, in particular in Africa, through the enhanced deployment of renewable energy,

Agreeing to uphold and promote regional and international cooperation in order to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples,

I. ADOPTION

1. *Decides* to adopt the Paris Agreement under the United Nations Framework Convention on Climate Change (hereinafter referred to as "the Agreement") as contained in the annex;
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to have it open for signature in New York, United States of America, from 22 April 2016 to 21 April 2017;
3. *Invites* the Secretary-General to convene a high-level signature ceremony for the Agreement on 22 April 2016;
4. *Also invites* all Parties to the Convention to sign the Agreement at the ceremony to be convened by the Secretary-General, or at their earliest opportunity, and to deposit their respective instruments of ratification, acceptance, approval or accession, where appropriate, as soon as possible;
5. *Recognizes* that Parties to the Convention may provisionally apply all of the provisions of the Agreement pending its entry into force, and *requests* Parties to provide notification of any such provisional application to the Depositary;

6. *Notes* that the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action, in accordance with decision 1/CP.17, paragraph 4, has been completed;
7. *Decides* to establish the Ad Hoc Working Group on the Paris Agreement under the same arrangement, *mutatis mutandis*, as those concerning the election of officers to the Bureau of the Ad Hoc Working Group on the Durban Platform for Enhanced Action;¹
8. *Also decides* that the Ad Hoc Working Group on the Paris Agreement shall prepare for the entry into force of the Agreement and for the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;
9. *Further decides* to oversee the implementation of the work programme resulting from the relevant requests contained in this decision;
10. *Requests* the Ad Hoc Working Group on the Paris Agreement to report regularly to the Conference of the Parties on the progress of its work and to complete its work by the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;
11. *Decides* that the Ad Hoc Working Group on the Paris Agreement shall hold its sessions starting in 2016 in conjunction with the sessions of the Convention subsidiary bodies and shall prepare draft decisions to be recommended through the Conference of the Parties to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for consideration and adoption at its first session;

II. INTENDED NATIONALLY DETERMINED CONTRIBUTIONS

12. *Welcomes* the intended nationally determined contributions that have been communicated by Parties in accordance with decision 1/CP.19, paragraph 2(b);
13. *Reiterates* its invitation to all Parties that have not yet done so to communicate to the secretariat their intended nationally determined contributions towards achieving the objective of the Convention as set out in its Article 2 as soon as possible and well in advance of the twenty-second session of the Conference of the Parties (November 2016) and in a manner that facilitates the clarity, transparency and understanding of the intended nationally determined contributions;
14. *Requests* the secretariat to continue to publish the intended nationally determined contributions communicated by Parties on the UNFCCC website;
15. *Reiterates* its call to developed country Parties, the operating entities of the Financial Mechanism and any other organizations in a position to do so to provide support for the preparation and communication of the intended nationally determined contributions of Parties that may need such support;
16. *Takes note* of the synthesis report on the aggregate effect of intended nationally determined contributions communicated by Parties by 1 October 2015, contained in document FCCC/CP/2015/7;
17. *Notes* with concern that the estimated aggregate greenhouse gas emission levels in 2025 and 2030 resulting from the intended nationally determined contributions do not fall within least-cost 2 °C scenarios but rather lead to a projected level of 55 gigatonnes in 2030, and *also notes* that much greater emission reduction efforts will be required than those associated with the intended nationally determined contributions in order to hold the increase in the global average temperature to below 2 °C above pre-industrial levels by

¹ Endorsed by decision 2/CP.18, paragraph 2.

reducing emissions to 40 gigatonnes or to 1.5 °C above pre-industrial levels by reducing to a level to be identified in the special report referred to in paragraph 21 below;

18. *Also notes, in this context, the adaptation needs expressed by many developing country Parties in their intended nationally determined contributions;*

19. *Requests the secretariat to update the synthesis report referred to in paragraph 16 above so as to cover all the information in the intended nationally determined contributions communicated by Parties pursuant to decision 1/CP.20 by 4 April 2016 and to make it available by 2 May 2016;*

20. *Decides to convene a facilitative dialogue among Parties in 2018 to take stock of the collective efforts of Parties in relation to progress towards the long-term goal referred to in Article 4, paragraph 1, of the Agreement and to inform the preparation of nationally determined contributions pursuant to Article 4, paragraph 8, of the Agreement;*

21. *Invites the Intergovernmental Panel on Climate Change to provide a special report in 2018 on the impacts of global warming of 1.5 °C above pre-industrial levels and related global greenhouse gas emission pathways;*

III. DECISIONS TO GIVE EFFECT TO THE AGREEMENT

MITIGATION

22. *Invites Parties to communicate their first nationally determined contribution no later than when the Party submits its respective instrument of ratification, accession, or approval of the Paris Agreement. If a Party has communicated an intended nationally determined contribution prior to joining the Agreement, that Party shall be considered to have satisfied this provision unless that Party decides otherwise;*

23. *Urges those Parties whose intended nationally determined contribution pursuant to decision 1/CP.20 contains a time frame up to 2025 to communicate by 2020 a new nationally determined contribution and to do so every five years thereafter pursuant to Article 4, paragraph 9, of the Agreement;*

24. *Requests those Parties whose intended nationally determined contribution pursuant to decision 1/CP.20 contains a time frame up to 2030 to communicate or update by 2020 these contributions and to do so every five years thereafter pursuant to Article 4, paragraph 9, of the Agreement;*

25. *Decides that Parties shall submit to the secretariat their nationally determined contributions referred to in Article 4 of the Agreement at least 9 to 12 months in advance of the relevant meeting of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement with a view to facilitating the clarity, transparency and understanding of these contributions, including through a synthesis report prepared by the secretariat;*

26. *Requests the Ad Hoc Working Group on the Paris Agreement to develop further guidance on features of the nationally determined contributions for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;*

27. *Agrees that the information to be provided by Parties communicating their nationally determined contributions, in order to facilitate clarity, transparency and understanding, may include, as appropriate, *inter alia*, quantifiable information on the reference point (including, as appropriate, a base year), time frames and/or periods for implementation, scope and coverage, planning processes, assumptions and methodological approaches including those for estimating and accounting for anthropogenic greenhouse gas*

emissions and, as appropriate, removals, and how the Party considers that its nationally determined contribution is fair and ambitious, in the light of its national circumstances, and how it contributes towards achieving the objective of the Convention as set out in its Article 2;

28. *Requests* the Ad Hoc Working Group on the Paris Agreement to develop further guidance for the information to be provided by Parties in order to facilitate clarity, transparency and understanding of nationally determined contributions for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

29. *Also requests* the Subsidiary Body for Implementation to develop modalities and procedures for the operation and use of the public registry referred to in Article 4, paragraph 12, of the Agreement, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

30. *Further requests* the secretariat to make available an interim public registry in the first half of 2016 for the recording of nationally determined contributions submitted in accordance with Article 4 of the Agreement, pending the adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement of the modalities and procedures referred to in paragraph 29 above;

31. *Requests* the Ad Hoc Working Group on the Paris Agreement to elaborate, drawing from approaches established under the Convention and its related legal instruments as appropriate, guidance for accounting for Parties' nationally determined contributions, as referred to in Article 4, paragraph 13, of the Agreement, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session, which ensures that:

(a) Parties account for anthropogenic emissions and removals in accordance with methodologies and common metrics assessed by the Intergovernmental Panel on Climate Change and adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;

(b) Parties ensure methodological consistency, including on baselines, between the communication and implementation of nationally determined contributions;

(c) Parties strive to include all categories of anthropogenic emissions or removals in their nationally determined contributions and, once a source, sink or activity is included, continue to include it;

(d) Parties shall provide an explanation of why any categories of anthropogenic emissions or removals are excluded;

32. *Decides* that Parties shall apply the guidance mentioned in paragraph 31 above to the second and subsequent nationally determined contributions and that Parties may elect to apply such guidance to their first nationally determined contribution;

33. *Also decides* that the Forum on the Impact of the Implementation of response measures, under the subsidiary bodies, shall continue, and shall serve the Agreement;

34. *Further decides* that the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation shall recommend, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session, the modalities, work programme and functions of the Forum on the Impact of the Implementation of response measures to address the effects of the implementation of response measures under the Agreement by enhancing cooperation amongst Parties on understanding the impacts of mitigation actions under the Agreement

and the exchange of information, experiences, and best practices amongst Parties to raise their resilience to these impacts;*

36. *Invites* Parties to communicate, by 2020, to the secretariat mid-century, long-term low greenhouse gas emission development strategies in accordance with Article 4, paragraph 19, of the Agreement, and *requests* the secretariat to publish on the UNFCCC website Parties' low greenhouse gas emission development strategies as communicated;

37. *Requests* the Subsidiary Body for Scientific and Technological Advice to develop and recommend the guidance referred to under Article 6, paragraph 2, of the Agreement for adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session, including guidance to ensure that double counting is avoided on the basis of a corresponding adjustment by Parties for both anthropogenic emissions by sources and removals by sinks covered by their nationally determined contributions under the Agreement;

38. *Recommends* that the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement adopt rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Agreement on the basis of:

- (a) Voluntary participation authorized by each Party involved;
- (b) Real, measurable, and long-term benefits related to the mitigation of climate change;
- (c) Specific scopes of activities;
- (d) Reductions in emissions that are additional to any that would otherwise occur;
- (e) Verification and certification of emission reductions resulting from mitigation activities by designated operational entities;
- (f) Experience gained with and lessons learned from existing mechanisms and approaches adopted under the Convention and its related legal instruments;

39. *Requests* the Subsidiary Body for Scientific and Technological Advice to develop and recommend rules, modalities and procedures for the mechanism referred to in paragraph 38 above for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

40. *Also requests* the Subsidiary Body for Scientific and Technological Advice to undertake a work programme under the framework for non-market approaches to sustainable development referred to in Article 6, paragraph 8, of the Agreement, with the objective of considering how to enhance linkages and create synergy between, *inter alia*, mitigation, adaptation, finance, technology transfer and capacity-building, and how to facilitate the implementation and coordination of non-market approaches;

41. *Further requests* the Subsidiary Body for Scientific and Technological Advice to recommend a draft decision on the work programme referred to in paragraph 40 above, taking into account the views of Parties, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

ADAPTATION

* Paragraph 35 has been deleted, and subsequent paragraph numbering and cross references to other paragraphs within the document will be amended at a later stage.

42. *Requests* the Adaptation Committee and the Least Developed Countries Expert Group to jointly develop modalities to recognize the adaptation efforts of developing country Parties, as referred to in Article 7, paragraph 3, of the Agreement, and make recommendations for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

43. *Also requests* the Adaptation Committee, taking into account its mandate and its second three-year workplan, and with a view to preparing recommendations for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session:

(a) To review, in 2017, the work of adaptation-related institutional arrangements under the Convention, with a view to identifying ways to enhance the coherence of their work, as appropriate, in order to respond adequately to the needs of Parties;

(b) To consider methodologies for assessing adaptation needs with a view to assisting developing countries, without placing an undue burden on them;

44. *Invites* all relevant United Nations agencies and international, regional and national financial institutions to provide information to Parties through the secretariat on how their development assistance and climate finance programmes incorporate climate-proofing and climate resilience measures;

45. *Requests* Parties to strengthen regional cooperation on adaptation where appropriate and, where necessary, establish regional centres and networks, in particular in developing countries, taking into account decision 1/CP.16, paragraph 13;

46. *Also requests* the Adaptation Committee and the Least Developed Countries Expert Group, in collaboration with the Standing Committee on Finance and other relevant institutions, to develop methodologies, and make recommendations for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session on:

(a) Taking the necessary steps to facilitate the mobilization of support for adaptation in developing countries in the context of the limit to global average temperature increase referred to in Article 2 of the Agreement;

(b) Reviewing the adequacy and effectiveness of adaptation and support referred to in Article 7, paragraph 14(c), of the Agreement;

47. *Further requests* the Green Climate Fund to expedite support for the least developed countries and other developing country Parties for the formulation of national adaptation plans, consistent with decisions 1/CP.16 and 5/CP.17, and for the subsequent implementation of policies, projects and programmes identified by them;

LOSS AND DAMAGE

48. *Decides* on the continuation of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts, following the review in 2016;

49. *Requests* the Executive Committee of the Warsaw International Mechanism to establish a clearinghouse for risk transfer that serves as a repository for information on insurance and risk transfer, in order to facilitate the efforts of Parties to develop and implement comprehensive risk management strategies;

50. *Also requests* the Executive Committee of the Warsaw International Mechanism to establish, according to its procedures and mandate, a task force to complement, draw upon the work of and involve, as appropriate, existing bodies and expert groups under the Convention including the Adaptation Committee and the Least Developed Countries Expert Group, as well as relevant organizations and expert bodies outside the Convention, to

develop recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change;

51. *Further requests* the Executive Committee of the Warsaw International Mechanism to initiate its work, at its next meeting, to operationalize the provisions referred to in paragraphs 49 and 50 above, and to report on progress thereon in its annual report;

52. *Agrees* that Article 8 of the Agreement does not involve or provide a basis for any liability or compensation;

FINANCE

53. *Decides* that, in the implementation of the Agreement, financial resources provided to developing countries should enhance the implementation of their policies, strategies, regulations and action plans and their climate change actions with respect to both mitigation and adaptation to contribute to the achievement of the purpose of the Agreement as defined in Article 2;

54. *Also decides* that, in accordance with Article 9, paragraph 3, of the Agreement, developed countries intend to continue their existing collective mobilization goal through 2025 in the context of meaningful mitigation actions and transparency on implementation; prior to 2025 the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall set a new collective quantified goal from a floor of USD 100 billion per year, taking into account the needs and priorities of developing countries;

55. *Recognizes* the importance of adequate and predictable financial resources, including for results-based payments, as appropriate, for the implementation of policy approaches and positive incentives for reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks; as well as alternative policy approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests; while reaffirming the importance of non-carbon benefits associated with such approaches; encouraging the coordination of support from, *inter alia*, public and private, bilateral and multilateral sources, such as the Green Climate Fund, and alternative sources in accordance with relevant decisions by the Conference of the Parties;

56. *Decides* to initiate, at its twenty-second session, a process to identify the information to be provided by Parties, in accordance with Article 9, paragraph 5, of the Agreement with the view to providing a recommendation for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

57. *Also decides* to ensure that the provision of information in accordance with Article 9, paragraph 7 of the Agreement shall be undertaken in accordance with modalities, procedures and guidelines referred to in paragraph 96 below;

58. *Requests* Subsidiary Body for Scientific and Technological Advice to develop modalities for the accounting of financial resources provided and mobilized through public interventions in accordance with Article 9, paragraph 7, of the Agreement for consideration by the Conference of the Parties at its twenty-fourth session (November 2018), with the view to making a recommendation for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

59. *Decides* that the Green Climate Fund and the Global Environment Facility, the entities entrusted with the operation of the Financial Mechanism of the Convention, as well as the Least Developed Countries Fund and the Special Climate Change Fund, administered by the Global Environment Facility, shall serve the Agreement;

60. *Recognizes* that the Adaptation Fund may serve the Agreement, subject to relevant decisions by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol and the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;

61. *Invites* the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol to consider the issue referred to in paragraph 60 above and make a recommendation to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

62. *Recommends* that the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall provide guidance to the entities entrusted with the operation of the Financial Mechanism of the Convention on the policies, programme priorities and eligibility criteria related to the Agreement for transmission by the Conference of the Parties;

63. *Decides* that the guidance to the entities entrusted with the operations of the Financial Mechanism of the Convention in relevant decisions of the Conference of the Parties, including those agreed before adoption of the Agreement, shall apply mutatis mutandis;

64. *Also decides* that the Standing Committee on Finance shall serve the Agreement in line with its functions and responsibilities established under the Conference of the Parties;

65. *Urges* the institutions serving the Agreement to enhance the coordination and delivery of resources to support country-driven strategies through simplified and efficient application and approval procedures, and through continued readiness support to developing country Parties, including the least developed countries and small island developing States, as appropriate;

TECHNOLOGY DEVELOPMENT AND TRANSFER

66. *Takes note of* the interim report of the Technology Executive Committee on guidance on enhanced implementation of the results of technology needs assessments as referred to in document FCCC/SB/2015/INF.3;

67. *Decides* to strengthen the Technology Mechanism and requests the Technology Executive Committee and the Climate Technology Centre and Network, in supporting the implementation of the Agreement, to undertake further work relating to, *inter alia*:

(a) Technology research, development and demonstration;

(b) The development and enhancement of endogenous capacities and technologies;

68. *Requests* the Subsidiary Body for Scientific and Technological Advice to initiate, at its forty-fourth session (May 2016), the elaboration of the technology framework established under Article 10, paragraph 4, of the Agreement and to report on its findings to the Conference of the Parties, with a view to the Conference of the Parties making a recommendation on the framework to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for consideration and adoption at its first session, taking into consideration that the framework should facilitate, *inter alia*:

(a) The undertaking and updating of technology needs assessments, as well as the *enhanced* implementation of their results, particularly technology action plans and project ideas, through the preparation of bankable projects;

(b) The provision of enhanced financial and technical support for the implementation of the results of the technology needs assessments;

(c) The assessment of technologies that are ready for transfer;

(d) The enhancement of enabling environments for and the addressing of barriers to the development and transfer of socially and environmentally sound technologies;

69. *Decides* that the Technology Executive Committee and the Climate Technology Centre and Network shall report to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, through the subsidiary bodies, on their activities to support the implementation of the Agreement;

70. *Also decides* to undertake a periodic assessment of the effectiveness of and the adequacy of the support provided to the Technology Mechanism in supporting the implementation of the Agreement on matters relating to technology development and transfer;

71. *Requests* the Subsidiary Body for Implementation to initiate, at its forty-fourth session, the elaboration of the scope of and modalities for the periodic assessment referred to in paragraph 70 above, taking into account the review of the Climate Technology Centre and Network as referred to in decision 2/CP.17, annex VII, paragraph 20 and the modalities for the global stocktake referred to in Article 14 of the Agreement, for consideration and adoption by the Conference of the Parties at its twenty-fifth session (November 2019);

CAPACITY-BUILDING

72. *Decides* to establish the Paris Committee on Capacity-building whose aim will be to address gaps and needs, both current and emerging, in implementing capacity-building in developing country Parties and further enhancing capacity-building efforts, including with regard to coherence and coordination in capacity-building activities under the Convention;

73. *Also decides* that the Paris Committee on Capacity-building will manage and oversee the work plan mentioned in paragraph 74 below;

74. *Further decides* to launch a work plan for the period 2016–2020 with the following activities:

(a) Assessing how to increase synergies through cooperation and avoid duplication among existing bodies established under the Convention that implement capacity-building activities, including through collaborating with institutions under and outside the Convention;

(b) Identifying capacity gaps and needs and recommending ways to address them;

(c) Promoting the development and dissemination of tools and methodologies for the implementation of capacity-building;

(d) Fostering global, regional, national and subnational cooperation;

(e) Identifying and collecting good practices, challenges, experiences, and lessons learned from work on capacity-building by bodies established under the Convention;

(f) Exploring how developing country Parties can take ownership of building and maintaining capacity over time and space;

(g) Identifying opportunities to strengthen capacity at the national, regional, and subnational level;

(h) Fostering dialogue, coordination, collaboration and coherence among relevant processes and initiatives under the Convention, including through exchanging

information on capacity-building activities and strategies of bodies established under the Convention;

(i) Providing guidance to the secretariat on the maintenance and further development of the web-based capacity-building portal;

75. *Decides* that the Paris Committee on Capacity-building will annually focus on an area or theme related to enhanced technical exchange on capacity-building, with the purpose of maintaining up-to-date knowledge on the successes and challenges in building capacity effectively in a particular area;

76. *Requests* the Subsidiary Body for Implementation to organize annual in-session meetings of the Paris Committee on Capacity-building;

77. *Also requests* the Subsidiary Body for Implementation to develop the terms of reference for the Paris Committee on Capacity-building, in the context of the third comprehensive review of the implementation of the capacity-building framework, also taking into account paragraphs 75, 76, 77 and 78 above and paragraphs 82 and 83 below, with a view to recommending a draft decision on this matter for consideration and adoption by the Conference of the Parties at its twenty-second session;

78. *Invites* Parties to submit their views on the membership of the Paris Committee on Capacity-building by 9 March 2016;²

79. *Requests* the secretariat to compile the submissions referred to in paragraph 78 above into a miscellaneous document for consideration by the Subsidiary Body for Implementation at its forty-fourth session;

80. *Decides* that the inputs to the Paris Committee on Capacity-building will include, *inter alia*, submissions, the outcome of the third comprehensive review of the implementation of the capacity-building framework, the secretariat's annual synthesis report on the implementation of the framework for capacity-building in developing countries, the secretariat's compilation and synthesis report on capacity-building work of bodies established under the Convention and its Kyoto Protocol, and reports on the Durban Forum and the capacity-building portal;

81. *Requests* the Paris Committee on Capacity-building to prepare annual technical progress reports on its work, and to make these reports available at the sessions of the Subsidiary Body for Implementation coinciding with the sessions of the Conference of the Parties;

82. *Also requests* the Conference of the Parties at its twenty-fifth session (November 2019), to review the progress, need for extension, the effectiveness and enhancement of the Paris Committee on Capacity-building and to take any action it considers appropriate, with a view to making recommendations to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session on enhancing institutional arrangements for capacity-building consistent with Article 11, paragraph 5, of the Agreement;

83. *Calls upon* all Parties to ensure that education, training and public awareness, as reflected in Article 6 of the Convention and in Article 12 of the Agreement are adequately considered in their contribution to capacity-building;

84. *Invites* the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session to explore ways of enhancing the implementation of

² Parties should submit their views via the submissions portal at <<http://www.unfccc.int/5900>>.

training, public awareness, public participation and public access to information so as to enhance actions under the Agreement;

TRANSPARENCY OF ACTION AND SUPPORT

85. *Decides* to establish a Capacity-building Initiative for Transparency in order to build institutional and technical capacity, both pre- and post-2020. This initiative will support developing country Parties, upon request, in meeting enhanced transparency requirements as defined in Article 13 of the Agreement in a timely manner;

86. *Also decides* that the Capacity-building Initiative for Transparency will aim:

- (a) To strengthen national institutions for transparency-related activities in line with national priorities;
- (b) To provide relevant tools, training and assistance for meeting the provisions stipulated in Article 13 of the Agreement;
- (c) To assist in the improvement of transparency over time;

87. *Urges and requests* the Global Environment Facility to make arrangements to support the establishment and operation of the Capacity-building Initiative for Transparency as a priority reporting-related need, including through voluntary contributions to support developing countries in the sixth replenishment of the Global Environment Facility and future replenishment cycles, to complement existing support under the Global Environment Facility;

88. *Decides* to assess the implementation of the Capacity-building Initiative for Transparency in the context of the seventh review of the financial mechanism;

89. *Requests* that the Global Environment Facility, as an operating entity of the financial mechanism include in its annual report to the Conference of the Parties the progress of work in the design, development and implementation of the Capacity-building Initiative for Transparency referred to in paragraph 85 above starting in 2016;

90. *Decides* that, in accordance with Article 13, paragraph 2, of the Agreement, developing countries shall be provided flexibility in the implementation of the provisions of that Article, including in the scope, frequency and level of detail of reporting, and in the scope of review, and that the scope of review could provide for in-country reviews to be optional, while such flexibilities shall be reflected in the development of modalities, procedures and guidelines referred to in paragraph 92 below;

91. *Also decides* that all Parties, except for the least developed country Parties and small island developing States, shall submit the information referred to in Article 13, paragraphs 7, 8, 9 and 10, as appropriate, no less frequently than on a biennial basis, and that the least developed country Parties and small island developing States may submit this information at their discretion;

92. *Requests* the Ad Hoc Working Group on the Paris Agreement to develop recommendations for modalities, procedures and guidelines in accordance with Article 13, paragraph 13, of the Agreement, and to define the year of their first and subsequent review and update, as appropriate, at regular intervals, for consideration by the Conference of the Parties, at its twenty-fourth session, with a view to forwarding them to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for adoption at its first session;

93. *Also requests* the Ad Hoc Working Group on the Paris Agreement in developing the recommendations for the modalities, procedures and guidelines referred to in paragraph 92 above to take into account, *inter alia*:

- (a) The importance of facilitating improved reporting and transparency over time;
- (b) The need to provide flexibility to those developing country Parties that need it in the light of their capacities;
- (c) The need to promote transparency, accuracy, completeness, consistency, and comparability;
- (d) The need to avoid duplication as well as undue burden on Parties and the secretariat;
- (e) The need to ensure that Parties maintain at least the frequency and quality of reporting in accordance with their respective obligations under the Convention;
- (f) The need to ensure that double counting is avoided;
- (g) The need to ensure environmental integrity;

94. *Further requests* the Ad Hoc Working Group on the Paris Agreement, when developing the modalities, procedures and guidelines referred to in paragraph 92 above, to draw on the experiences from and take into account other on-going relevant processes under the Convention;

95. *Requests* the Ad Hoc Working Group on the Paris Agreement, when developing modalities, procedures and guidelines referred to in paragraph 92 above, to consider, *inter alia*:

- (a) The types of flexibility available to those developing countries that need it on the basis of their capacities;
- (b) The consistency between the methodology communicated in the nationally determined contribution and the methodology for reporting on progress made towards achieving individual Parties' respective nationally determined contribution;
- (c) That Parties report information on adaptation action and planning including, if appropriate, their national adaptation plans, with a view to collectively exchanging information and sharing lessons learned;
- (d) Support provided, enhancing delivery of support for both adaptation and mitigation through, *inter alia*, the common tabular formats for reporting support, and taking into account issues considered by the Subsidiary Body for Scientific and Technological Advice on methodologies for reporting on financial information, and enhancing the reporting by developing countries on support received, including the use, impact and estimated results thereof;
- (e) Information in the biennial assessments and other reports of the Standing Committee on Finance and other relevant bodies under the Convention;
- (f) Information on the social and economic impact of response measures;

96. *Also requests* the Ad Hoc Working Group on the Paris Agreement, when developing recommendations for modalities, procedures and guidelines referred to in paragraph 92 above, to enhance the transparency of support provided in accordance with Article 9 of the Agreement;

97. *Further requests* the Ad Hoc Working Group on the Paris Agreement to report on the progress of work on the modalities, procedures and guidelines referred to in paragraph

92 above to future sessions of the Conference of the Parties, and that this work be concluded no later than 2018;

98. *Decides* that the modalities, procedures and guidelines developed under paragraph 92 above, shall be applied upon the entry into force of the Paris Agreement;

99. *Also decides* that the modalities, procedures and guidelines of this transparency framework shall build upon and eventually supersede the measurement, reporting and verification system established by decision 1/CP.16, paragraphs 40 to 47 and 60 to 64, and decision 2/CP.17, paragraphs 12 to 62, immediately following the submission of the final biennial reports and biennial update reports;

GLOBAL STOCKTAKE

100. *Requests* the Ad Hoc Working Group on the Paris Agreement to identify the sources of input for the global stocktake referred to in Article 14 of the Agreement and to report to the Conference of the Parties, with a view to the Conference of the Parties making a recommendation to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for consideration and adoption at its first session, including, but not limited to:

- (a) Information on:
 - (i) The overall effect of the nationally determined contributions communicated by Parties;
 - (ii) The state of adaptation efforts, support, experiences and priorities from the communications referred to in Article 7, paragraphs 10 and 11, of the Agreement, and reports referred to in Article 13, paragraph 7, of the Agreement;
 - (iii) The mobilization and provision of support;
- (b) The latest reports of the Intergovernmental Panel on Climate Change;
- (c) Reports of the subsidiary bodies;

101. *Also requests* the Subsidiary Body for Scientific and Technological Advice to provide advice on how the assessments of the Intergovernmental Panel on Climate Change can inform the global stocktake of the implementation of the Agreement pursuant to its Article 14 of the Agreement and to report on this matter to the Ad Hoc Working Group on the Paris Agreement at its second session;

102. *Further requests* the Ad Hoc Working Group on the Paris Agreement to develop modalities for the global stocktake referred to in Article 14 of the Agreement and to report to the Conference of the Parties, with a view to making a recommendation to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for consideration and adoption at its first session;

FACILITATING IMPLEMENTATION AND COMPLIANCE

103. *Decides* that the committee referred to in Article 15, paragraph 2, of the Agreement shall consist of 12 members with recognized competence in relevant scientific, technical, socio-economic or legal fields, to be elected by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on the basis of equitable geographical representation, with two members each from the five regional groups of the United Nations and one member each from the small island developing States and the least developed countries, while taking into account the goal of gender balance;

104. *Requests* the Ad Hoc Working Group on the Paris Agreement to develop the modalities and procedures for the effective operation of the committee referred to in Article 15, paragraph 2, of the Agreement, with a view to the Ad Hoc Working Group on the Paris

Agreement completing its work on such modalities and procedures for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session;

FINAL CLAUSES

105. *Also requests* the secretariat, solely for the purposes of Article 21 of the Agreement, to make available on its website on the date of adoption of the Agreement as well as in the report of the Conference of the Parties at its twenty-first session, information on the most up-to-date total and per cent of greenhouse gas emissions communicated by Parties to the Convention in their national communications, greenhouse gas inventory reports, biennial reports or biennial update reports;

IV. ENHANCED ACTION PRIOR TO 2020

106. *Resolves* to ensure the highest possible mitigation efforts in the pre-2020 period, including by:

(a) Urging all Parties to the Kyoto Protocol that have not already done so to ratify and implement the Doha Amendment to the Kyoto Protocol;

(b) Urging all Parties that have not already done so to make and implement a mitigation pledge under the Cancun Agreements;

(c) Reiterating its resolve, as set out in decision 1/CP.19, paragraphs 3 and 4, to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13 and enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts under the Convention by all Parties;

(d) Inviting developing country Parties that have not submitted their first biennial update reports to do so as soon as possible;

(e) Urging all Parties to participate in the existing measurement, reporting and verification processes under the Cancun Agreements, in a timely manner, with a view to demonstrating progress made in the implementation of their mitigation pledges;

107. *Encourages* Parties to promote the voluntary cancellation by Party and non-Party stakeholders, without double counting of units issued under the Kyoto Protocol, including certified emission reductions that are valid for the second commitment period;

108. *Urges* host and purchasing Parties to report transparently on internationally transferred mitigation outcomes, including outcomes used to meet international pledges, and emission units issued under the Kyoto Protocol with a view to promoting environmental integrity and avoiding double counting;

109. *Recognizes* the social, economic and environmental value of voluntary mitigation actions and their co-benefits for adaptation, health and sustainable development;

110. *Resolves* to strengthen, in the period 2016–2020, the existing technical examination process on mitigation as defined in decision 1/CP.19, paragraph 5(a), and decision 1/CP.20, paragraph 19, taking into account the latest scientific knowledge, including by:

(a) Encouraging Parties, Convention bodies and international organizations to engage in this process, including, as appropriate, in cooperation with relevant non-Party stakeholders, to share their experiences and suggestions, including from regional events, and to cooperate in facilitating the implementation of policies, practices and actions identified during this process in accordance with national sustainable development priorities;

(b) Striving to improve, in consultation with Parties, access to and participation in this process by developing country Party and non-Party experts;

(c) Requesting the Technology Executive Committee and the Climate Technology Centre and Network in accordance with their respective mandates:

(i) To engage in the technical expert meetings and enhance their efforts to facilitate and support Parties in scaling up the implementation of policies, practices and actions identified during this process;

(ii) To provide regular updates during the technical expert meetings on the progress made in facilitating the implementation of policies, practices and actions previously identified during this process;

(iii) To include information on their activities under this process in their joint annual report to the Conference of the Parties;

(d) Encouraging Parties to make effective use of the Climate Technology Centre and Network to obtain assistance to develop economically, environmentally and socially viable project proposals in the high mitigation potential areas identified in this process;

111. *Encourages* the operating entities of the Financial Mechanism of the Convention to engage in the technical expert meetings and to inform participants of their contribution to facilitating progress in the implementation of policies, practices and actions identified during the technical examination process;

112. *Requests* the secretariat to organize the process referred to in paragraph 110 above and disseminate its results, including by:

(a) Organizing, in consultation with the Technology Executive Committee and relevant expert organizations, regular technical expert meetings focusing on specific policies, practices and actions representing best practices and with the potential to be scalable and replicable;

(b) Updating, on an annual basis, following the meetings referred to in paragraph 112(a) above and in time to serve as input to the summary for policymakers referred to in paragraph 112(c) below, a technical paper on the mitigation benefits and co-benefits of policies, practices and actions for enhancing mitigation ambition, as well as on options for supporting their implementation, information on which should be made available in a user-friendly online format;

(c) Preparing, in consultation with the champions referred to in paragraph 122 below, a summary for policymakers, with information on specific policies, practices and actions representing best practices and with the potential to be scalable and replicable, and on options to support their implementation, as well as on relevant collaborative initiatives, and publishing the summary at least two months in advance of each session of the Conference of the Parties as input for the high-level event referred to in paragraph 121 below;

113. *Decides* that the process referred to in paragraph 110 above should be organized jointly by the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice and should take place on an ongoing basis until 2020;

114. *Also decides* to conduct in 2017 an assessment of the process referred to in paragraph 110 above so as to improve its effectiveness;

115. *Resolves* to enhance the provision of urgent and adequate finance, technology and capacity-building support by developed country Parties in order to enhance the level of ambition of pre-2020 action by Parties, and in this regard *strongly urges* developed country Parties to scale up their level of financial support, with a concrete roadmap to achieve the

goal of jointly providing USD 100 billion annually by 2020 for mitigation and adaptation while significantly increasing adaptation finance from current levels and to further provide appropriate technology and capacity-building support;

116. *Decides* to conduct a facilitative dialogue in conjunction with the twenty-second session of the Conference of the Parties to assess the progress in implementing decision 1/CP.19, paragraphs 3 and 4, and identify relevant opportunities to enhance the provision of financial resources, including for technology development and transfer and capacity-building support, with a view to identifying ways to enhance the ambition of mitigation efforts by all Parties, including identifying relevant opportunities to enhance the provision and mobilization of support and enabling environments;

117. *Acknowledges* with appreciation the results of the Lima-Paris Action Agenda, which build on the climate summit convened on 23 September 2014 by the Secretary-General of the United Nations;

118. *Welcomes* the efforts of non-Party stakeholders to scale up their climate actions, and *encourages* the registration of those actions in the Non-State Actor Zone for Climate Action platform;³

119. *Encourages* Parties to work closely with non-Party stakeholders to catalyse efforts to strengthen mitigation and adaptation action;

120. *Also encourages* non-Party stakeholders to increase their engagement in the processes referred to in paragraph 110 above and paragraph 125 below;

121. *Agrees* to convene, pursuant to decision 1/CP.20, paragraph 21, building on the Lima-Paris Action Agenda and in conjunction with each session of the Conference of the Parties during the period 2016–2020, a high-level event that:

(a) Further strengthens high-level engagement on the implementation of policy options and actions arising from the processes referred to in paragraph 110 above and paragraph 125 below, drawing on the summary for policymakers referred to in paragraph 112(c) above;

(b) Provides an opportunity for announcing new or strengthened voluntary efforts, initiatives and coalitions, including the implementation of policies, practices and actions arising from the processes referred to in paragraph 110 above and paragraph 125 below and presented in the summary for policymakers referred to in paragraph 112(c) above;

(c) Takes stock of related progress and recognizes new or strengthened voluntary efforts, initiatives and coalitions;

(d) Provides meaningful and regular opportunities for the effective high-level engagement of dignitaries of Parties, international organizations, international cooperative initiatives and non-Party stakeholders;

122. *Decides* that two high-level champions shall be appointed to act on behalf of the President of the Conference of the Parties to facilitate through strengthened high-level engagement in the period 2016–2020 the successful execution of existing efforts and the scaling-up and introduction of new or strengthened voluntary efforts, initiatives and coalitions, including by:

³ <<http://climateaction.unfccc.int/>>.

(a) Working with the Executive Secretary and the current and incoming Presidents of the Conference of the Parties to coordinate the annual high-level event referred to in paragraph 121 above;

(b) Engaging with interested Parties and non-Party stakeholders, including to further the voluntary initiatives of the Lima-Paris Action Agenda;

(c) Providing guidance to the secretariat on the organization of technical expert meetings referred to in paragraph 112(a) above and paragraph 130(a) below;

123. *Also decides* that the high-level champions referred to in paragraph 122 above should normally serve for a term of two years, with their terms overlapping for a full year to ensure continuity, such that:

(a) The President of the Conference of the Parties of the twenty-first session should appoint one champion, who should serve for one year from the date of the appointment until the last day of the Conference of the Parties at its twenty-second session;

(b) The President of the Conference of the Parties of the twenty-second session should appoint one champion who should serve for two years from the date of the appointment until the last day of the Conference of the Parties at its twenty-third session (November 2017);

(c) Thereafter, each subsequent President of the Conference of the Parties should appoint one champion who should serve for two years and succeed the previously appointed champion whose term has ended;

124. *Invites* all interested Parties and relevant organizations to provide support for the work of the champions referred to in paragraph 122 above;

125. *Decides* to launch, in the period 2016–2020, a technical examination process on adaptation;

126. *Also decides* that the technical examination process on adaptation referred to in paragraph 125 above will endeavour to identify concrete opportunities for strengthening resilience, reducing vulnerabilities and increasing the understanding and implementation of adaptation actions;

127. *Further decides* that the technical examination process referred to in paragraph 125 above should be organized jointly by the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice, and conducted by the Adaptation Committee;

128. *Decides* that the process referred to in paragraph 125 above will be pursued by:

(a) Facilitating the sharing of good practices, experiences and lessons learned;

(b) Identifying actions that could significantly enhance the implementation of adaptation actions, including actions that could enhance economic diversification and have mitigation co-benefits;

(c) Promoting cooperative action on adaptation;

(d) Identifying opportunities to strengthen enabling environments and enhance the provision of support for adaptation in the context of specific policies, practices and actions;

129. *Also decides* that the technical examination process on adaptation referred to in paragraph 125 above will take into account the process, modalities, outputs, outcomes and lessons learned from the technical examination process on mitigation referred to in paragraph 110 above;

130. *Requests* the secretariat to support the technical examination process referred to in paragraph 125 above by:

(a) Organizing regular technical expert meetings focusing on specific policies, strategies and actions;

(b) Preparing annually, on the basis of the meetings referred to in paragraph 130(a) above and in time to serve as an input to the summary for policymakers referred to in paragraph 112(c) above, a technical paper on opportunities to enhance adaptation action, as well as options to support their implementation, information on which should be made available in a user-friendly online format;

131. *Decides* that in conducting the process referred to in paragraph 125 above, the Adaptation Committee will engage with and explore ways to take into account, synergize with and build on the existing arrangements for adaptation-related work programmes, bodies and institutions under the Convention so as to ensure coherence and maximum value;

132. *Also decides* to conduct, in conjunction with the assessment referred to in paragraph 120 above, an assessment of the process referred to in paragraph 125 above, so as to improve its effectiveness;

133. *Invites* Parties and observer organizations to submit information on the opportunities referred to in paragraph 126 above by 3 February 2016;

V. NON-PARTY STAKEHOLDERS

134. *Welcomes* the efforts of all non-Party stakeholders to address and respond to climate change, including those of civil society, the private sector, financial institutions, cities and other subnational authorities;

135. *Invites* the non-Party stakeholders referred to in paragraph 134 above to scale up their efforts and support actions to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change and demonstrate these efforts via the Non-State Actor Zone for Climate Action platform⁴ referred to in paragraph 118 above;

136. *Recognizes* the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and *establishes* a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner;

137. *Also recognizes* the important role of providing incentives for emission reduction activities, including tools such as domestic policies and carbon pricing;

VI. ADMINISTRATIVE AND BUDGETARY MATTERS

138. *Takes note* of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in this decision and requests that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources;

139. *Emphasizes* the urgency of making additional resources available for the implementation of the relevant actions, including actions referred to in this decision, and the implementation of the work programme referred to in paragraph 9 above;

⁴ <<http://climateaction.unfccc.int/>>.

140. *Urges* Parties to make voluntary contributions for the timely implementation of this decision.

Annex

PARIS AGREEMENT

The Parties to this Agreement,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as “the Convention”,

Pursuant to the Durban Platform for Enhanced Action established by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,

In pursuit of the objective of the Convention, and being guided by its principles, including the principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

Recognizing the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge,

Also recognizing the specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, as provided for in the Convention,

Taking full account of the specific needs and special situations of the least developed countries with regard to funding and transfer of technology,

Recognizing that Parties may be affected not only by climate change, but also by the impacts of the measures taken in response to it,

Emphasizing the intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty,

Recognizing the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change,

Taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

Recognizing the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of the greenhouse gases referred to in the Convention,

Noting the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth, and noting the importance for some of the concept of “climate justice”, when taking action to address climate change,

Affirming the importance of education, training, public awareness, public participation, public access to information and cooperation at all levels on the matters addressed in this Agreement,

Recognizing the importance of the engagements of all levels of government and various actors, in accordance with respective national legislations of Parties, in addressing climate change,

Also recognizing that sustainable lifestyles and sustainable patterns of consumption and production, with developed country Parties taking the lead, play an important role in addressing climate change,

Have agreed as follows:

Article 1

For the purpose of this Agreement, the definitions contained in Article 1 of the Convention shall apply. In addition:

1. “Convention” means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992.
2. “Conference of the Parties” means the Conference of the Parties to the Convention.
3. “Party” means a Party to this Agreement.

Article 2

1. This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by:
 - (a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and to pursue 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;
 - (c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.
2. This 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.

Article 3

As 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.

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.
2. Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions.
3. Each Party’s successive nationally determined contribution will represent a progression beyond the Party’s then current nationally determined contribution and reflect its highest possible ambition, reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.
4. Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances.
5. Support shall be provided to developing country Parties for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions.

6. The least developed countries and small island developing States may prepare and communicate strategies, plans and actions for low greenhouse gas emissions development reflecting their special circumstances.
7. Mitigation co-benefits resulting from Parties' adaptation actions and/or economic diversification plans can contribute to mitigation outcomes under this Article.
8. In communicating their nationally determined contributions, all Parties shall provide the information necessary for clarity, transparency and understanding in accordance with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.
9. Each Party shall communicate a nationally determined contribution every five years in accordance with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement and be informed by the outcomes of the global stocktake referred to in Article 14.
10. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall consider common time frames for nationally determined contributions at its first session.
11. A Party may at any time adjust its existing nationally determined contribution with a view to enhancing its level of ambition, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.
12. Nationally determined contributions communicated by Parties shall be recorded in a public registry maintained by the secretariat.
13. Parties shall account for their nationally determined contributions. In accounting for anthropogenic emissions and removals corresponding to their nationally determined contributions, Parties shall promote environmental integrity, transparency, accuracy, completeness, comparability and consistency, and ensure the avoidance of double counting, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.
14. In the context of their nationally determined contributions, when recognizing and implementing mitigation actions with respect to anthropogenic emissions and removals, Parties should take into account, as appropriate, existing methods and guidance under the Convention, in the light of the provisions of paragraph 13 of this Article.
15. Parties shall take into consideration in the implementation of this Agreement the concerns of Parties with economies most affected by the impacts of response measures, particularly developing country Parties.
16. Parties, including regional economic integration organizations and their member States, that have reached an agreement to act jointly under paragraph 2 of this Article shall notify the secretariat of the terms of that agreement, including the emission level allocated to each Party within the relevant time period, when they communicate their nationally determined contributions. The secretariat shall in turn inform the Parties and signatories to the Convention of the terms of that agreement.
17. Each party to such an agreement shall be responsible for its emission level as set out in the agreement referred to in paragraph 16 above in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.
18. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization which is itself a Party to this Agreement, each member State of that regional economic integration organization individually, and together with the regional economic integration organization, shall be responsible for its emission level as set out in the agreement communicated under paragraph 16 of this Article in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.
19. All Parties should strive to formulate and communicate long-term low greenhouse gas emission development strategies, mindful of Article 2 taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Article 5

1. 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.

Article 6

1. 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 the Paris Agreement.
3. The use of internationally transferred mitigation outcomes to achieve nationally determined contributions under this Agreement shall be voluntary and authorized by participating Parties.
4. A mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development is hereby established under the authority and guidance of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement for use by Parties on a voluntary basis. It shall be supervised by a body designated by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, and shall aim:
 - (a) To promote the mitigation of greenhouse gas emissions while fostering sustainable development;
 - (b) To incentivize and facilitate participation in the mitigation of greenhouse gas emissions by public and private entities authorized by a Party;
 - (c) To contribute to the reduction of emission levels in the host Party, which will benefit from mitigation activities resulting in emission reductions that can also be used by another Party to fulfil its nationally determined contribution; and
 - (d) To deliver an overall mitigation in global emissions.
5. Emission reductions resulting from the mechanism referred to in paragraph 4 of this Article shall not be used to demonstrate achievement of the host Party's nationally determined contribution if used by another Party to demonstrate achievement of its nationally determined contribution.
6. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall ensure that a share of the proceeds from activities under the mechanism referred to in paragraph 4 of this Article is used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.
7. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall adopt rules, modalities and procedures for the mechanism referred to in paragraph 4 of this Article at its first session.
8. Parties recognize the importance of integrated, holistic and balanced non-market approaches being available to Parties to assist in the implementation of their nationally determined contributions, in the context of sustainable development and poverty eradication, in a coordinated and effective manner, including through, *inter alia*, mitigation, adaptation, finance, technology transfer and capacity-building, as appropriate. These approaches shall aim to:
 - (a) Promote mitigation and adaptation ambition;
 - (b) Enhance public and private sector participation in the implementation of nationally determined contributions; and
 - (c) Enable opportunities for coordination across instruments and relevant institutional arrangements.
9. A framework for non-market approaches to sustainable development is hereby defined to promote the non-market approaches referred to in paragraph 8 of this Article.

Article 7

1. 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.
3. The adaptation efforts of developing country Parties shall be recognized, in accordance with the modalities to be adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session.
4. Parties recognize that the current need for adaptation is significant and that greater levels of mitigation can reduce the need for additional adaptation efforts, and that greater adaptation needs can involve greater adaptation costs.
5. Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.
6. Parties recognize the importance of support for and international cooperation on adaptation efforts and the importance of taking into account the needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change.
7. Parties should strengthen their cooperation on enhancing action on adaptation, taking into account the Cancun Adaptation Framework, including with regard to:
 - (a) Sharing information, good practices, experiences and lessons learned, including, as appropriate, as these relate to science, planning, policies and implementation in relation to adaptation actions;
 - (b) Strengthening institutional arrangements, including those under the Convention that serve this Agreement, to support the synthesis of relevant information and knowledge, and the provision of technical support and guidance to Parties;
 - (c) Strengthening scientific knowledge on climate, including research, systematic observation of the climate system and early warning systems, in a manner that informs climate services and supports decision-making;
 - (d) Assisting developing country Parties in identifying effective adaptation practices, adaptation needs, priorities, support provided and received for adaptation actions and efforts, and challenges and gaps, in a manner consistent with encouraging good practices;
 - (e) Improving the effectiveness and durability of adaptation actions.
8. United Nations specialized organizations and agencies are encouraged to support the efforts of Parties to implement the actions referred to in paragraph 7 of this Article, taking into account the provisions of paragraph 5 of this Article.
9. Each Party shall, as appropriate, engage in adaptation planning processes and the implementation of actions, including the development or enhancement of relevant plans, policies and/or contributions, which may include:
 - (a) The implementation of adaptation actions, undertakings and/or efforts;
 - (b) The process to formulate and implement national adaptation plans;
 - (c) The assessment of climate change impacts and vulnerability, with a view to formulating nationally determined prioritized actions, taking into account vulnerable people, places and ecosystems;
 - (d) Monitoring and evaluating and learning from adaptation plans, policies, programmes and actions; and
 - (e) Building the resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources.

10. Each Party should, as appropriate, submit and update periodically an adaptation communication, which may include its priorities, implementation and support needs, plans and actions, without creating any additional burden for developing country Parties.
11. The adaptation communication referred to in paragraph 10 of this Article shall be, as appropriate, submitted and updated periodically, as a component of or in conjunction with other communications or documents, including a national adaptation plan, a nationally determined contribution as referred to in Article 4, paragraph 2, and/or a national communication.
12. The adaptation communications referred to in paragraph 10 of this Article shall be recorded in a public registry maintained by the secretariat.
13. Continuous and enhanced international support shall be provided to developing country Parties for the implementation of paragraphs 7, 9, 10 and 11 of this Article, in accordance with the provisions of Articles 9, 10 and 11.
14. The global stocktake referred to in Article 14 shall, inter alia:
 - (a) Recognize adaptation efforts of developing country Parties;
 - (b) Enhance the implementation of adaptation action taking into account the adaptation communication referred to in paragraph 10 of this Article;
 - (c) Review the adequacy and effectiveness of adaptation and support provided for adaptation; and
 - (d) Review the overall progress made in achieving the global goal on adaptation referred to in paragraph 1 of this Article.

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 the Paris Agreement and may be enhanced and strengthened, as determined by the Conference of the Parties serving as the meeting of the Parties to the Paris 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.
4. Accordingly, areas of cooperation and facilitation to enhance understanding, action and support may include:
 - (a) Early warning systems;
 - (b) Emergency preparedness;
 - (c) Slow onset events;
 - (d) Events that may involve irreversible and permanent loss and damage;
 - (e) Comprehensive risk assessment and management;
 - (f) Risk insurance facilities, climate risk pooling and other insurance solutions;
 - (g) Non-economic losses;
 - (h) Resilience of communities, livelihoods and ecosystems.
5. The Warsaw International Mechanism shall collaborate with existing bodies and expert groups under the Agreement, as well as relevant organizations and expert bodies outside the Agreement.

Article 9

1. 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, and the priorities and needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change and have significant capacity constraints, such as the least developed countries and small island developing States, considering the need for public and grant-based resources for adaptation.
5. Developed country Parties shall biennially communicate indicative quantitative and qualitative information related to paragraphs 1 and 3 of this Article, as applicable, including, as available, projected levels of public financial resources to be provided to developing country Parties. Other Parties providing resources are encouraged to communicate biennially such information on a voluntary basis.
6. The global stocktake referred to in Article 14 shall take into account the relevant information provided by developed country Parties and/or Agreement bodies on efforts related to climate finance.
7. Developed country Parties shall provide transparent and consistent information on support for developing country Parties provided and mobilized through public interventions biennially in accordance with the modalities, procedures and guidelines to be adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, at its first session, as stipulated in Article 13, paragraph 13. Other Parties are encouraged to do so.
8. The Financial Mechanism of the Convention, including its operating entities, shall serve as the financial mechanism of this Agreement.
9. The institutions serving this Agreement, including the operating entities of the Financial Mechanism of the Convention, shall aim to ensure efficient access to financial resources through simplified approval procedures and enhanced readiness support for developing country Parties, in particular for the least developed countries and small island developing States, in the context of their national climate strategies and plans.

Article 10

1. 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.
5. Accelerating, encouraging and enabling innovation is critical for an effective, long-term global response to climate change and promoting economic growth and sustainable development. Such effort shall be, as appropriate, supported, including by the Technology Mechanism and, through financial means, by the Financial Mechanism of the Convention, for collaborative approaches to research and development, and facilitating access to technology, in particular for early stages of the technology cycle, to developing country Parties.
6. Support, including financial support, shall be provided to developing country Parties for the implementation of this Article, including for strengthening cooperative action on technology development and transfer at different stages of the technology cycle, with a view to achieving a balance between support for mitigation and adaptation. The global stocktake referred to in Article 14 shall take into account available information on efforts related to support on technology development and transfer for developing country Parties.

Article 11

1. 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, including at the national, subnational and local levels. Capacity-building should be guided by lessons learned, including those from capacity-building activities under the Convention, and should be an effective, iterative process that is participatory, cross-cutting and gender-responsive.
3. All Parties should cooperate to enhance the capacity of developing country Parties to implement this Agreement. Developed country Parties should enhance support for capacity-building actions in developing country Parties.
4. All Parties enhancing the capacity of developing country Parties to implement this Agreement, including through regional, bilateral and multilateral approaches, shall regularly communicate on these actions or measures on capacity-building. Developing country Parties should regularly communicate progress made on implementing capacity-building plans, policies, actions or measures to implement this Agreement.
5. Capacity-building activities shall be enhanced through appropriate institutional arrangements to support the implementation of this Agreement, including the appropriate institutional arrangements established under the Convention that serve this Agreement. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall, at its first session, consider and adopt a decision on the initial institutional arrangements for capacity-building.

Article 12

Parties shall cooperate in taking measures, as appropriate, to enhance 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.

Article 13

1. 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.
4. The transparency arrangements under the Convention, including national communications, biennial reports and biennial update reports, international assessment and review and international consultation and analysis, shall form part of the experience drawn upon for the development of the modalities, procedures and guidelines under paragraph 13 of this Article.
5. The purpose of the framework for transparency of action is to provide a clear understanding of climate change action in the light of the objective of the Convention as set out in its Article 2, including clarity and tracking of progress towards achieving Parties' individual nationally determined contributions under Article 4, and Parties' adaptation actions under Article 7, including good practices, priorities, needs and gaps, to inform the global stocktake under Article 14.
6. The purpose of the framework for transparency of support is to provide clarity on support provided and received by relevant individual Parties in the context of climate change actions under Articles 4, 7, 9, 10 and 11, and, to the extent possible, to provide a full overview of aggregate financial support provided, to inform the global stocktake under Article 14.
7. Each Party shall regularly provide the following information:

- (a) A national inventory report of anthropogenic emissions by sources and removals by sinks of greenhouse gases, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change and agreed upon by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;
- (b) Information necessary to track progress made in implementing and achieving its nationally determined contribution under Article 4.
- 8. Each Party should also provide information related to climate change impacts and adaptation under Article 7, as appropriate.
- 9. Developed country Parties shall, and other Parties that provide support should, provide information on financial, technology transfer and capacity-building support provided to developing country Parties under Article 9, 10 and 11.
- 10. Developing country Parties should provide information on financial, technology transfer and capacity-building support needed and received under Articles 9, 10 and 11.
- 11. Information submitted by each Party under paragraphs 7 and 9 of this Article shall undergo a technical expert review, in accordance with decision 1/CP.21. For those developing country Parties that need it in the light of their capacities, the review process shall include assistance in identifying capacity-building needs. In addition, each Party shall participate in a facilitative, multilateral consideration of progress with respect to efforts under Article 9, and its respective implementation and achievement of its nationally determined contribution.
- 12. The technical expert review under this paragraph shall consist of a consideration of the Party's support provided, as relevant, and its implementation and achievement of its nationally determined contribution. The review shall also identify areas of improvement for the Party, and include a review of the consistency of the information with the modalities, procedures and guidelines referred to in paragraph 13 of this Article, taking into account the flexibility accorded to the Party under paragraph 2 of this Article. The review shall pay particular attention to the respective national capabilities and circumstances of developing country Parties.
- 13. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall, at its first session, building on experience from the arrangements related to transparency under the Convention, and elaborating on the provisions in this Article, adopt common modalities, procedures and guidelines, as appropriate, for the transparency of action and support.
- 14. Support shall be provided to developing countries for the implementation of this Article.
- 15. Support shall also be provided for the building of transparency-related capacity of developing country Parties on a continuous basis.

Article 14

- 1. The Conference of the Parties serving as the meeting of the Parties to the Paris 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 the Paris 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 the Paris Agreement.
- 3. The outcome of the global stocktake shall inform Parties in updating and enhancing, in a nationally determined manner, their actions and support in accordance with the relevant provisions of this Agreement, as well as in enhancing international cooperation for climate action.

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 the Paris Agreement at its first session and report annually to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.

Article 16

1. The Conference of the Parties, the supreme body of the Convention, shall serve as the meeting of the Parties to this Agreement.
2. Parties to the Convention that are not Parties to this Agreement may participate as observers in the proceedings of any session of the Conference of the Parties serving as the meeting of the Parties to this Agreement. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.
3. When the Conference of the Parties serves as the meeting of the Parties to this Agreement, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from amongst the Parties to this Agreement.
4. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall keep under regular review the implementation of this Agreement and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Agreement and shall:
 - (a) Establish such subsidiary bodies as deemed necessary for the implementation of this Agreement; and
 - (b) Exercise such other functions as may be required for the implementation of this Agreement.
5. The rules of procedure of the Conference of the Parties and the financial procedures applied under the Convention shall be applied mutatis mutandis under this Agreement, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.
6. The first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall be convened by the secretariat in conjunction with the first session of the Conference of the Parties that is scheduled after the date of entry into force of this Agreement. Subsequent ordinary sessions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall be held in conjunction with ordinary sessions of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.
7. Extraordinary sessions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall be held at such other times as may be deemed necessary by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the secretariat, it is supported by at least one third of the Parties.
8. The United Nations and its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented at sessions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by this Agreement and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement as an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure referred to in paragraph 5 of this Article.

Article 17

1. The secretariat established by Article 8 of the Convention shall serve as the secretariat of this Agreement.
2. Article 8, paragraph 2, of the Convention on the functions of the secretariat, and Article 8, paragraph 3, of the Convention, on the arrangements made for the functioning of the secretariat, shall apply mutatis mutandis to this Agreement. The secretariat shall, in addition, exercise the functions assigned to it under this Agreement and by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.

Article 18

1. 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. When the subsidiary bodies serve as the subsidiary bodies of this Agreement, decisions under this Agreement shall be taken only by those that are Parties to this Agreement.
3. When the subsidiary bodies established by Articles 9 and 10 of the Convention exercise their functions with regard to matters concerning this Agreement, any member of the bureaux of those subsidiary bodies representing a Party to the Convention but, at that time, not a Party to this Agreement, shall be replaced by an additional member to be elected by and from amongst the Parties to this Agreement.

Article 19

1. Subsidiary bodies or other institutional arrangements established by or under the Convention, other than those referred to in this Agreement, shall serve this Agreement upon a decision of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall specify the functions to be exercised by such subsidiary bodies or arrangements.
2. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement may provide further guidance to such subsidiary bodies and institutional arrangements.

Article 20

1. This Agreement shall be open for signature and subject to ratification, acceptance or approval by States and regional economic integration organizations that are Parties to the Convention. It shall be open for signature at the United Nations Headquarters in New York from 22 April 2016 to 21 April 2017. Thereafter, this Agreement shall be open for accession from the day following the date on which it is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.
2. Any regional economic integration organization that becomes a Party to this Agreement without any of its member States being a Party shall be bound by all the obligations under this Agreement. In the case of regional economic integration organizations with one or more member States that are Parties to this Agreement, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under this Agreement. In such cases, the organization and the member States shall not be entitled to exercise rights under this Agreement concurrently.
3. In their instruments of ratification, acceptance, approval or accession, regional economic integration organizations shall declare the extent of their competence with respect to the matters governed by this Agreement. These organizations shall also inform the Depositary, who shall in turn inform the Parties, of any substantial modification in the extent of their competence.

Article 21

1. 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 percent of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval or accession.
2. Solely for the limited purpose of paragraph 1 of this Article, “total global greenhouse gas emissions” means the most up-to-date amount communicated on or before the date of adoption of this Agreement by the Parties to the Convention.
3. For each State or regional economic integration organization that ratifies, accepts or approves this Agreement or accedes thereto after the conditions set out in paragraph 1 of this Article for entry into force have been fulfilled,

this Agreement shall enter into force on the thirtieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.

4. For the purposes of paragraph 1 of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by its member States.

Article 22

The provisions of Article 15 of the Convention on the adoption of amendments to the Convention shall apply mutatis mutandis to this Agreement.

Article 23

1. The provisions of Article 16 of the Convention on the adoption and amendment of annexes to the Convention shall apply mutatis mutandis to this Agreement.
2. Annexes to this Agreement shall form an integral part thereof and, unless otherwise expressly provided for, a reference to this Agreement constitutes at the same time a reference to any annexes thereto. Such annexes shall be restricted to lists, forms and any other material of a descriptive nature that is of a scientific, technical, procedural or administrative character.

Article 24

The provisions of Article 14 of the Convention on settlement of disputes shall apply mutatis mutandis to this Agreement.

Article 25

1. Each Party shall have one vote, except as provided for paragraph 2 of this Article.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States that are Parties to this Agreement. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 26

The Secretary-General of the United Nations shall be the Depositary of this Agreement.

Article 27

No reservations may be made to this Agreement.

Article 28

1. At any time after three years from the date on which this Agreement has entered into force for a Party, that Party may withdraw from this Agreement by giving written notification to the Depositary.
2. Any such withdrawal shall take effect upon expiry of one year from the date of receipt by the Depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.
3. Any Party that withdraws from the Convention shall be considered as also having withdrawn from this Agreement.

Article 29

The original of this Agreement, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

DONE at Paris this twelfth day of December two thousand and fifteen.

IN WITNESS WHEREOF, the undersigned, being duly authorized to that effect, have signed this Agreement.

COP21 パリ協定とその評価

21世紀政策研究所 研究プロジェクト

(研究主幹：有馬 純)

**2016年1月
21世紀政策研究所**

**〒100-0004 東京都千代田区大手町1-3-2
経団連会館19階**

**TEL：03-6741-0901
FAX：03-6741-0902**

ホームページ：<http://www.21ppi.org/>

21世紀政策研究所報告書一覧（2012-2015.9）

《総合戦略・政治・社会》

2014. 9 日本政治の抱える課題と提言（概要パンフレット）
- . 6 本格政権が機能するための政治のあり方 研究主幹：小林良彰
 - . 6 実効性のある少子化対策のあり方 研究主幹：小峰隆夫
2013. 6 日本政治における民主主義とリーダーシップのあり方 研究主幹：北川正恭
- . 3 格差問題を超えて一格差感・教育・生活保護を考える 研究主幹：鶴光太郎
2012. 7 政権交代時代の政府と政党のガバナンス
—短命政権と決められない政治を打破するために 研究主幹：曾根泰教
- . 4 グローバルJAPAN—2050年シミュレーションと総合戦略—
主査：丹呉泰健、研究主幹：鶴光太郎、土居丈朗、白石隆

《税財政・金融・社会保障》

2015. 7 超高齢・人口減少社会のインフラをデザインする 研究主幹：辻 琢也
- . 5 グローバル時代における新たな国際租税制度のあり方
～BEPS（税源浸食と利益移転）プロジェクトの討議文書の検討～ 研究主幹：青山慶二
2014. 5 グローバル時代における新たな国際租税制度のあり方
～国内法への帰属主義導入とBEPS（税源浸食と利益移転）問題を中心に～
研究主幹：青山慶二
2013. 7 金融依存の経済はどこへ向かうのか 米欧金融危機の教訓
(日経プレミアシリーズ) 監修：池尾和人
- . 5 グローバル時代における新たな国際租税制度のあり方 研究主幹：青山慶二
 - . 4 金融と世界経済—リーマンショック、ソブリンリスクを踏まえて 研究主幹：池尾和人
 - . 3 持続可能な医療・介護システムの再構築 研究主幹：川渕孝一
2012. 4 グローバル時代における新たな国際租税制度のあり方（中間報告）
研究主幹：青山慶二
- . 3 社会保障の新たな制度設計に向けて 研究主幹：岩本康志

《行革・規制改革・経済法制》

2014. 9 ビッグデータが私たちの医療・健康を変える 研究主幹：森川博之
2013. 4 グローバル化を踏まえた我が国競争法の課題 研究主幹：村上政博

2012. 1 多重代表訴訟についての研究報告—米・仏の実地調査を踏まえて—
研究主幹：葉玉匡美

《産業・技術》

2015. 6 日本型オープンイノベーションの研究 研究主幹：元橋一之
. 3 森林大国日本の活路 研究主幹：安藤直人
2013. 5 サイバー攻撃の実態と防衛 研究主幹：土屋大洋
2012. 6 外部連携の強化に向けて—中堅企業に見る日本経済の新たな可能性
研究主幹：元橋一之
. 6 農業再生のグランドデザイン—2020 年の土地利用型農業 研究主幹：本間正義

《環境・エネルギー》 研究主幹：澤 昭裕

2015. 4 続・原子力安全規制の最適化に向けて—原子力安全への信頼回復の道とは—
2014.11 核燃料サイクル政策改革に向けて
. 8 原子力安全規制の最適化に向けて—炉規制法改正を視野に—
2013.11 新たな原子力損害賠償制度の構築に向けて
.11 原子力事業環境・体制整備に向けて
2012. 3 エネルギー政策見直しに不可欠な視点～事実に基づいた冷静な議論に向けて～

《外交・海外》

2015. 9 アメリカ政治の現状と課題 研究主幹：久保文明
2013. 7 ステート・キャピタリズムとしての中国—市場か政府か（勁草書房）
監修：渡辺利夫、幹事：大橋英夫
. 4 日本経済の成長に向けて—TPP への参加と構造改革 研究主幹：浦田秀次郎
. 4 中国の競争力：神話、現実と日米両国への教訓 幹事：阿達雅志
2012.12 日本経済の復活と成長へのロードマップ
—21 世紀日本の通商戦略—（文眞堂） 監修：浦田秀次郎
. 7 日本の通商戦略の課題と将来展望 研究主幹：浦田秀次郎
. 7 変貌する中国経済と日系企業の役割（勁草書房）
監修：渡辺利夫、幹事：大橋英夫

