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Legal and Institutional Aspects of the Future Climate Regime



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The international negotiations on the UN Framework Convention on Climate Change (UNFCCC) currently mainly focus on the design of the future climate regime. Ecologic Legal provides expert advice to the German Federal Ministry of the Environment, Nature Conservation, Construction and Nuclear Safety, especially on the development and assessment of German and EU positions. The project builds on the work of the earlier project "Further legal and institutional aspects of the international post-2012-climate negotiations."

For more than 25 years, the international community has been seeking to address climate change at the multilateral level - but so far only with limited success. The 1992 UNFCCC provides a framework for climate action but does not contain specific mitigation obligations. The Conference of the Parties (COP), which meets annually to implement and further develop the international climate regime, adopted in the 1997 Kyoto Protocol quantified mitigation targets - at least for industrialised countries. However, these targets expire originally in 2012, and - after a extension that has not yet entered into force- in 2020 at the latest. No such targets exist for developing countries.

The Paris Agreement, which was adopted in December 2015 by the COP21, is a milestone. Once it enters into force, the Agreement will be an international legally binding treaty that establishes for the first time obligations for all states to submit mitigation

contributions every five years, and to report on the implementation. A stocktake process will regularly assess these contributions with respect to the joint objective to keep temperature increase well below 2°C.

The project aims to provide expert advice to the German government on institutional and legal matters of the international climate negotiations through the analysis of submissions and positions of other negotiation parties and the preparation of German and EU positions. The outcome of the Paris COP determine in many thematic areas the next steps in the negotiations. Therefore, the project will focus on the implementation and further design of the future regime under the Paris Agreement - but also on those topics that are still controversial.

In particular, Ecologic Institute's part in this project is to provide advice on matters of international law. Ecologic Institute aims to assist in the international and European discussions through specialist advice and to develop solutions that preserve and enhance the functionality of the international process and international climate protection. The concrete tasks include:

- Specialist legal support to the Ministry for the Environment, Nature Conservation and Nuclear Safety through the preparation of legal analyses, background papers as well as position papers and negotiation offers;
- Assessment of submissions of third Parties as well as bodies and working groups of the climate regime; the development of the institute's own proposals as needed taking political objectives, the specific negotiation situation and legal implications into account;
- Preparation for and the participation in EU positionings and EU expert groups (especially the Expert Group for Legal Questions, EG LEX);
- Preparation for and participation in the official meetings on the UN Framework Convention on Climate Change and the Kyoto Protocol

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- [Further Legal and Institutional Aspects of the International Post-2012-climate Negotiations](#)

Funding

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