# ecbi



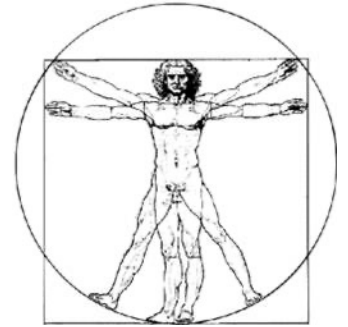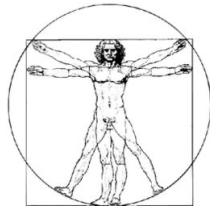## Critical issues related to Article 21.c

Orlando Rey Santos

Cuba (climate advisor)

for sustained capacity building in support of international climate change negotiations

pour un renforcement durable des capacités en appui aux négociations internationales sur les changements climatiques

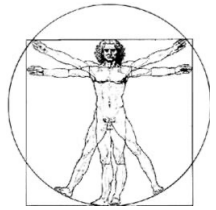# 1. Is there a mandate for dedicated Art. 2.1.c negotiations?

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Unlike 2.1.a (mitigation), which is cross referenced in 4.1 and 2.1.b (adaptation) which is cross referenced in 7.1, there is no similar reference for Article 2, paragraph 1(c) in the text of the PA,

That leaves it open for discussion, whether it is mandated in the PA to build on this article or if it may be considered a declarative goal, not requiring further negotiation. as 'legally non-prescriptive'. limited to setting out what the Agreement 'aims' to do.
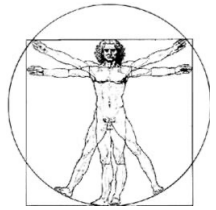
# 2. Scope and Remit

As the scope of Article 2.1c goes beyond climate finance and involves other financial flows that would have to be assessed against the PA goals, it may be the subject of discussion whether this is in the PA's mandate such "non-climate finance". It should also be considered that 2.1.c involves a diversity of actors who are not legally bound by (outside the remit) of the decisions issued by the COP or the CMA.

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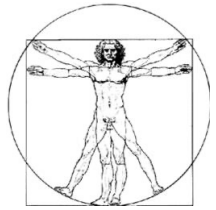# 3. Relationship with Article 9 of the Paris Agreement.

Interpretations of negotiators on how these two articles relate to each other range from Article 9 having no relation to Article 2.1c to Article 9 as inherently part of Article 2.1c, since it also concerns financial flows.

In this context developing countries are concerned that increasing attention on Article 2.1c could lead developed countries to neglect their obligations under Article 9.
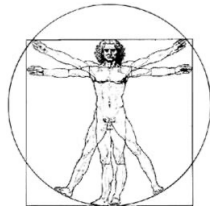
Negotiation on 2.1.c taking the form of policy prescription

Potential conflicts between climate and development goals.

1. Is there a mandate for dedicated Art. 2.1.c negotiations?

2. Scope and Remit

3. Relationship with Article 9 of the Paris Agreement

4. Concern with unintended consequences of 2.1.c negotiations