

# **COMMON TIME FRAMES FOR NATIONALLY DETERMINED CONTRIBUTIONS REFERRED TO IN ARTICLE 4, PARAGRAPH 10, OF THE PARIS AGREEMENT**

## **SUBMISSION BY BRAZIL**

23 April 2018

1. The Subsidiary Body for Implementation at its forty-seventh session (SBI 47) invited Parties and observers to submit their views on common time frames for Nationally Determined Contributions (NDCs) referred to in Article 4, paragraph 10, (Art. 4.10) of the Paris Agreement (FCCC/SBI/2017/L.20), for consideration at SBI 48. Brazil welcomes the opportunity to submit views on this issue.

### **BACKGROUND**

2. Common time frames for NDCs are essential for the Paris Agreement to offer an effective, progressively and durable framework for the global response to climate change. The Agreement determines the periodicity of the presentation of NDCs and of the Global Stocktakes (GST) and how these two processes are to be interrelated. In sum, Parties are legally-bound to communicate NDCs every five years (Art. 4.9), in succession (Art. 4.2), i.e. with consecutive implementation periods, and that represent a progression beyond their current NDC (Art. 4.3). Future rounds of NDCs will cover successive periods after the end point of previous NDCs. In this exercise, Parties shall be informed by the GST (Art. 4.9 and 14.3), starting in 2023 and every five years thereafter (Art. 14.2).

3. Work under this agenda item is based on Article 4.10 of the Agreement, whose purpose was to allow Parties to reach a common understanding about common time frames for NDCs. This exercise was not possible before or during COP-21 because Parties had already communicated their iNDCs, with time frames either of 2025 or 2030. As a result, decision 1/CP.21, paragraphs 23 and 24, applies only to the first round of NDCs, indicating that before 2020 Parties that have put forward an NDC up to 2025 should communicate a new one (up to 2030), while Parties with NDCs up to 2030 should update their contributions. These two paragraphs already establish an expectation that Parties align the periods of implementation of their contributions.

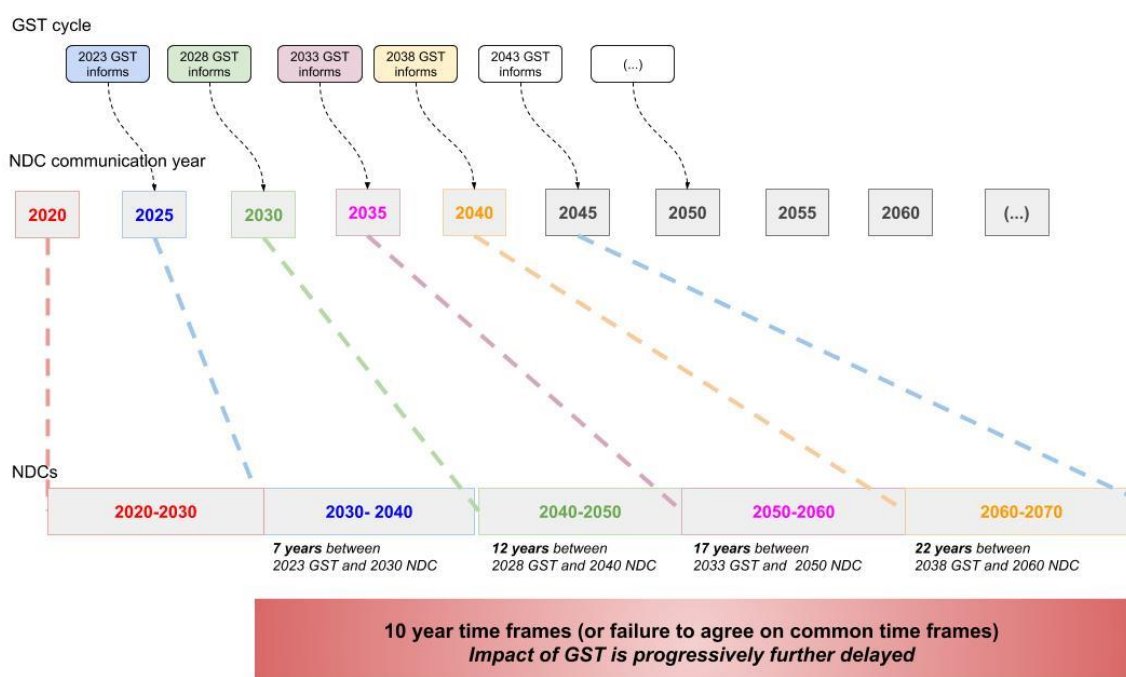
4. It is important to highlight the successive nature of each NDC, as per Article 4.2, and its implications. There is neither an expectation nor an obligation to update existing NDCs midway through their implementation. Article 4.11 does not apply to successive NDCs, only to existing efforts - it makes clear that countries do not have to wait to update their efforts and serves as a safeguard against changes towards lower ambition. The successive characteristic of NDCs was specifically adopted instead of proposals of "midterm reviews" or "two-step approach", dismissed during the Paris Agreement negotiations. Such approaches might create perverse incentives for lower ambition in NDCs, as Parties would hedge for a midterm upwards revision. Any in-built expectation for such would create uncertainty for implementation of domestic mitigation actions, including in the private sector.

5. Given the nature of the problem of climate change, Parties will only be in a position to consider progressively enhancing their efforts if they have assurances that other Parties will also consider enhancing theirs. NDCs with different timeframes do not provide such assurances, creating an incentive for Parties to put forward NDCs with longer timeframes.

6. As NDCs are to be successive, the lack of common time frames would result in a cumulative problem: NDCs with end points further from the year of communication would be prepared further detached from the GSTs. Longer time frames thus undermine the potential for impact of the GSTs in informing, every 5 years, enhanced ambition of future efforts, thus undermining the effectiveness of the agreement itself and the usefulness of future editions of the GST. Potentially, longer time frames may lead to questioning the 5-year periodicity of the GST mandated in the Agreement.

7. It would be unreasonable to expect NDCs with shorter time frames to be subject to the assessment cycle more often than those with longer timeframes. This would create a perverse incentive towards longer time frames, weakening the link of the progressive response under the ambition cycles of the Paris Agreement after each GST by exponentially distancing the impact of the GSTs from NDCs end points, as illustrated in figure 1 below:

Figure 1. Communicating a successive NDC every 5 years, with a 10-year period between the end points of successive NDCs



## PROPOSAL FOR COMMON TIME FRAMES

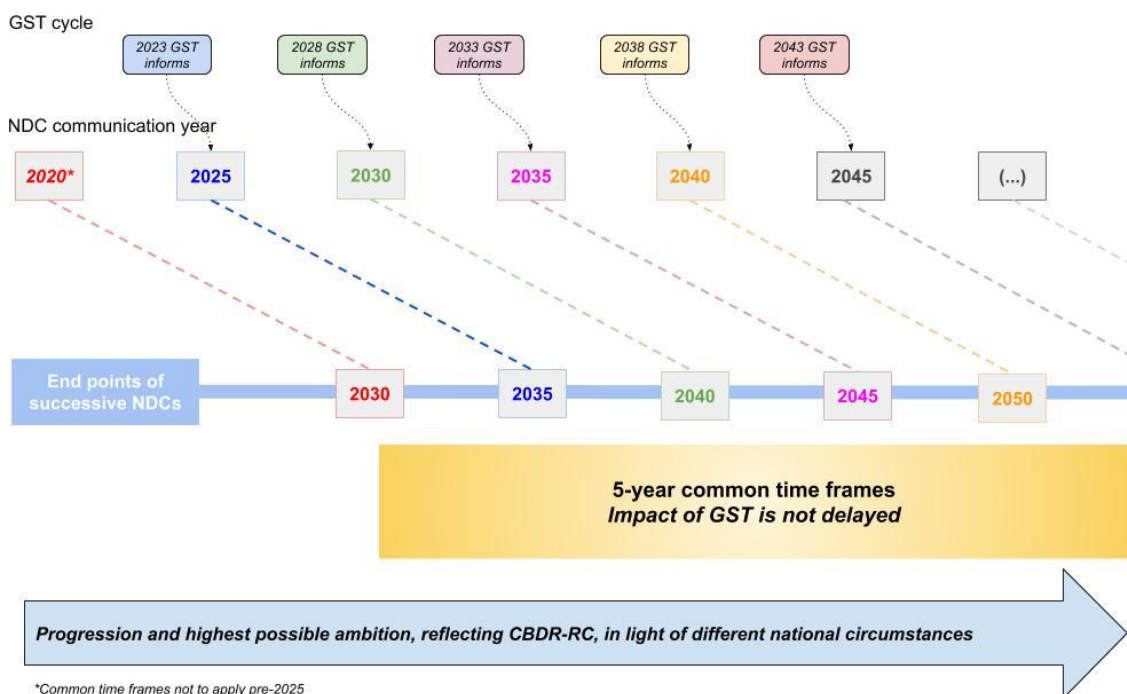
8. An agreement around common time frames is therefore needed to eliminate uncertainty around potential expectations for "mid-term" reviews of NDCs and to ensure that the GSTs will have an impact on informing the elaboration of Parties' successive NDCs. Common time frames should apply to future NDCs to be communicated initially in 2025 and every five years thereafter with end points after 2030. The outcomes under this agenda item should not apply to existing NDCs.<sup>1</sup>

9. In practice, common timeframes of 5 years between the end points of two successive NDCs would require that NDCs communicated by 2025 have a time horizon up to 2035; NDCs communicated by 2030, up to 2040; and so forth.

<sup>1</sup> As established by decision 1/CP.21 para. 24, NDCs communicated by 2020 would have a horizon up to 2030.

10. Such an approach would ensure the role of the GST in informing Parties to enhance their successive efforts every five years, while also assuring Parties that all will consider moving towards higher ambition over time in a coordinated manner, thus reducing potential uncertainties in collective action, as illustrated in figure 2 below:

Figure 2. Communicating a successive NDC every 5 years, with a 5-year period between the end points of successive NDCs



11. Common time frames of 5 years do not compromise Parties' longer term national planning processes. Longer-term planning periods would be better addressed through the long-term low-greenhouse gas emission development strategies referred to in Article 4.19.

Proposed next steps:

12. SBI is invited to acknowledge, as a conclusion of discussions at SBI-47, that an outcome under this agenda item will only apply to NDCs to be communicated by 2025, with time frames after 2030.

13. The SBI is also invited to consider recommending Parties adopt a decision at COP-24 that would include the following elements:

- a) reference to discussions under this agenda item;
- b) reaffirm that, pursuant to decision 1/CP.21, paragraphs 23 and 24, Parties who have communicated an intended NDC with a 2025 target should communicate by 2020 a new NDC with a 2030 target, and Parties who have communicated an intended NDC with a 2030 target should communicate a new or updated NDC with a 2030 year target; and
- c) agree that future successive NDCs will have common time frames of five years between the end points of two successive NDCs, to be communicated every 5 years starting in 2025.