

# PARIS CLIMATE AGREEMENT Q&A



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

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

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

The Paris Agreement formally entered into force on November 4, 2016. Other countries have continued to become parties to the Paris Agreement as they complete their domestic approval procedures. As of October 2020, 189 parties have ratified the Paris Agreement.

On June 1, 2017, President Trump announced his intention to withdraw the United States from the agreement. In response, other governments strongly reaffirmed their commitment to the agreement. U.S. cities, states, and other non-state actors also reiterated their support for the agreement and pledged to continue to enhance their climate efforts. The United States formally initiated its withdrawal from the agreement on November 4, 2019; the withdrawal took effect on November 4, 2020. President-elect Biden has promised to rejoin the Paris Agreement once he takes office.

On December 15, 2018, delegates to COP 24, hosted in Katowice, Poland, adopted most of a comprehensive “rulebook” fleshing out the operational details of the Paris Agreement.

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

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

The Paris package adopted at the conference had three main components: the [Paris Agreement](#), an international treaty setting common goals, commitments and expectations; the intended “nationally determined contributions” (NDCs) submitted by more than 180 countries; and the thousands of contributions offered by companies, states, cities and civil society organizations.

## HOW DOES THE PARIS AGREEMENT RELATE TO THE UNFCCC?

The [UNFCCC](#), adopted in 1992, is a treaty among governments that provides a foundation for the global climate effort. Enjoying near-universal membership, the convention was ratified by the United States with the advice and consent of the Senate. The convention set a long-term objective (avoiding “dangerous human inter-

ference with the climate system”), established principles to guide the global effort, and committed all countries to “mitigate” climate change by reducing or avoiding greenhouse gas emissions. The Paris Agreement defines how countries will implement their UNFCCC commitments after 2020.

## WHAT ARE NATIONALLY DETERMINED CONTRIBUTIONS?

In 2013, at **COP 19 in Warsaw**, parties were encouraged to submit their “intended nationally determined contributions” (INDCs) to the Paris Agreement well in advance of COP 21. These submissions represented each country’s self-defined mitigation goals for the period beginning in 2020. Final NDCs were submitted by each party upon its formal ratification or acceptance of the agreement, and are recorded in a UNFCCC registry. To date, 186 parties have submitted their initial NDCs.

Developed countries have offered absolute economy-wide emissions targets (the United States, for instance, pledged to reduce its emissions 26-28 percent from 2005 levels by 2025).

Developing countries offered a range of approaches, including absolute economy-wide targets, reductions in emissions intensity (emissions per unit of GDP), reductions from projected “business-as-usual” emissions, and reductions in per-capita emissions.

Countries committed to submit new or updated NDCs by 2020 and every five years thereafter. Each new or enhanced NDC should progress beyond its previous one and be as ambitious as possible.

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

The Paris Agreement establishes a set of binding procedural commitments. Parties commit to “prepare, communicate and maintain” successive NDCs; to “pursue domestic mitigation measures” aimed at achieving their NDCs; and to regularly report on their emissions and on progress in implementing their NDCs. The agreement also sets the expectation that each party’s successive NDC will “represent a progression” beyond its previ-

ous one and “reflect its highest possible ambition.” The achievement by a party of its NDCs is not a legally binding obligation.

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

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

Analyses of the commitments submitted by countries conclude that, while they move us closer to the 2-degree goal, they are not ambitious enough to achieve it. An analysis by the **Climate Action Tracker**, a consortium of research institutions, concluded that the INDCs, if fully implemented, could result in warming of 2.7 degrees Celsius by the end of the century.

The Paris Agreement encourages parties to formulate and communicate “long-term low greenhouse gas emissions development strategies” and invited parties to communicate those strategies to the UNFCCC by 2020. Nineteen countries have **formally submitted** their strategies, and the **66** countries in the Climate Ambition Alliance have signaled their intent to achieve net zero carbon emissions by 2050.

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

The Paris Agreement provides a durable framework guiding the global effort for decades to come. The aim is to create a continuous cycle that keeps the pressure on countries to raise their ambition over time. To promote rising ambition, the agreement establishes two linked

processes, each on a five-year cycle. The first process is a “global stocktake” to assess collective progress toward meeting the agreement’s long-term goals. Parties will then submit new NDCs, “informed by the outcomes of the global stocktake.”

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

The 2018 facilitative dialogue, renamed the “**Talanoa Dialogue**,” concluded a year-long assessment of progress toward the Paris Agreement’s long-term goals and was meant to inform parties as they prepare for a new round of NDCs. As of November 9, 2020, 25 parties have submitted new or updated NDCs.

## HOW WILL PARTIES BE HELD ACCOUNTABLE?

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

Unlike the **current transparency system** under the UNFCCC, which sets different requirements for developed and developing countries, the new transparency framework will apply to all countries but provide “built-in flexibility” to accommodate varying national capacities. The aim is for all parties to work toward the same standards of accountability as their capacities strengthen over time.

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

## HOW DOES THE AGREEMENT ADDRESS CLIMATE ADAPTATION?

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

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

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

The Paris Agreement reaffirms developed countries’ UNFCCC obligations; the COP decision accompanying the agreement extends the \$100 billion-a-year goal through 2025, and calls for a new goal beyond that “from a floor of” \$100 billion a year. The agreement also broadens the donor base beyond developed countries by encouraging other countries to provide support “voluntarily.” China, for instance, **pledged \$3 billion** in 2015 to help other developing countries.

Many national governments offered new financial pledges in Paris. Collectively, developed countries pledged \$19 billion to help developing countries. In another sign that developing countries are also providing support, Vietnam **pledged \$1 million** to the new **Green Climate Fund (GCF)**. And for the first time, subnational governments also offered pledges, including **1 million euros** from the city of Paris for the GCF, and **CAD 6 million** from Quebec for the UNFCCC **Least Developed Countries Fund**.

As of July 2020, \$10.3 billion had been pledged to the

**GCF** from 45 governments (including nine developing countries), \$24.3 million from 3 regional governments, and \$1.3 million from one municipal government. At the pledging conference for the GCF's first replenishment in October 2019, 27 countries pledged a total of \$9.78 billion for the next four years, with additional pledges made since. Nearly half of those countries doubled or more than doubled their pledges. The Austrian government's EUR 100 pledge in September 2020 enabled the GCF to reach the \$10 billion mark.

## DOES THE PARIS AGREEMENT ADDRESS CARBON MARKETS?

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

However, parties were unable to agree at COPs 24 or 25 on the details for implementing Article 6 of the agreement, which addresses the use of carbon markets, and have deferred those decisions to COP 26.

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

Although only national governments participate directly in the negotiations, COP 21 provided many opportunities to showcase the contributions of "non-state actors" to the global climate effort. The strong display of commitments by cities, subnational governments and businesses at the New York Climate Summit in September 2014 led to the establishment at COP 20 of the **Lima-Paris Action Agenda** and the online Non-state Actor Zone for Climate Action (NAZCA) portal, where non-state actors can register their commitments. By the time of Paris, the portal listed nearly 11,000 commitments from 2,250 cities, 22,025 companies, and hundreds of states/regions, investors and civil society organizations. The unprecedented

showing of action and support from all levels of society was widely credited as an important factor in Paris' success. Governments and stakeholder groups are working to strengthen non-state contributions to the UNFCCC. Today, the **Marrakech Partnership for Global Climate Action** expands on and carries forward the Lima-Paris Action Agenda, and the NAZCA portal has been renamed the **Global Climate Action portal**. They continued to support the implementation of the Paris Agreement by enabling collaboration between governments and the cities, regions, businesses and investors that must act on climate change.

A **C2ES brief** outlines recent steps to strengthen the visibility of non-state action in the UNFCCC and options for more closely linking the two.

## IS THE AGREEMENT LEGALLY BINDING?

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

## DID CONGRESS HAVE ANY SAY OVER THE AGREEMENT?

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

A **C2ES legal analysis** examines issues surrounding

U.S. acceptance of the Paris Agreement.

## CAN THE PRESIDENT WITHDRAW THE UNITED STATES FROM THE AGREEMENT?

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

On June 1, 2017, President Trump announced that the United States would be withdrawing from the agreement, but also indicated a willingness to renegotiate the agreement or negotiate a new one. Other countries, reaffirming their strong support for the Paris Agreement, said they are not open to a new negotiation. The U.S. formally initiated withdrawal from the Paris Agreement on November 4, 2019; it took effect on November 4, 2020.

Parties to the UNFCCC that are not parties to the Paris Agreement can participate as observers but cannot participate in decisions.

President-elect Biden has promised to rejoin the Paris Agreement once he takes office.

## HOW EASY IS IT FOR THE PRESIDENT TO REJOIN THE PARIS AGREEMENT?

Procedurally, it would be very easy. President-elect Biden can rejoin the Paris Agreement on Day 1 simply by depositing an instrument of acceptance with the UN Secretary-General. Thirty days later, the United States will again be a party. This is the same way President Obama joined the Paris Agreement in 2016.

As explained in this C2ES issue brief, U.S. participation in the Paris Agreement can be decided solely by the president, without seeking Senate advice and consent, among other reasons, because it elaborates an existing treaty, the UN Framework Convention on Climate Change. If Biden is president, he would have ample authority to join it as an “executive agreement.”

While formally rejoining the agreement is simple, the greater challenge for a Biden Administration would be putting forward a new U.S. NDC that’s widely viewed as ambitious and credible.

## WHAT WILL BE THE CHALLENGES OF DEVELOPING A NEW NDC?

If the U.S. were to rejoin the agreement, it would technically be required to have an NDC in place within 30 days.

The core challenge in fashioning a U.S. NDC will be balancing the need and desire for greater ambition with the need to put forward an NDC that is credible and sustainable over time. The Biden campaign’s climate strategy aims for net zero emissions by 2050, but it would be counter-productive internationally to submit an NDC that the United States cannot realistically achieve. It is important, therefore, that the U.S. NDC be firmly grounded in domestic climate policy. It will take some time, however, for a new Biden administration to undertake consultations (with Congress, domestic stakeholders and the international community) and to develop and enact policies that could support an ambitious, sustainable NDC.

The administration could send a strong signal at the moment of reentry by declaring its commitment to achieving carbon neutrality by 2050, and could promise to formally submit a new NDC as soon as it’s able. (To comply with the agreement’s technical requirement for an NDC, it could in the meantime provide a placeholder or provisional NDC, for instance reinstating the Obama administration’s 2025 target.) Ideally, it would then be in a position to deliver an ambitious, credible NDC in time for the delayed COP 26 in December 2021 in Glasgow.

## CAN A PARTY ADJUST ITS NATIONALLY DETERMINED CONTRIBUTION?

The Paris Agreement says that a party “may at any time adjust its existing nationally determined contribution with a view to enhancing its level of ambition.” While this does not appear to legally preclude a party from reducing the ambition of its NDC, such a step would be seen by most countries as deviating from the spirit of the Paris Agreement.

## WHAT HAPPENS NEXT?

The negotiations on the Paris rulebook at [COP 24](#) proved in some ways more challenging than those leading to the Paris Agreement as parties faced a mix of technical and political challenges and, in some respects, higher stakes

in seeking to elaborate the agreement's broad provisions through detailed guidance. Delegates adopted rules and procedures on mitigation, transparency, adaptation, finance, periodic stocktakes, and other Paris provisions. But they were unable to agree on rules for Article 6, which provides for voluntary cooperation among parties in implementing their NDCs, including through the use of market-based approaches.

Instead, parties deferred those decisions to COP 25. In September 2019, U.N. Secretary-General António Guterres convened a **climate summit** in New York to rally countries to higher ambition in 2020. The world's largest emitters failed to present substantive plans for greater emissions reductions but 65 countries expressed their intention to enhance their NDCs by the end of 2020. With the launch of a "**Climate Ambition Alliance**," 66 countries announced their intention to develop plans to achieve carbon neutrality by 2050.

A marathon **COP 25** was held in Madrid, Spain, from December 2 to December 15, 2019, with Chile retaining the presidency. Governments reaffirmed a prior call for parties to reflect "their highest possible ambition" when

presenting a new round of NDCs in 2020, but they failed again to adopt rules for international carbon trading under Article 6, the last major piece of the "rulebook" for implementing the Paris Agreement. Additionally, vulnerable developing countries expressed growing exasperation at the scarce resources available to them to cope with worsening climate impacts.

Due to the impacts of the global novel coronavirus pandemic in 2020, the UNFCCC postponed most of its major climate meetings until 2021, including COP 26. The COVID-19 pandemic has also affected countries' efforts to put forward the new or enhanced NDCs due in 2020. On December 12, 2020, the fifth anniversary of the adoption of the Paris Agreement, the UN, France, and the UK, the president of COP 26, will co-host a virtual global climate summit. National governments are invited to present more ambitious climate goals, as well as "green" COVID-19 recovery plans, new finance commitments, and long-term decarbonization targets.

The UK currently plans to host **COP 26** from November 1-12, 2021, in Glasgow, Scotland.



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