

**Understanding Paris 2015**  
**Hong Kong Climate Change Simulation: Getting to Yes**  
**Student Session, November 14-15, 2015**  
**Hong Kong Draft Treaty**

**Preface**

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

*In furtherance* of the objective of the Convention as set out in its Article 2 (see footnote). *Recalling* that the Conference of the Parties to the Convention decided to adopt an agreement with legal force under the Convention applicable to all Parties at its twenty-first session, to be held in Paris November 30-December 11, 2015, *Recognizing* the intrinsic relationship between climate change, poverty eradication and sustainable development,

*Emphasizing* the need for universal and sustained action by all to respond to the urgent threat of climate change based on the best available scientific knowledge, *Taking account* of the particular vulnerabilities and specific needs of Parties, especially the least developed country (LDC) Parties,

Have agreed as follows:

**Article 1 (DEFINITIONS)**

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

1. “CMA” means the Conference of the Parties serving as the meeting of the Parties to this Agreement;

**Article 2 (PURPOSE)**

1. The purpose of this Agreement is to enhance the implementation of the objective of the Convention and strengthen and support the global response to the urgent threat of climate change by further addressing its causes and by further increasing resilience and the ability to adapt to its adverse impacts, with a view to promoting the global transformation to low emission and

climate-resilient societies and economies. It shall be based on common but differentiated responsibilities and respective capabilities, in light of historical developments.

2. Parties recognize that deep cuts in global greenhouse gas emissions are urgently required, with a view to reducing such emissions so as to hold the increase in the global average temperature **below 2 °C** as possible above pre-industrial levels, without prejudice to adjust the global long-term temperature goal on the basis of the best available scientific knowledge.

***Article 2 (bis) (GENERAL)***

1. All Parties shall regularly prepare, communicate and implement Intended Nationally Determined Contributions (INDCs) towards achieving the purpose of this agreement as set out in Article 2 above.
2. The extent to which developing country Parties will effectively implement this agreement will depend on the effective implementation by developed country parties of their commitments on provision of finance, technology transfer and capacity building.
3. INDCs shall be updated and improved every five years with a three-year mid term report, or whenever technological advances make more ambitious contributions possible, whichever is sooner.

***Article 3 (MITIGATION)***

1. Parties aim to reach by 2030 a peaking of global greenhouse gas emissions and zero net greenhouse gas emissions by 2070.
2. Each Party shall regularly communicate a nationally determined mitigation commitment that it is legally obligated to implement.
3. Each Party's nationally determined mitigation commitment shall reflect a progression beyond its previous efforts. Each mitigation commitment shall

reflect the Party's highest possible ambition, in light of the national circumstances, and:

- a) Be quantifiable; and
  - b) Be unconditional, with the possibility of a further, more ambitious conditional goal being declared, if the country proposes a realistic and concrete suggestion for financial support and implementation.
4. Successive nationally determined mitigation commitments will be communicated, every three years in the first 15 years and every five years thereafter.
  5. All developing country Parties are eligible for support in the implementation of this Article.
  6. All parties shall implement the provisions of this Article.

#### **Article 4 (ADAPTATION)**

1. Parties share the goal of increasing resilience and reducing vulnerability to climate change, recognizing that adaptation is a challenge faced by all, with local, national, regional and international dimensions. Parties agree that protecting people, livelihoods and ecosystems is a key component of and contribution to the long-term global response to climate change.
2. Parties acknowledge that both mitigation and adaptation will be important for decades to come, and resolve to place equal emphasis on both mitigation and adaptation for the foreseeable future.
3. Parties further recognize the importance of international cooperation and support for adaptation efforts and the importance of taking into account the needs of those developing countries that are particularly vulnerable, recognizing the particularly vulnerable recognizing the particular vulnerabilities of Least Developed Countries (LDCs) and small island developing States (SIDS). Developed countries shall jointly contribute 50 billion dollars annually to an Adaptation Fund for LDCs and SIDS in light of different national circumstances.
4. Parties shall enhance their cooperation, including with respect to:
  - (a) Sharing information, best practices, experiences and lessons learned;

- (b) Strengthening institutional arrangements to support the synthesis of relevant information and knowledge as well as the provision of technical guidance and support;
- (c) Early warning and emergency response preparedness.

5. All developing country Parties are eligible for support in the implementation of this Article.

### **Article 6 (FINANCE)**

1. Finance flows should equally support the transformation to low-emission and climate resilient societies and economies, and assistance to those developing countries least able to cope with the climate change.

2. Developed country Parties and other Parties in a position to do so shall provide support to assist developing country Parties with respect to both mitigation and adaptation.

3. Developed country Parties and Parties in a position to do so shall periodically communicate information on the projected levels of public climate finance.

4. All developed nations and parties in a position to do so shall commit to ensuring a yearly input of USD 100 billion to the Green Climate Fund starting in 2020. This amount shall be collectively increased by USD 30 billion yearly, until reaching an amount of USD 250 billion by 2025.

5. Parties should strive to improve domestic enabling environments to attract low-emission, climate-resilient investment, noting that cooperative action and support may enhance such efforts.

6. The Parties shall take appropriate steps to:

- (a) Prioritize the provision of grant-based and concessional finance to the poorest, most vulnerable and those with the least ability to mobilize other resources, including for adaptation;
- (b) Integrate climate considerations, including resilience, into international development assistance;
- (c) Reduce international support for high-emission and maladaptive investments;

## **DECISION**

*The Conference of the Parties in Hong Kong,*

1. *Decides* to adopt this Agreement under the United Nations Framework Convention on Climate Change (UNFCCC);
2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to open it for signature in New York, United States of America, from 21 March 2016 to 20 March 2017;
3. *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 or approval, or instruments of accession where appropriate, as soon as possible;
4. *Recognizes* that Parties to the Convention may provisionally apply the Agreement pending its entry into force, and *requests* Parties to provide notification of any such provisional application to the Depositary.

**Footnote:**

Article 2 of the UN Framework Convention on Climate Change provides as follows:

Objective

The ultimate objective of this Convention and any related legal instruments that the Conference of the parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner.