

Abstract:

Options to Anchor Nationally Determined Contributions In/Under the Paris Agreement:

The objective of this presentation is to provide an overview of legal options available to Parties for anchoring NDCs in/under the Paris agreement or besides and to discuss the legal force of each option from a theoretical viewpoint, in order to identify what option(s) may be politically acceptable for Parties given the current state of play of the negotiations. For instance, with a legally binding instrument placed under the UNFCCC, there are five legal options for the anchoring of NDCs, which however imply different consequences in terms of timing, legal force, transparency, accountability and non-compliance. This overview will be given in taking into account that NDCs are likely to be diverse, multifaceted documents, framed by common but relatively loose rules on upfront information and accounting methods, which may have to be reviewed and completed after Paris, and before 2020, and once the agreement is in force. The objective of this presentation is to facilitate a discussion with participants on how to maximize synergies between potential options for anchoring NDC and possible interactions with the legal form and other key legal aspects and on how to balance trade-offs between objectives.