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Conventions and Protocols for Climate Change Mitigation: CLAT PG

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Climate change law can feel like an alphabet soup of acronyms, UNFCCC, CDM, NDC, CBDR, until you see how neatly these pieces actually fit together. Once you understand the story connecting them, this becomes one of the most scoring topics in your environmental law preparation.

This guide walks you through the major conventions and protocols for climate change mitigation, explaining what each one actually does, how they connect to each other, and where India stands in this global framework.

Why This Topic Deserves Special Attention

Climate change mitigation refers to efforts aimed at reducing or preventing the emission of greenhouse gases, as opposed to adaptation, which deals with adjusting to climate impacts that are already happening. Exams frequently test this distinction alongside the specific treaties built around it.

The subject follows a clear historical arc, from a broad framework convention, to a rigid protocol with binding targets, to a flexible modern agreement built on voluntary national pledges. Understanding this arc makes the individual treaties far easier to place and remember.

The United Nations Framework Convention on Climate Change, 1992

The story begins with the UNFCCC, adopted at the Rio Earth Summit in 1992 and entering into force in 1994. This treaty did not set any binding emission targets itself. Instead, it created the overarching framework and institutional structure within which all future climate negotiations, including the Kyoto Protocol and the Paris Agreement, would operate.

The UNFCCC divided countries into Annex I, mainly industrialised nations, and Non-Annex I, largely developing nations, establishing the foundation for differentiated treatment based on each country's historical contribution and capacity. This is where the principle of Common But Differentiated Responsibilities, or CBDR, was formally written into a binding climate treaty.

The annual Conference of the Parties, commonly called COP, is the supreme decision making body under the UNFCCC, and it is this same COP structure that later adopted both the Kyoto Protocol and the Paris Agreement.

The Kyoto Protocol, 1997

Adopted in Kyoto, Japan, and entering into force in 2005, this protocol was the first treaty to impose legally binding emission reduction targets, though only on Annex I, meaning developed, countries. This asymmetry directly reflected the CBDR principle established in the UNFCCC.

The three flexibility mechanisms. To make compliance more cost effective, the Kyoto Protocol introduced three market based mechanisms, and this is a favourite area for exam questions.

Joint Implementation, under Article 6 of the Protocol, allowed one Annex I country to invest in an emission reduction project in another Annex I country, generating tradable Emission Reduction Units.

The Clean Development Mechanism, or CDM, under Article 12, allowed Annex I countries to invest in emission reduction projects specifically in developing, or Non-Annex I, countries, generating Certified Emission Reductions that could count toward the investing country's own target.

International Emissions Trading, under Article 17, allowed Annex I countries with surplus emission allowances to sell them to countries exceeding their own targets, functioning as a cap and trade system between nations.

Illustration: If a developed country invests in a wind energy project in a developing country instead of reducing emissions domestically, it can claim Certified Emission Reduction credits under the CDM toward its own Kyoto target, since the atmospheric benefit of reducing emissions is the same regardless of where the reduction physically occurs.

The Kyoto Protocol's major limitation was that it never bound major emerging economies like China and India to any reduction targets, and the United States never ratified it, significantly limiting its overall global impact. This gap eventually paved the way for a more universal successor agreement.

The Paris Agreement, 2015

Adopted at COP21 in Paris and entering into force in November 2016, this agreement fundamentally changed the structure of global climate cooperation. Rather than imposing binding targets from the top down, as Kyoto did, the Paris Agreement relies on a bottom up system of Nationally Determined Contributions, or NDCs, submitted voluntarily by every participating country.

Under Article 4 of the Paris Agreement, each country sets its own NDC and must update it every five years with progressively more ambitious targets, a process often called the ratchet mechanism. Before the Paris Agreement formally entered into force, these pledges were called Intended Nationally Determined Contributions, or INDCs, with the word "intended" dropped once the treaty took legal effect.

The Agreement's headline goal is to limit global average temperature rise to well below 2 degrees Celsius above pre-industrial levels, while pursuing efforts to limit the increase to 1.5 degrees Celsius.

Article 6 of the Agreement provides for cooperative approaches between countries to achieve their NDCs, including both market based mechanisms, essentially a successor to Kyoto's carbon trading concept, and non-market cooperation like technology transfer.

The Agreement also introduced the **Global Stocktake**, a periodic review conducted every five years to assess the world's collective progress toward these climate goals and inform the next round of NDCs.

The Montreal Protocol and the Kigali Amendment

Although the Montreal Protocol, adopted in 1987, was originally designed to phase out ozone depleting substances, it has become directly relevant to climate change mitigation through the Kigali Amendment of 2016.

This amendment added hydrofluorocarbons, or HFCs, powerful greenhouse gases used widely in refrigeration and air conditioning, to the list of substances requiring phased reduction. Since HFCs do not deplete the ozone layer but contribute significantly to global warming, the Kigali Amendment effectively repurposed an ozone treaty into a meaningful climate mitigation tool.

India's Position in the Global Climate Framework

India ratified the UNFCCC in 1993 and the Paris Agreement in 2016. India's first NDC, submitted in October 2015, committed to reducing emissions intensity of GDP by 33 to 35 percent below 2005 levels by 2030, along with achieving 40 percent of installed electric capacity from non-fossil fuel sources.

At COP26 in Glasgow in 2021, India announced an enhanced set of five commitments, popularly called **Panchamrit**, meaning five nectar elements. These include reaching 500 gigawatts of non-fossil energy capacity by 2030, meeting 50 percent of energy requirements from renewable sources by 2030, reducing total projected carbon emissions by one billion tonnes by 2030, cutting emissions intensity of GDP by 45 percent by 2030, and achieving net zero emissions by 2070.

In August 2022, India's Union Cabinet formally updated its NDC to reflect these enhanced Panchamrit targets, raising its emissions intensity reduction target from 33-35 percent to 45 percent, and its non-fossil capacity target from 40 percent to 50 percent by 2030.

Illustration: India's choice of 2070, rather than 2050 like many developed nations, as its net zero target reflects the CBDR principle in practice. India argues that since its historical contribution to cumulative global emissions remains comparatively low, a later net zero timeline is consistent with equitable climate responsibility.

Domestically, India regulates environmental and climate related compliance primarily through the Environment (Protection) Act, 1986, which empowers the Central Government to take measures for protecting and improving environmental quality, forming the backbone of statutory implementation for India's international climate commitments.

Conclusion

Conventions and protocols for climate change mitigation are not a random list of treaties to memorise. They tell one continuous story of the world learning, through trial and adjustment, how

to balance environmental urgency with the practical realities of national sovereignty and development.

Once you connect the UNFCCC, the Kyoto Protocol, the Paris Agreement, and India's evolving NDC commitments into this single narrative, this subject becomes one of the most logical and scoring parts of your environmental law preparation.