

Preface

The aim of this book is to provide a comprehensive overview and assessment of the Paris Agreement, adopted on 12 December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC), and an in-depth analysis of its provisions in the form of an article-by-article commentary. In doing so, we hope to cast a light on all aspects of the Agreement and the context in which it was adopted in order to enhance understanding of what it means and what needs to be done by parties and stakeholders to deliver on its promise.

As well as providing a systematic and comprehensive legal analysis, the book situates the Paris Agreement in the broader perspective of climate action: building on the existing climate change regime and looking ahead to future operationalization and development of the Agreement through parties and non-party stakeholders. It serves thus as a practical guide to understanding the Agreement by unpacking each of its key elements and assessing their implications.

The book is composed of three parts. Part I provides a brief overview of the background, context, and drivers for the development of the Agreement from scientific as well as political and socio-economic perspectives. It also explains the existing international climate change framework and charts the history of negotiations within that framework from 2005 up to the adoption of the Paris Agreement in 2015. Furthermore, it explores key principles and concepts underpinning the Agreement, such as ambition and differentiation, and provides an analysis of its legal form and the nature of its obligations. Part II examines the Agreement by way of a detailed analysis of each of its articles, drawing where needed on the relevant paragraphs of Decision 1/CP.21 (the decision through which the Conference of the Parties adopted the Paris Agreement), and following a harmonized approach. For each article, the authors provide an overview of the context and negotiating history, a detailed paragraph-by-paragraph analysis of the article, and a summary of implementation considerations, as well as a brief evaluation and outlook. Finally, Part III assesses the strengths and weaknesses of the Agreement, offers initial considerations on its possible implications for international law more broadly, and provides an outlook for climate action and the achievement of the goals which the Paris Agreement prescribes.

Each chapter may be read in its own right, but the chapters also complement each other. Together they build up a comprehensive, in-depth, and multifaceted picture of the Paris Agreement. The chapters in Part II have been drafted following a consistent structure, which facilitates comparing information between the provisions. Extensive cross-referencing between the chapters and to further sources aids in understanding the interconnection between the provisions and gives a basis for further reading. As such, it is designed to assist both scholars and practitioners in understanding, and more importantly, in taking action to combat climate change at local, regional, and global levels.

References to official documents prepared under the auspices of the UNFCCC are given using an abridged version of their title. The complete information for all

cited UNFCCC documents can be found in the list of treaties and other international instruments. These and other relevant UNFCCC documents can also be accessed on the UNFCCC website² under 'Documents and Decisions'.³

The term 'Paris Outcome' is used throughout this book to refer jointly to the Paris Agreement and Decision 1/CP.21 (the latter is sometimes referred to as the 'Paris Decision' or 'adoption decision'). The full reference of the Paris Agreement and Decision 1/CP.21, as well as of the 1992 United Framework Convention on Climate Change and the 1997 Kyoto Protocol is provided in the list of treaties and documents. An abbreviated citation form is also used for the assessment reports of the Intergovernmental Panel on Climate Change (IPCC). The complete information on all authors, editors, and titles of the IPCC reports can be found in the selected bibliography at the end of the book.