



Equity & Differentiation in the 2015 Paris Agreement

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Equity & Differentiation in the PA

- CBDRRC anchored
 - Preamble, Articles 2.2 (context for implementation), 4.1 (net zero), 4.3 (progression) and 4.19 (long term low GHG emissions development strategies)
 - 'in light of different national circumstances'
- Equity mainstreamed
 - Preamble, Articles 2.2, 4.1 and 14 (global stock take)
 - Poverty eradication – Preamble, Articles 2.1, 4.1 and 6.8
 - Sustainable Development

○ Differentiation Nuanced

- Mitigation – self-differentiation + normative expectations (Articles 4.3, 4.4)
- Transparency – flexibilities tailored to capacities (Articles 13.1 and 13.2)
- Finance
 - developed country leadership (Articles 9.1 and 9.3)
 - expansion of donor base (Article 9.2)
 - progression (Article 9.3)
 - before 2025, a ‘new collective quantified goal from a floor of USD 100 billion per year’ (1/CP.21)

Equity & Differentiation in the post-Paris Negotiations

- Conditional NDCs from developing countries – scope and implications
- Identifying special circumstances (LDCs, SIDs, Africa? EITs?)
- Defining developed and developing countries
- Tailoring transparency to capacity – scope and implications
- Operationalizing equity in the global stock take – options and implications

Thank You

Recent publications:

'The 2015 Paris Agreement: Interplay of Hard, Soft and Non-Obligations', *Journal of Environmental Law* (June, 2016)

'Ambition and Differentiation in the 2015 Paris Agreement: Interpretative Possibilities and Underlying Politics' (2016) 65 *International & Comparative Law Quarterly* 493.