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Summary of the Paris Agreement: Negotiations and Outcomes

Although nearly 200 sovereign and non-state actors cheered the treaty's adoption at the conclusion of the December negotiations, April 22, 2016 will be the telltale date of success for the Paris Agreement. That day, the treaty opens for signature, ratification, adoption, or whatever method each participatory country's formal agreement process may be. However, the terms state that at least fifty-five countries—together accounting for at least fifty-five percent of the world's global greenhouse gas emissions—must sign or adopt the Paris Agreement for it to be officially enacted.

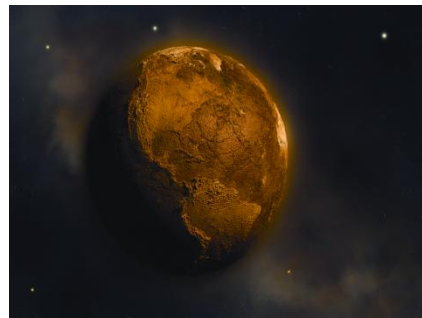
The text of the Paris Agreement resulted from two weeks of discussions and forums at the 21st gathering of the Conference of Parties (COP21), which opened November 30, 2015 with speeches by global political leaders. President Obama stated that the Paris talks represented resilience in the search to build a better future for our children, and that the conference's goal was not to reach a "stop-gap solution" but a "long-term strategy that gives the world confidence in a low-carbon future."¹ United Nations Secretary-General Ban Ki-moon expressed that "'bold climate action is in the national interest of every single country represented at this conference,'"² reinforcing numerous leaders' belief that climate change affects the global community and thus necessitates a global response. Throughout the Conference, each day of discussion and negotiation featured multiple seminars focusing on topics like renewable energy, carbon pricing, climate financing, forest restoration, city-level actions, among many others.

After much debate and revision, the final Paris Agreement text³ is comprised of twenty-nine Articles, covering more than thirty pages. The comprehensive document mentions or establishes over twenty different committee and oversight bodies, such as the Intergovernmental Panel on Climate Change, the

Subsidiary Body for Implementation the Least Developed Countries Expert Group, the Capacity-building Initiative for Transparency, and the Non-State Actor Zone for Climate Action. The goal of these oversight groups are to enact the various terms of the treaty, by uniting rich and poor countries, not only to address climate change, but also to "respect, promote and consider [the] 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."⁴ Thus, the Paris Agreement seeks to address systemic challenges beyond capping global greenhouse gas emissions.

Not to downplay the importance of reducing emissions, however. Parties to the Convention drafted the Paris Agreement while keeping in mind a goal of limiting the increase of global temperatures to 1.5°C above pre-industrial levels,⁵ instead of the 2°C the scientific community has demarcated as the 'point of no return'. The agreement outlines a plan for each Party to report its progress towards achieving its nationally determined contribution (NDC)—actions the country plans to take to lower its emission and reduce climate impacts—and to communicate an updated NDC every five years.⁶

One of the biggest sources of contention or worry for many analysts, participants, and climate advocates is that the document's language is too weak; journalists, activists, scientists, and political leaders have expressed concern that the agreement is not binding, and fear this will lead to a lack of enforceability or dedication to the goals of preserving the planet. These linguistic-based fears are derived from frequent variation in wording like "should" or "are encouraged



to” versus fewer uses of “shall.” For instance, the agreement states that “Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases...including forests.”⁷ This conciliatory language—“should” and “as appropriate”—almost negates its own suggestion that Parties can conserve forests and help reduce greenhouse gas emissions via the natural sinks and reservoirs that consume emissions. It is worth noting that many attendees to COP21 desired more binding language, but felt that the stricter the wording, the lower the chances the United States would ratify the treaty come April, especially given the current political status of an election year, and the stream of climate-denial that comes from one side of the aisle.

More positively, the agreement leaves ample room for Parties to cooperate with one another, allowing them to establish regional measures, but advises that



progress shall not be double-counted.⁸ Transparency is emphasized throughout the treaty, calling for regular and accurate updates and information from each Party about their level of emissions and data to track progress towards achieving their NDC; for the first time, developing countries will receive assistance for the implementation of their reporting and transparency.⁹

All things considered, the Paris Agreement features both promising and concerning aspects towards combating the impacts of climate change. But the true value of the new international treaty will be decided April 21, 2017, at the end of the year given to Parties to adopt the agreement. Hopefully the threshold for fifty-five countries or fifty-five percent of emissions will be met, and the planet can move back from the precipice of irreversible climate consequences.

¹ Peralta, Eyder. “Some 150 World Leaders Gather In Paris For U.N. Climate Conference.” *National Public Radio*. NPR, 30 Nov. 2015. Web. 1 Dec. 2015.

<<http://www.npr.org/sections/thetwo-way/2015/11/30/457845456/147-world-leaders-gather-in-paris-for-u-n-climate-conference>>.

² “COP21: Ban tells world leaders ‘a political moment like this may not come again’.” *UN News Centre*. United Nations, 30 Nov. 2015. Eb. 2 Dec. 2015.<
<http://www.un.org/apps/news/story.asp?NewsID=54683#>>.

³ “Paris Agreement.” *UNFCCC*. United Nations, 12 Dec. 2015. Web. 14 Dec. 2015.
<<http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>>.

⁴ “Paris Agreement,” Preface, 21.

⁵ “Paris Agreement,” Article 2, 22.

⁶ “Paris Agreement,” Article 4, 22.

⁷ “Paris Agreement,” Article 5, 23.

⁸ “Paris Agreement,” Article 12, 28.

⁹ “Paris Agreement,” Article 13, 28-29.