

# Article 6 Paris Agreement Environmental Integrity of Real, Verified ITMOs

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# Centre for Sustainable Development Law and Policy (CSDLP)



## Our Aim

Advancing sustainable development through research across intersecting thematic areas



## Our Mission

Extending collaborative links to improve climate literacy, research and engagement, with researchers, students, NGOs and civil society (locally and globally)

**Durham University**  
Centre for Sustainable  
Development Law and Policy

Annual Report  
2022-2023



# CSDLP initiatives



‘The Global Stocktake and International Law: Paradigm, Process, and Ambition’ International Conference.



Early Career Researchers Workshop for Cross-disciplinary Sustainability Challenges



Research-led Curriculum Innovation for Sustainable Futures: Durham-Uppsala Collaboration on Intergenerational Preparedness



CSDLP event at COP27 Climate Education Hub (‘Collaboration in Research and Education’)

## Aiming for 1.5°C: Science, Law & the Global Stocktake

*Strengthening intersecting cryosphere science & law in interpreting the Paris Agreement’s temperature thresholds*  
*Emphasising the role of academic research in developing the GST as a legal process*

### The Scientific Urgency

- The current trajectory of GHG emissions will lead to **irreversible impacts** because of the cryosphere’s long-term response & the potential to cross **critical thresholds** for each increment above 1.5°C.
- Thawing **permafrost emissions & sea level rise**, triggered by global warming, pose a real threat to intergenerational equity.
- Ocean-based mitigation & adaptation** could play a big role in achieving the 1.5°C goal and addressing climate impacts to marine biodiversity & coastal communities.

### The Legal Implications

- COP/CMA decisions can constitute authentic means of **treaty interpretation** (Art. 31(3)(a) 1969 VCLT).
- COP 26 & 27 decisions emphasising the scientific urgency suggest a common understanding among Parties that **1.5°C is the target** that should be pursued.
- Scientific evidence forms the basis of **evolving case law** that climate targets in countries taking a leadership role should be modelled in accordance with the 1.5°C target.

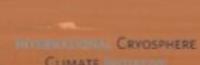
**Policy Alignment for 1.5°C: The Global Stocktake**

- Domestic policy & law frameworks & climate targets should be **aligned with the 1.5°C temperature limit** especially in countries that take a leadership role.
- The Ocean Dialogue indicates that clear mandates & ocean-specific assessment tools & targets are needed in the GST to fully account for Parties’ **ocean-based actions & needs** under NDCs.
- Interdisciplinary academic research, such as on cryospheric limits, is a **key part** of supporting the GST as a **robust international, legal process**.

**Role of Academia**

- Academia-country collaboration** should be supported & recognised as a means to develop best practices in achieving country-specific transitions to a low-carbon economy.
- Cooperating** with academics can help provide clarity of the nature of the mechanism in operationalising the link between the GST & NDCs.





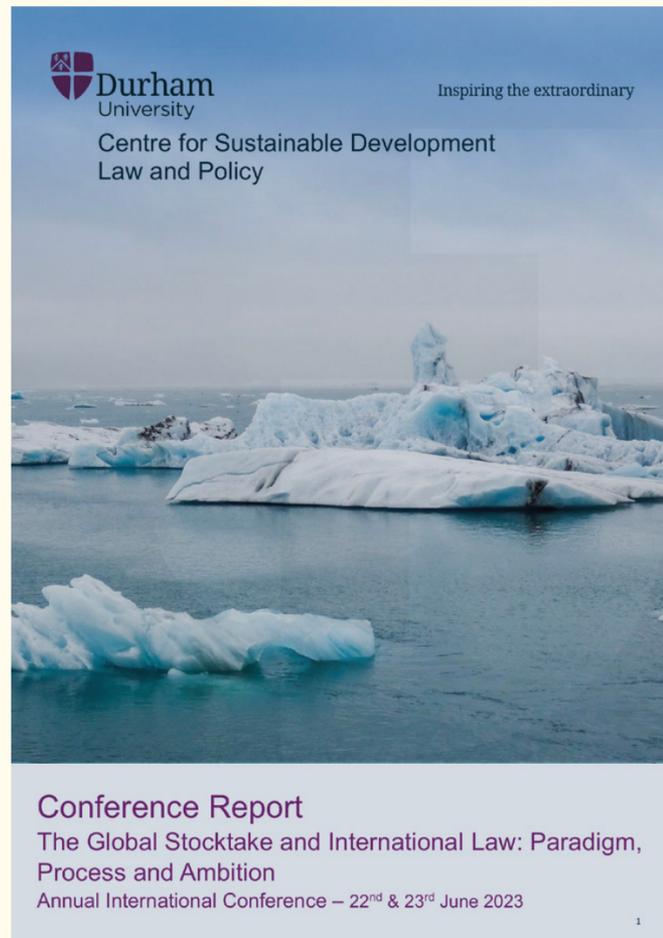
Scan the QR code to access the full GST submission!



Joint submission (CSDLP, CIL/NUS, ICCI) to the GST 2023

# The Global Stocktake & the Paris Agreement

- Workshop series organised by CSDLP and CIL/NUS, with the support & participation of the UNFCCC Secretariat
- International conference June 2023 in Durham



**The Global Stocktake 2023, Two-Part Workshop Series: First Workshop - Oceans, and Climate Change and the Global Stocktake**

Research event | Talks, training, seminars & conferences | Sustainability

**The Global Stocktake 2023: Two-Part Workshop Series**  
First Workshop - Oceans, and Climate Change and the Global Stocktake  
Online | 4 October 2022 4pm – 6:30pm SGT, 10am – 12:30pm CET, 9am – 11:30am BST

Register online: 

NUS Centre for International Law and DU Centre for Sustainable Development Law and Policy, with the support and participation of the UNFCCC Secretariat, are organising a series of workshop on the Global Stocktake.

Register →

4 October 2022 - 4 October 2022  
9:00AM - 11:30AM  
Online  
Add to calendar

Free

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# Article 6 Paris Agreement

**Art. 6.2**



Bilateral or multilateral  
“cooperative approaches”  
market based, involving ITMOs

**Art. 6.4**



CMA governed market  
mechanism (similar to CDM?)

**Art. 6.8**



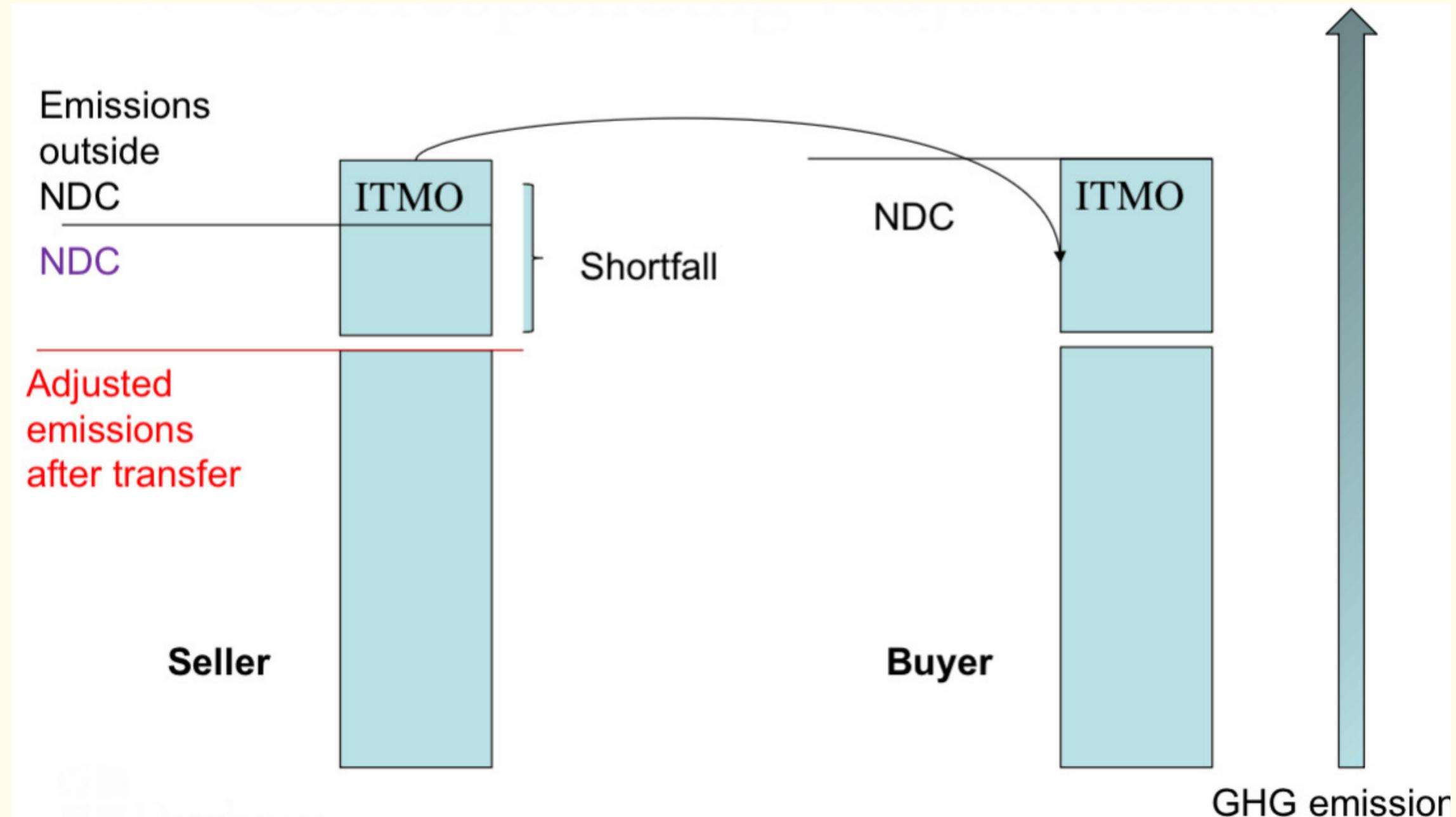
Non-market based approaches  
not based on the transfer of  
mitigation outcomes

# Article 6.2 Paris Agreement

- **Bilateral/multilateral ‘cooperative approaches’:**
  - 2+ States can adopt market-based approaches to generate & use **internationally transferred mitigation outcomes (ITMOs)** to demonstrate their NDC compliance
- Flexibility in ‘cooperative approaches’ as these are not subject to CMA oversight
- BUT: ‘[W]here engaging on a voluntary basis in cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions, **Parties shall:**
  - Promote sustainable development
  - Ensure environmental integrity & transparency
  - Apply robust accounting & avoid double counting

# Corresponding Adjustments

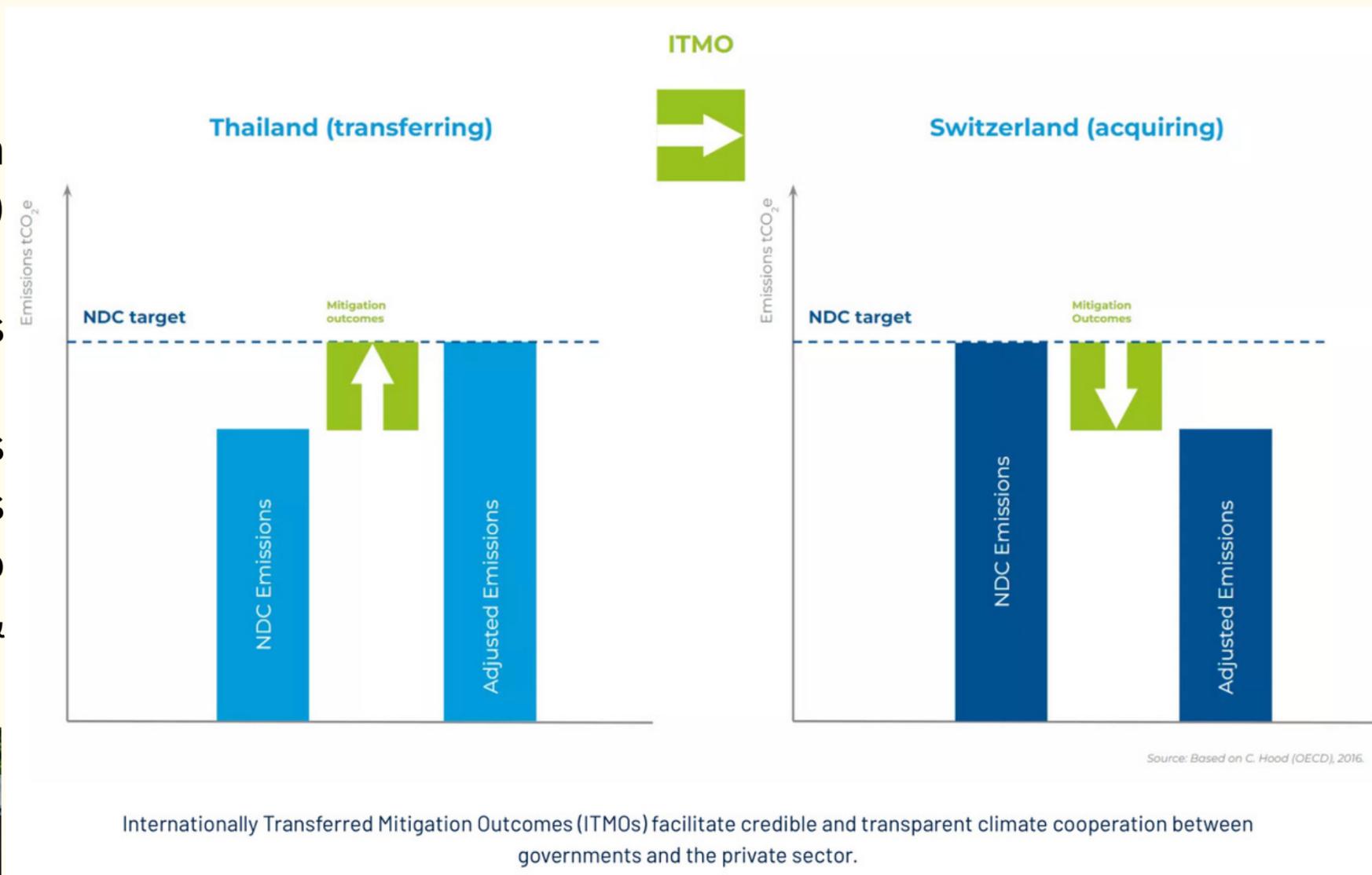
- Art.6.2 requires Parties to apply corresponding adjustments to prevent more than one country counting the emissions reductions towards their NDC



# Article 6.2: Case Study

## Switzerland–Thailand bilateral agreement June 2022: Bangkok E-Bus Programme

- Klik Foundation (Switzerland) purchases the carbon reductions generated by Energy Absolute (Thailand) from the E-Bus Programme
- The carbon credits are then counted towards **Switzerland's NDC**
- Although Thailand cannot use the carbon credits towards the Thai NDC or its climate commitments to the UN, Thailand benefits from climate finance to replace approx 2,000 diesel buses with e-buses & associated infrastructure



# Article 6.4 Paris Agreement

- A mechanism to contribute to the mitigation of GHG emissions and support sustainable development
- Operates under the ‘authority and guidance’ of the CMA, governed by a Supervisory Body
- Considered to be the successor of the Kyoto Protocol’s Clean Development Mechanism (CDM)
- Supervisory Body to approve eligible methodologies for the mitigation activities (various approaches for defining baselines for activities)
- Generated mitigation outcomes can be traded as ITMOs

# Concluding Remarks

- The projected total global GHG emission level taking into account full implementation of all latest NDCs (including all conditional elements) implies an even stronger possibility of global emissions peaking before 2030
- The total global GHG emission level in 2030 taking into account implementation of all latest NDCs is estimated to be **10.6 per cent above the 2010 level** and **0.3 per cent below the 2019 level**
- The conditional elements of the NDCs need to be implemented, which depends on the availability of market-based mechanisms (inter alia)
- There is a need to integrate legal and scientific research **to develop standards for the implementation of market based instruments through best practices**

# Thank you!

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