



SALINAN

PRESIDEN
REPUBLIK INDONESIA

UNDANG-UNDANG REPUBLIK INDONESIA
NOMOR 16 TAHUN 2016

TENTANG

PENGESAHAN *PARIS AGREEMENT TO THE UNITED NATIONS
FRAMEWORK CONVENTION ON CLIMATE CHANGE*
(PERSETUJUAN PARIS ATAS KONVENSI KERANGKA KERJA
PERSERIKATAN BANGSA-BANGSA MENGENAI PERUBAHAN IKLIM)

DENGAN RAHMAT TUHAN YANG MAHA ESA

PRESIDEN REPUBLIK INDONESIA,

- Menimbang:
- a. bahwa tujuan nasional negara Republik Indonesia sebagaimana tercantum dalam Pembukaan Undang-Undang Dasar Negara Republik Indonesia adalah untuk melindungi seluruh tumpah darah Indonesia dan untuk memajukan kesejahteraan umum, mencerdaskan kehidupan bangsa dan ikut melaksanakan ketertiban dunia yang berdasarkan kemerdekaan, perdamaian abadi dan keadilan sosial;
 - b. bahwa perubahan iklim akibat kenaikan suhu bumi merupakan ancaman yang semakin serius bagi umat manusia dan planet bumi sehingga memerlukan kerja sama antarnegara secara lebih efektif;
 - c. bahwa . . .



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- c. bahwa dalam upaya mengendalikan berlanjutnya perubahan iklim, Pemerintah Indonesia bersama-sama dengan anggota masyarakat internasional melalui Konferensi Para Pihak ke-21 *United Nations Framework Convention on Climate Change* (Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim) pada tanggal 12 Desember 2015 di Paris, Perancis telah mengadopsi *Paris Agreement to the United Nations Framework Convention on Climate Change* (Persetujuan Paris atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim) yang ditindaklanjuti dengan penandatanganan Persetujuan dimaksud pada tanggal 22 April 2016 di New York, Amerika Serikat;
- d. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a, huruf b, dan huruf c, perlu membentuk Undang-Undang tentang Pengesahan *Paris Agreement to the United Nations Framework Convention on Climate Change* (Persetujuan Paris atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim);

- Mengingat :
1. Pasal 5 ayat (1), Pasal 11, Pasal 20, dan Pasal 28H ayat (1) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;
 2. Undang-Undang Nomor 24 Tahun 2000 tentang Perjanjian Internasional (Lembaran Negara Republik Indonesia Tahun 2000 Nomor 185, Tambahan Lembaran Negara Republik Indonesia Nomor 4012);

Dengan . . .



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Dengan Persetujuan Bersama
DEWAN PERWAKILAN RAKYAT REPUBLIK INDONESIA
dan
PRESIDEN REPUBLIK INDONESIA

MEMUTUSKAN:

Menetapkan : UNDANG-UNDANG TENTANG PENGESAHAN *PARIS AGREEMENT TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE* (PERSETUJUAN PARIS ATAS KONVENSI KERANGKA KERJA PERSERIKATAN BANGSA-BANGSA MENGENAI PERUBAHAN IKLIM).

Pasal 1

Mengesahkan *Paris Agreement to the United Nations Framework Convention on Climate Change* (Persetujuan Paris atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim) yang telah ditandatangani oleh Pemerintah Indonesia pada tanggal 22 April 2016 di New York, Amerika Serikat yang salinan naskah aslinya dalam bahasa Inggris dan terjemahannya dalam bahasa Indonesia sebagaimana terlampir dan merupakan bagian yang tidak terpisahkan dari Undang-Undang ini.

Pasal 2

Undang-Undang ini mulai berlaku pada tanggal diundangkan.

Agar . . .



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Agar setiap orang mengetahuinya, memerintahkan pengundangan Undang-Undang ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Disahkan di Jakarta
pada tanggal 24 Oktober 2016
PRESIDEN REPUBLIK INDONESIA,

ttd.

JOKO WIDODO

Diundangkan di Jakarta
pada tanggal 25 Oktober 2016

MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

ttd.

YASONNA H. LAOLY

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2016 NOMOR 204

Salinan sesuai dengan aslinya
KEMENTERIAN SEKRETARIAT NEGARA
REPUBLIK INDONESIA

Deputi Bidang Hukum dan
Undang-undangan,



Muhammad Sapta Murti



PRESIDEN
REPUBLIK INDONESIA

PENJELASAN
ATAS
UNDANG-UNDANG REPUBLIK INDONESIA
NOMOR 16 TAHUN 2016
TENTANG
PENGESAHAN *PARIS AGREEMENT TO THE UNITED NATIONS
FRAMEWORK CONVENTION ON CLIMATE CHANGE*
(PERSETUJUAN PARIS ATAS KONVENSI KERANGKA KERJA
PERSERIKATAN BANGSA-BANGSA MENGENAI PERUBAHAN IKLIM)

I. UMUM

Dampak perubahan iklim secara global telah menjadi perhatian masyarakat dunia dan bangsa-bangsa, termasuk Indonesia. Sebagai negara kepulauan yang memiliki berbagai sumber daya alam dan keanekaragaman yang tinggi, Indonesia memiliki potensi yang besar untuk terkena dampak negatif perubahan iklim, dan sekaligus juga memiliki potensi yang besar untuk turut andil dalam melakukan mitigasi maupun adaptasi terhadap dampak negatif perubahan iklim.

Perubahan iklim, sebagaimana diketahui oleh banyak kalangan, merupakan suatu kejadian alam yang dapat dijelaskan secara ilmiah, dan dianggap sebagai suatu hal yang wajar. Namun yang membuat isu perubahan iklim menjadi semakin muncul di permukaan dan menjadi bahan perbincangan banyak orang adalah karena dalam beberapa puluh tahun terakhir, tepatnya setelah era industrialisasi, sebagaimana hasil laporan *Intergovernmental Panel on Climate Change* (IPCC), proses perubahan iklim berjalan semakin cepat dan dampak-dampak perubahan iklim dirasakan semakin meluas pada berbagai aspek kehidupan masyarakat dan semakin nyata dirasakan oleh umat manusia di berbagai belahan bumi.

Eratnya . . .



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Eratnya kaitan dampak perubahan iklim dengan kehidupan umat manusia baik manusia sebagai pelaku aktivitas yang mengemisikan gas rumah kaca maupun sebagai yang terkena dampak, menjadikan isu perubahan iklim semakin menjadi perhatian negara-negara di dunia, yang bersatu di bawah payung Kerangka Kerja Perserikatan Bangsa-Bangsa untuk Perubahan Iklim (UNFCCC), dan bernegosiasi untuk mencari jalan terbaik dan kompromi dalam berbagi peran dan kewajiban dalam mengendalikan perubahan iklim dan menangani dampak-dampaknya. Mitigasi dan adaptasi merupakan 2 (dua) aspek kegiatan yang digunakan sebagai instrumen utama dalam menangani dampak-dampak perubahan iklim.

Dalam konteks nasional, pengendalian perubahan iklim merupakan amanat konstitusi bahwa setiap orang berhak hidup sejahtera, lahir dan batin, bertempat tinggal, dan mendapatkan lingkungan hidup yang baik dan sehat serta berhak memperoleh pelayanan kesehatan. Negara memberikan arah dan berkewajiban memastikan agar pembangunan yang dibutuhkan untuk memenuhi kesejahteraan rakyat tetap memperhatikan perlindungan aspek lingkungan dan sosial. Dengan adanya kesadaran akan ancaman dari dampak-dampak negatif perubahan iklim, pengendalian dan penanganan perubahan iklim bukan merupakan suatu beban bagi Negara, namun sudah saatnya menjadi suatu kebutuhan. Dengan demikian komitmen Negara dalam menangani perubahan iklim merupakan agenda nasional.

Persetujuan . . .



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Persetujuan Paris bersifat mengikat secara hukum dan diterapkan semua negara (*legally binding and applicable to all*) dengan prinsip tanggung jawab bersama yang dibedakan dan berdasarkan kemampuan masing-masing (*common but differentiated responsibilities and respective capabilities*), dan memberikan tanggung jawab kepada negara-negara maju untuk menyediakan dana, peningkatan kapasitas, dan alih teknologi kepada negara berkembang. Di samping itu, Persetujuan Paris mengamanatkan peningkatan kerja sama bilateral dan multilateral yang lebih efektif dan efisien untuk melaksanakan aksi mitigasi dan adaptasi perubahan iklim dengan dukungan pendanaan, alih teknologi, peningkatan kapasitas yang didukung dengan mekanisme transparansi serta tata kelola yang berkelanjutan.

Indonesia terletak di wilayah geografis yang sangat rentan terhadap dampak perubahan iklim. Secara umum kenaikan suhu rata-rata di wilayah Indonesia diperkirakan sebesar 0,5 – 3,92°C pada tahun 2100 dari kondisi periode tahun 1981-2010. Sedangkan untuk curah hujan, berdasarkan data pengamatan telah terjadi pergeseran bulan basah dan kering. Intensitas curah hujan yang lebih tinggi dan durasi hujan yang lebih pendek terjadi di Sumatera bagian utara dan Kalimantan, sedangkan curah hujan rendah dan durasi hujan lebih panjang terjadi di bagian selatan Jawa dan Bali.

Kenaikan muka air laut akibat perubahan iklim diproyeksikan mencapai 35-40 cm pada tahun 2050 relatif terhadap nilai tahun 2000. Kenaikan muka air laut tersebut akan mencapai 175 cm pada tahun 2100 dengan memperhitungkan faktor pencairan es di kutub Utara dan Selatan.

Kota . . .



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Kota Tarakan menunjukkan kenaikan permukaan air laut sekitar 14,7 cm (dengan ketidakpastian sekitar 6,25 cm) pada tahun 2030 relatif terhadap kondisi saat ini. Variabilitas juga terjadi pada permukaan air laut akibat fenomena La-Nina dan gelombang badai (*storm surges*). Fenomena tersebut diperkirakan akan menaikkan permukaan air laut sebesar 15 cm dan 30 cm. Sedangkan untuk wilayah Sumatera Selatan kenaikan muka air laut antara 0,5-0,7 cm/tahun. Proyeksi kenaikan permukaan air laut pada tahun 2030 sebesar $13,5 \pm 6,15$ cm relatif terhadap permukaan air laut pada tahun 2000.

Kajian Risiko dan Adaptasi Perubahan Iklim dilakukan di Kota Tarakan, Provinsi Sumatera Selatan, dan Malang Raya. Kota Tarakan mengalami kenaikan suhu sebesar $0,63^{\circ}\text{C}$ sepanjang 25 tahun terakhir; Provinsi Sumatera Selatan mengalami kenaikan suhu sebesar $0,67^{\circ}\text{C}$; sedangkan Malang Raya mengalami kenaikan $0,69^{\circ}\text{C}$. Kota Tarakan banyak terpengaruh oleh potensi fenomena El-Nino. Bahkan, pernah mengalami kekeringan yang panjang pada sekitar tahun 1961-1970an, dan di bulan April – Agustus terjadi defisit curah hujan sekitar 100 mm dari nilai rata-ratanya.

Dengan jumlah pulau lebih dari 17.000, dan sebagian besar ibu kota provinsi serta hampir 65 % penduduk tinggal di wilayah pesisir, wilayah Indonesia rentan terhadap dampak perubahan iklim, khususnya yang disebabkan oleh kenaikan muka air laut serta penggenangan akibat banjir di wilayah pesisir atau rob. Kenaikan muka air laut, selain menyebabkan dampak langsung berupa berkurangnya wilayah akibat tenggelam oleh air laut, rusaknya kawasan ekosistem pesisir akibat gelombang pasang, juga menimbulkan dampak tidak langsung berupa hilangnya atau berubahnya mata pencaharian masyarakat, khususnya masyarakat yang tinggal di tepi pantai, berkurangnya areal persawahan dataran rendah di dekat pantai yang akan berpengaruh terhadap ketahanan pangan, gangguan transportasi antarpulau, serta rusak atau hilangnya obyek wisata pulau dan pesisir.

Persetujuan . . .



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Persetujuan Paris merupakan perjanjian internasional tentang perubahan iklim yang bertujuan untuk menahan kenaikan suhu rata-rata global di bawah 2°C di atas tingkat di masa pra-industrialisasi dan melanjutkan upaya untuk menekan kenaikan suhu ke 1,5°C di atas tingkat pra-industrialisasi. Selain itu, Persetujuan Paris atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim yang selanjutnya disebut Persetujuan Paris diarahkan untuk meningkatkan kemampuan adaptasi terhadap dampak negatif perubahan iklim, menuju ketahanan iklim dan pembangunan rendah emisi, tanpa mengancam produksi pangan, dan menyiapkan skema pendanaan untuk menuju pembangunan rendah emisi dan berketahanan iklim.

Pemerintah Indonesia telah menandatangani *Paris Agreement to the United Nations Framework Convention on Climate Change* (Persetujuan Paris atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim) pada tanggal 22 April 2016 di New York, Amerika Serikat.

A. MANFAAT

Dengan mengesahkan Persetujuan Paris, Indonesia akan mendapatkan manfaat antara lain:

1. Peningkatan perlindungan wilayah Indonesia yang sangat rentan terhadap dampak perubahan iklim melalui mitigasi dan adaptasi perubahan iklim.

2. Peningkatan . . .



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2. Peningkatan pengakuan atas komitmen nasional dalam menurunkan emisi dari berbagai sektor, pelestarian hutan, peningkatan energi terbarukan dan peran serta masyarakat lokal dan masyarakat adat dalam pengendalian perubahan iklim yang selama ini diperjuangkan oleh Indonesia.
3. Menjadi Para Pihak yang dapat berperan serta (memiliki hak suara) dalam pengambilan keputusan terkait Persetujuan Paris, termasuk dalam pengembangan modalitas, prosedur dan pedoman pelaksanaan Persetujuan Paris.
4. Memperoleh kemudahan untuk mengakses sumber pendanaan, teknologi transfer, peningkatan kapasitas bagi implementasi aksi mitigasi dan adaptasi.

B. MATERI POKOK

1. Persetujuan Paris

Persetujuan Paris memuat materi pokok substansi sebagai berikut:

- a. Tujuan Persetujuan Paris adalah untuk membatasi kenaikan suhu global di bawah 2°C dari tingkat pra-industrialisasi dan melakukan upaya membatasinya hingga di bawah 1,5°C.
- b. Kewajiban masing-masing Negara untuk menyampaikan Kontribusi yang Ditetapkan Secara Nasional (*Nationally Determined Contributions*). Kontribusi penurunan tersebut harus meningkat setiap periode, dan negara berkembang perlu mendapatkan dukungan untuk meningkatkan ambisi tersebut.

c. Komitmen . . .



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- c. Komitmen Para Pihak untuk mencapai titik puncak emisi gas rumah kaca secepat mungkin dan melakukan upaya penurunan emisi secara cepat melalui aksi mitigasi.
- d. Pendekatan kebijakan dan insentif positif untuk aktivitas penurunan emisi dari deforestasi dan degradasi hutan serta pengelolaan hutan berkelanjutan, konservasi dan peningkatan cadangan karbon hutan termasuk melalui pembayaran berbasis hasil.
- e. Pengembangan kerja sama sukarela antarnegara dalam rangka penurunan emisi termasuk melalui mekanisme pasar dan nonpasar.
- f. Penetapan tujuan global adaptasi untuk meningkatkan kapasitas adaptasi, memperkuat ketahanan, dan mengurangi kerentanan terhadap perubahan iklim sebagai pengakuan bahwa adaptasi merupakan tantangan global yang membutuhkan dukungan dan kerja sama internasional khususnya bagi negara berkembang.
- g. Pengakuan pentingnya meminimalkan dan mengatasi kerugian dan kerusakan (*loss and damage*) akibat dampak buruk perubahan iklim.
- h. Kewajiban negara maju menyediakan sumber pendanaan untuk membantu Para Pihak negara berkembang dalam melaksanakan mitigasi dan adaptasi. Selain itu, pihak lain dapat pula memberikan dukungan secara sukarela.
- i. Peningkatan aksi kerja sama seluruh negara dalam hal pengembangan dan alih teknologi.
- j. Perlunya . . .



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- j. Perlunya kerja sama Para Pihak untuk memperkuat kapasitas negara berkembang dalam implementasi Persetujuan Paris dan kewajiban negara maju untuk memperkuat dukungan bagi peningkatan kapasitas di negara berkembang.
- k. Kerja sama Para Pihak dalam upaya penguatan pendidikan, pelatihan, kesadaran publik, partisipasi publik, dan akses publik terhadap informasi mengenai perubahan iklim.
- l. Pembentukan dan pelaksanaan kerangka kerja transparansi dalam rangka membangun rasa saling percaya dan meningkatkan efektivitas implementasi, meliputi aksi maupun dukungan dengan fleksibilitas bagi negara berkembang. Kerangka ini merupakan pengembangan dari yang sudah ada di bawah Konvensi.
- m. Pelaksanaan secara berkala inventarisasi dari implementasi Persetujuan Paris untuk menilai kemajuan kolektif dalam mencapai tujuan Persetujuan Paris (*global stocktake*) dimulai tahun 2023 dan selanjutnya dilakukan setiap lima tahun.
- n. Pembentukan mekanisme untuk memfasilitasi implementasi dan mendorong kepatuhan terhadap Persetujuan Paris.
- o. Persetujuan Paris berlaku pada hari ke-30 setelah 55 negara yang mencerminkan paling sedikit 55 % emisi global telah menyimpulkan piagam ratifikasi, penerimaan, penyetujuan atau akses kepada lembaga penyimpan (*depository*).
- p. Tidak ada persyaratan (*reservations*) yang dapat dibuat terhadap Persetujuan Paris.

2. Kontribusi . . .



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2. Kontribusi yang Ditetapkan Secara Nasional sebagai pernyataan komitmen implementasi Persetujuan Paris

Dalam rangka mencapai tujuan Persetujuan Paris, kontribusi nasional terhadap upaya global yang dituangkan dalam Kontribusi yang Ditetapkan Secara Nasional, semua Negara Pihak melaksanakan dan mengomunikasikan upaya ambisiusnya dan menunjukkan kemajuan dari waktu ke waktu, yang terkait dengan Kontribusi yang Ditetapkan Secara Nasional (mitigasi), adaptasi, dan dukungan pendanaan, teknologi dan pengembangan kapasitas bagi negara berkembang oleh negara maju.

Kontribusi yang Ditetapkan Secara Nasional (NDC) Indonesia mencakup aspek mitigasi dan adaptasi. Sejalan dengan ketentuan Persetujuan Paris, NDC Indonesia kiranya perlu ditetapkan secara berkala. Pada periode pertama, target NDC Indonesia adalah mengurangi emisi sebesar 29 % dengan upaya sendiri dan menjadi 41 % jika ada kerja sama internasional dari kondisi tanpa ada aksi (*business as usual*) pada tahun 2030, yang akan dicapai antara lain melalui sektor kehutanan, energi termasuk transportasi, limbah, proses industri dan penggunaan produk, dan pertanian. Komitmen NDC Indonesia untuk periode selanjutnya ditetapkan berdasarkan kajian kinerja dan harus menunjukkan peningkatan dari periode selanjutnya.

3. Peraturan Perundang-Undangan Nasional yang berkaitan dengan Persetujuan Paris

Indonesia memiliki peraturan perundang-undangan yang berkaitan dan mendukung pelaksanaan Persetujuan Paris. Peraturan itu didukung oleh perundang-undangan nasional yang terkait, antara lain:

a. Undang-Undang . . .



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- a. Undang-Undang Nomor 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria;
- b. Undang-Undang Nomor 5 Tahun 1990 tentang Konservasi Sumber Daya Alam Hayati dan Ekosistemnya;
- c. Undang-Undang Nomor 6 Tahun 1994 tentang Pengesahan *United Nations Framework Convention on Climate Change* (Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa mengenai Perubahan Iklim);
- d. Undang-Undang Nomor 41 Tahun 1999 tentang Kehutanan;
- e. Undang-Undang Nomor 22 Tahun 2001 tentang Minyak dan Gas;
- f. Undang-Undang Nomor 17 Tahun 2004 tentang Pengesahan *Kyoto Protocol to the United Nations Framework Convention on Climate Change* (Protokol Kyoto atas Konvensi Kerangka Kerja Perserikatan Bangsa-Bangsa tentang Perubahan Iklim);
- g. Undang-Undang Nomor 30 Tahun 2007 tentang Energi;
- h. Undang-Undang Nomor 18 Tahun 2008 tentang Pengelolaan Sampah;
- i. Undang-Undang Nomor 4 Tahun 2009 tentang Pertambangan Mineral dan Batubara;
- j. Undang-Undang Nomor 31 Tahun 2009 tentang Meteorologi, Klimatologi, dan Geofisika;
- k. Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup;
- l. Undang-Undang Nomor 18 Tahun 2013 tentang Pencegahan dan Pemberantasan Perusakan Hutan.

II. PASAL . . .



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II. PASAL DEMI PASAL

Pasal 1

Dalam hal terjadi perbedaan penafsiran antara naskah terjemahan dalam bahasa Indonesia dengan salinan naskah aslinya dalam bahasa Inggris, yang berlaku adalah salinan naskah aslinya dalam bahasa Inggris.

Pasal 2

Cukup jelas.

TAMBAHAN LEMBARAN NEGARA REPUBLIK INDONESIA NOMOR 5939



PARIS AGREEMENT



UNITED NATIONS
2015

PARIS AGREEMENT

The Parties to this Agreement,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as "the Convention",

Pursuant to the Durban Platform for Enhanced Action established by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth session,

In pursuit of the objective of the Convention, and being guided by its principles, including the principle of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances,

Recognizing the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge,

Also recognizing the specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, as provided for in the Convention,

Taking full account of the specific needs and special situations of the least developed countries with regard to funding and transfer of technology,

Recognizing that Parties may be affected not only by climate change, but also by the impacts of the measures taken in response to it,

Emphasizing the intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty,

Recognizing the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change,

Taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities,

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their 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,

Recognizing the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of the greenhouse gases referred to in the Convention,

Noting the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth, and noting the importance for some of the concept of "climate justice", when taking action to address climate change,

Affirming the importance of education, training, public awareness, public participation, public access to information and cooperation at all levels on the matters addressed in this Agreement,

Recognizing the importance of the engagements of all levels of government and various actors, in accordance with respective national legislations of Parties, in addressing climate change,

Also recognizing that sustainable lifestyles and sustainable patterns of consumption and production, with developed country Parties taking the lead, play an important role in addressing climate change,

Have agreed as follows:

Article 1

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

(a) "Convention" means the United Nations Framework Convention on Climate Change, adopted in New York on 9 May 1992;

(b) "Conference of the Parties" means the Conference of the Parties to the Convention;

(c) "Party" means a Party to this Agreement.

Article 2

1. This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by:

(a) Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

(b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and

(c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.

2. This Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Article 3

As nationally determined contributions to the global response to climate change, all Parties are to undertake and communicate ambitious efforts as defined in Articles 4, 7, 9, 10, 11 and 13 with the view to achieving the purpose of this Agreement as set out in Article 2. The efforts of all Parties will represent a progression over time, while recognizing the need to support developing country Parties for the effective implementation of this Agreement.

Article 4

1. In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.
2. Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions.
3. Each Party's successive nationally determined contribution will represent a progression beyond the Party's then current nationally determined contribution and reflect its highest possible ambition, reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.
4. Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances.
5. Support shall be provided to developing country Parties for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions.
6. The least developed countries and small island developing States may prepare and communicate strategies, plans and actions for low greenhouse gas emissions development reflecting their special circumstances.
7. Mitigation co-benefits resulting from Parties' adaptation actions and/or economic diversification plans can contribute to mitigation outcomes under this Article.

8. In communicating their nationally determined contributions, all Parties shall provide the information necessary for clarity, transparency and understanding in accordance with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to this Agreement.

9. Each Party shall communicate a nationally determined contribution every five years in accordance with decision 1/CP.21 and any relevant decisions of the Conference of the Parties serving as the meeting of the Parties to this Agreement and be informed by the outcomes of the global stocktake referred to in Article 14.

10. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall consider common time frames for nationally determined contributions at its first session.

11. A Party may at any time adjust its existing nationally determined contribution with a view to enhancing its level of ambition, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

12. Nationally determined contributions communicated by Parties shall be recorded in a public registry maintained by the secretariat.

13. Parties shall account for their nationally determined contributions. In accounting for anthropogenic emissions and removals corresponding to their nationally determined contributions, Parties shall promote environmental integrity, transparency, accuracy, completeness, comparability and consistency, and ensure the avoidance of double counting, in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

14. In the context of their nationally determined contributions, when recognizing and implementing mitigation actions with respect to anthropogenic emissions and removals, Parties should take into account, as appropriate, existing methods and guidance under the Convention, in the light of the provisions of paragraph 13 of this Article.

15. Parties shall take into consideration in the implementation of this Agreement the concerns of Parties with economies most affected by the impacts of response measures, particularly developing country Parties.

16. Parties, including regional economic integration organizations and their member States, that have reached an agreement to act jointly under paragraph 2 of this Article shall notify the secretariat of the terms of that agreement, including the emission level allocated to each Party within the relevant time period, when they communicate their nationally determined contributions. The secretariat shall in turn inform the Parties and signatories to the Convention of the terms of that agreement.

17. Each party to such an agreement shall be responsible for its emission level as set out in the agreement referred to in paragraph 16 of this Article in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.

18. If Parties acting jointly do so in the framework of, and together with, a regional economic integration organization which is itself a Party to this Agreement, each member State of that regional economic integration organization individually, and together with the regional economic integration organization, shall be responsible for its emission level as set out in the agreement communicated under paragraph 16 of this Article in accordance with paragraphs 13 and 14 of this Article and Articles 13 and 15.

19. All Parties should strive to formulate and communicate long-term low greenhouse gas emission development strategies, mindful of Article 2 taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

Article 5

1. Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases as referred to in Article 4, paragraph 1 (d), of the Convention, including forests.

2. Parties are encouraged to take action to implement and support, including through results-based payments, the existing framework as set out in related guidance and decisions already agreed under the Convention for: policy approaches and positive incentives for activities relating to reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries; and alternative policy approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests, while reaffirming the importance of incentivizing, as appropriate, non-carbon benefits associated with such approaches.

Article 6

1. Parties recognize that some Parties choose to pursue voluntary cooperation in the implementation of their nationally determined contributions to allow for higher ambition in their mitigation and adaptation actions and to promote sustainable development and environmental integrity.

2. Parties shall, where engaging on a voluntary basis in cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions, promote sustainable development and ensure environmental integrity and transparency, including in governance, and shall apply robust accounting to ensure, inter alia, the avoidance of double counting, consistent with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement.

3. The use of internationally transferred mitigation outcomes to achieve nationally determined contributions under this Agreement shall be voluntary and authorized by participating Parties.

4. A mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development is hereby established under the authority and guidance of the Conference of the Parties serving as the meeting of the Parties to this Agreement for use by Parties on a voluntary basis. It shall be supervised by a body designated by the Conference of the Parties serving as the meeting of the Parties to this Agreement, and shall aim:

(a) To promote the mitigation of greenhouse gas emissions while fostering sustainable development;

(b) To incentivize and facilitate participation in the mitigation of greenhouse gas emissions by public and private entities authorized by a Party;

(c) To contribute to the reduction of emission levels in the host Party, which will benefit from mitigation activities resulting in emission reductions that can also be used by another Party to fulfil its nationally determined contribution; and

(d) To deliver an overall mitigation in global emissions.

5. Emission reductions resulting from the mechanism referred to in paragraph 4 of this Article shall not be used to demonstrate achievement of the host Party's nationally determined contribution if used by another Party to demonstrate achievement of its nationally determined contribution.

6. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall ensure that a share of the proceeds from activities under the mechanism referred to in paragraph 4 of this Article is used to cover administrative expenses as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

7. The Conference of the Parties serving as the meeting of the Parties to this Agreement shall adopt rules, modalities and procedures for the mechanism referred to in paragraph 4 of this Article at its first session.

8. Parties recognize the importance of integrated, holistic and balanced non-market approaches being available to Parties to assist in the implementation of their nationally determined contributions, in the context of sustainable development and poverty eradication, in a coordinated and effective manner, including through, inter alia, mitigation, adaptation, finance, technology transfer and capacity-building, as appropriate. These approaches shall aim to:

- (a) Promote mitigation and adaptation ambition;
- (b) Enhance public and private sector participation in the implementation of nationally determined contributions; and
- (c) Enable opportunities for coordination across instruments and relevant institutional arrangements.

9. A framework for non-market approaches to sustainable development is hereby defined to promote the non-market approaches referred to in paragraph 8 of this Article.

Article 7

1. Parties hereby establish the global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, with a view to contributing to sustainable development and ensuring an adequate adaptation response in the context of the temperature goal referred to in Article 2.
2. Parties recognize that adaptation is a global challenge faced by all with local, subnational, national, regional and international dimensions, and that it is a key component of and makes a contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems, taking into account the urgent and immediate needs of those developing country Parties that are particularly vulnerable to the adverse effects of climate change.
3. The adaptation efforts of developing country Parties shall be recognized, in accordance with the modalities to be adopted by the Conference of the Parties serving as the meeting of the Parties to this Agreement at its first session.
4. Parties recognize that the current need for adaptation is significant and that greater levels of mitigation can reduce the need for additional adaptation efforts, and that greater adaptation needs can involve greater adaptation costs.
5. Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.
6. Parties recognize the importance of support for and international cooperation on adaptation efforts and the importance of taking into account the needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change.
7. Parties should strengthen their cooperation on enhancing action on adaptation, taking into account the Cancun Adaptation Framework, including with regard to: