

Legal status of para.7, NCQG Decision

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Query:

Paragraph 8 of Decision 1/CMA.6 defines a goal. Paragraph 7 of the same Decision does not mention what the 'at least USD 1.3 trillion per year by 2035' figure and target is. What does paragraph 7 define?

Could you research how other financial figures/targets/goals have previously been expressed in COP/CMP/CMA decisions?

What is the significance of the fact that the figure and target specified in paragraph 7 is not explicitly a 'goal', unlike the goal in paragraph 8?

Where does the figure/target in paragraph 7 sit compared to the status of other figures/targets/goals?

Advice:

1 Legal Provisions

1.1 Decision 1/CMA.6 on the NCQG provides:

Paragraph 7: Calls on all actors to work together to enable the scaling up of financing to developing country Parties for climate action from all public and private sources to at least USD 1.3 trillion per year by 2035.

Paragraph 8: Reaffirms, in this context, Article 9 of the Paris Agreement and decides to set a goal, in extension of the goal referred to in paragraph 53 of decision 1/CP.21, with developed country Parties taking the lead, of at least USD 300 billion per year by 2035 for developing country Parties for climate action:

(a) From a wide variety of sources, public and private, bilateral and multilateral, including alternative sources;

(b) In the context of meaningful and ambitious mitigation and adaptation action, and transparency in implementation;

(c) Recognizing the voluntary intention of Parties to count all climate-related outflows from and climate-related finance mobilized by

multilateral development banks towards achievement of the goal set forth in this paragraph.

- 1.2 At the sixth Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement ('CMA', 'CMA 6'), during the 29th Conference of the Parties ('COP', 'COP 29'), the NCQG was adopted at the closing plenary. In addition to the NCQG, the Baku to Belém Roadmap to 1.3T ('Roadmap') was also adopted, through paragraph 27 of Decision 1/CMA.6.

2 Summary of Advice

- 2.1 Paragraph 7 of Decision 1/CMA.6 does not create a commitment on Parties, nor is it explicitly expressed as a goal. Paragraph 7 only operates as a general call on all actors. At best, paragraph 7 could be considered as a target to scale up financing. The use of the term 'call' means that paragraph 7 remains aspirational, ambitious and vague, without providing a prescriptive pathway for achieving USD 1.3 trillion per year by 2035.
- 2.2 The USD 1.3 trillion per year by 2035 figure does not urge, request, require or obligate States to realise this figure. Rather, this call is wide reaching ("all actors") - beyond developed country Parties – and inclusive of actors which are not party to the Paris Agreement.
- 2.3 When comparing paragraph 7 and paragraph 8:
- (a) paragraph 8 is couched in stronger terms than paragraph 7, and makes a direct reference (*Reaffirms ... Article 9*) to the whole of Article 9 of the Paris Agreement;
 - (b) the language used in paragraph 8 is most closely aligned to Article 9(3) of the Paris Agreement with its references to 'taking the lead' and 'from a wide variety of sources' and also to Article 9(2) which encourages developing country Parties to make contributions;
 - (c) the focus of paragraph 8 on a wide variety of sources and contributions does not echo Article 9(1) of the Paris Agreement which sets a legally binding commitment on developed countries to provide financial support.
- 2.4 Despite the inclusion of more robust language, paragraph 8 remains a goal, albeit underpinned by Article 9 of the Paris Agreement. Paragraph 8 states that developed countries will 'take the lead' in meeting the goal of USD 300 billion per year by 2035, and that this may be from a wide variety of sources including public and private sources. The goal in paragraph 8 is therefore collective and there is an expectation of some contributions from developing country Parties.
- 2.5 Read together, these paragraphs can be interpreted as setting the collective goals for climate finance, with Parties (developed countries taking the lead) to mobilise USD 300 billion per year in climate finance for developing countries by 2035, with a broader (and non-binding) aspiration for global climate finance flows to exceed that goal and reach USD 1.3 trillion per year by 2035. The goal of USD 300 billion supersedes the 2009 goal of developed countries committing to a target of USD 100 billion dollars.
- 2.6 The aspiration of USD 1.3 trillion provided in paragraph 7 has a lower normative status than the goal in paragraph 8. It does not bind or commit the Parties and is not capable of creating a commitment for any actors which are not party to the Paris Agreement.

3 Paragraph 7 in the context of other figures, targets and goals

- 3.1 Climate finance related goals are contained in the Copenhagen Accord of 2009, the Paris Agreement of 2015, the Glasgow Climate Pact of 2021 and the Baku Agreement in 2024. Table 1 provides a chronology of climate financing figures, targets and goals.
- 3.2 Paragraph 7 was the result of a last-minute compromise between the Parties at COP 29, after negotiations overran on this item in particular. Some developing countries sought a \$1.3 trillion

per year figure, by 2030, contributed by developed countries only. Whereas developed countries generally supported a \$100 billion floor, with broad contributions, not just from developed countries. Consequently, the use of paragraph 7's terms 'calls on' 'all actors' 'to work together (emphasis on collective) 'to enable the scaling up of financing' (ie create an enabling environment for the scaling up) reflects the compromise and contrast with paragraph 8, which 'decides to set a goal'. While paragraph 7 is not unique, in climate agreements, in *not* referring to a commitment or a goal, its immediate proximity to paragraph 7's explicit goal, and the use of weak language dilutes its normative status.

Table 1: Climate Finance Figures/Targets/Goals

Conference	Provision	Figure/Target/Goal
2009 Copenhagen Accord ¹	Article 8	A 'collective commitment by developed countries is to provide new and additional resources, including forestry and investments through international institutions, approaching USD 30 billion for the period 2010–2012 with balanced allocation between adaptation and mitigation'. Developed countries committed 'to a goal of mobilizing jointly USD 100 billion dollars a year by 2020 to address the needs of developing countries'.
	Article 2.1	This Agreement (...) aims to strengthen the global response to the threat of climate change (...) including by: (c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development
2015 Paris Agreement	Article 9	1. Developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention. 2. Other Parties are encouraged to provide or continue to provide such support voluntarily. 3. As part of a global effort, developed country Parties should continue to take the lead in mobilizing climate finance from a wide variety of sources, instruments and channels, noting the significant role of public funds, through a variety of actions, including supporting country-driven strategies, and taking into account the needs and priorities of developing country Parties. Such mobilization

¹ Conference of the Parties, United Nations Framework Convention on Climate Change, Report of the Conference of the Parties on its Fifteenth Session, Held in Copenhagen from 7 to 19 December 2009 — Addendum — Part 2: Action Taken by the Conference of the Parties at its Fifteenth Session, UN Doc FCCC/CP/2009/11/Add.1 (30 March 2010), available at: <https://unfccc.int/documents/6103>.

Table 1: Climate Finance Figures/Targets/Goals

Conference	Provision	Figure/Target/Goal
		of climate finance should represent a progression beyond previous efforts.
	4.	The provision of scaled-up financial resources should aim to achieve a balance between adaptation and mitigation , taking into account country-driven strategies, and the priorities and needs of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change and have significant capacity constraints, such as the least developed countries and small island developing States, considering the need for public and grant-based resources for adaptation.
	Decision 1/CP.21, paragraph 53 - Decisions to give effect to the Agreement	'Decided that, in accordance with Article 9, paragraph 3, of the Agreement, developed countries intend to continue their existing collective mobilization goal through 2025 in the context of meaningful mitigation actions and transparency on implementation; prior to 2025 the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement shall set a new collective quantified goal from a floor of USD 100 billion per year , taking into account the needs and priorities of developing countries'.
2021 Glasgow Climate Pact ²	Paragraph 18	'Urges developed country Parties to at least double their collective provision of climate finance for adaptation to developing country Parties from 2019 levels by 2025, in the context of achieving a balance between mitigation and adaptation in the provision of scaled-up financial resources, recalling Article 9, paragraph 4, of the Paris Agreement'.
2024 Baku NCQG Decision	Paragraph 7	' Calls on all actors to work together to enable the scaling up of financing to developing country Parties for climate action from all public and private sources to at least USD 1.3 trillion per year by 2035'.
	Paragraph 8	'Reaffirms, in this context, Article 9 of the Paris Agreement and decides to set a goal , in extension of the goal referred to in paragraph 53 of decision 1/CP.21, with developed country Parties taking the

² Report of the Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement on Its Third Session, Held in Glasgow from 31 October to 13 November 2021: Addendum Part Two, UN Doc FCCC/PA/CMA/2021/10/Add.1 (8 March 2022) Decision 1/CMA.3, available at: <https://unfccc.int/documents/460950>.

Table 1: Climate Finance Figures/Targets/Goals

Conference	Provision	Figure/Target/Goal
		lead, of at least USD 300 billion per year by 2035 for developing country Parties for climate action'. ³

4 **Significance of paragraph 7 not being a clear goal**

- 4.1 As seen in Table 1, paragraph 7 is not referred to as a goal. Paragraph 7 starts with the verb 'calls on', to ask (but not request, require or obligate or even urge) parties to undertake the action.³
- 4.2 Academic literature and commentators have referred to paragraph 7 as: general and unclear,⁴ a general call,⁵ a target,⁶ a broader target,⁷ a mobilisation goal,⁸ a broad call,⁹ or a mobilisation aspiration.¹⁰
- 4.3 More substantive comments on paragraph 7 include:
- (a) a 'general call to action, particularly for investment [that is] non-binding and no one is responsible for delivering this',¹¹

³ Legal Response International, 'Guide to Climate Negotiations Terminology' (2nd edition, 2024), available at: <https://legalresponse.org/wp-content/uploads/2025/04/UNFCCC-terminology-guide.pdf>.

⁴ W. Pieter Pauw, 'The Three Missed Opportunities of the UNFCCC's New Collective Quantified Goal on Climate Finance' 2025(24) *Earth System Governance*, available at: <https://www.sciencedirect.com/science/article/pii/S2589811625000217>.

⁵ International Union for Conservation of Nature, 'Finance Deal an Important but Limited Step towards Common Goals for a Better Future' (International Union for Conservation of Nature, 24 November 2024), available at: <https://iucn.org/iucn-statement/202411/finance-deal-important-limited-step-towards-common-goals-better-future>; Varuna Shankar and Jagannath Panda, 'COP30: Time for Action on the Himalayan Region' (2025) *Focus Asia: Perspective & Analysis*, available at: <https://www.isdp.eu/wp-content/uploads/2025/03/Focus-Asia-COP30-Mar-25-2025.pdf>.

⁶ Natalia Alayza and Gaia Larsen 'How to Reach \$300 Billion — and the Full \$1.3 Trillion — Under the New Climate Finance Goal' (World Resources Institute Insights, 2025), available at: <https://www.proquest.com/docview/3191347724/EB469F450C8C4012PQ/1?accountid=13380&source type=Reports>.

⁷ Sofia Jonson Veloso, 'COP29 outcomes: What they mean for Climate Finance and Carbon Markets' (ClimatePartner GmbH, 2025), available at: <https://www.climatepartner.com/en/knowledge/insights/cop29-outcomes-what-they-mean-for-climate-finance-and-carbon-markets>.

⁸ Climate Action Network International, 'It's a Joke: too Low, too Long – CAN Response to Latest Climate Finance Goal Text' (2024), available at: <https://climatenetwork.org/2024/11/22/its-a-joke-too-low-too-long-can-response-to-latest-climate-finance-goal-text/>.

⁹ Yin Shao Loong and Nurul Farhana Abdul Shukor, 'Climate Finance Controversy: No deal better than a bad deal?' 2024(47) *KRI Views*, Khazanah Research Institute, available at: https://www.krinstitute.org/assets/contentMS/img/template/editor/20241212_KRI%20Views%2047_Cli mate%20Finance%20Controversy.pdf.

¹⁰ Yin Shao Loong and Nurul Farhana Abdul Shukor, 'Climate Finance Controversy: No deal better than a bad deal?' 2024(47) *KRI Views*, Khazanah Research Institute, available at: https://www.krinstitute.org/assets/contentMS/img/template/editor/20241212_KRI%20Views%2047_Cli mate%20Finance%20Controversy.pdf.

¹¹ Catherine Pettengell, 'The New Climate Finance Goal Agreed at COP29 is a Betrayal of Developing Countries' (ReliefWeb, part of the United Nations Office for the Coordination of Human Affairs, 2024), available at: <https://reliefweb.int/report/world/new-climate-finance-goal-agreed-cop29-betrayal-developing-countries>.

- (b) 'an aspirational target [that] offers a foundation for scaling climate finance';¹²
 - (c) a 'ambiguous' target of scaled-up funding;¹³
 - (d) a 'vague \$1.3 trillion investment target ... not to be relied on';¹⁴
 - (e) an 'additional layer' of financing to the core financing of \$300 bn;¹⁵ or
 - (f) a highly aspirational target but lacks a clear or realistic pathway for achieving it.¹⁶
- 4.4 During the closing plenary of COP 29, no State had the opportunity to speak prior to the adoption of the NCQG. Following the adoption, some States including Cuba, India, Bolivia, Nigeria and Malawi (on behalf of LDCs) expressed their dissatisfaction and disapproval of the NCQG and the process of adoption.¹⁷
- 4.5 The European Union was one developed country Party that commented on paragraph 7, referring to it as a '1.3 trillion objective'.¹⁸ Consequently, it is difficult to ascertain States' interpretation of paragraph 7 in light of a limited record of the views of States.
- 4.6 As part of the June 2025 Climate Meetings (SB 62), the COP 29 Presidency and COP 30 incoming Presidency will co-convene the following events:
- (a) open consultation event with parties on the Roadmap; and
 - (b) open consultation event with non-party stakeholders on the Roadmap.
- 4.7 In preparation for the June 2025 Climate Meetings, the CMA 6 and CMA 7 Presidencies sought views from States and non-state actors on their overall expectations for the Roadmap.
- 4.8 Table 2 outlines the written comments of States regarding paragraph 7.
- 4.9 Table 3 outlines the framing that some non-State actors give to paragraph 7.

¹² Haseeb Bakhtary and Jean-Pierre Sfeir, 'COP29 Brief: Some Hits and Many Misses in Baku' (2024), available at: <https://climatefocus.com/wp-content/uploads/2024/12/20241213-COP29-Client-Brief.pdf>.

¹³ Concern Worldwide, 'COP29: Falling Short on Climate Justice and Ambition' (undated), available at: <https://www.concern.net/news/cop29-falling-short-climate-justice-and-ambition>.

¹⁴ Climate Action Network International, 'It's a Joke: too Low, too Long – CAN Response to Latest Climate Finance Goal Text' (2024), available at: <https://climatenetwork.org/2024/11/22/its-a-joke-too-low-too-long-can-response-to-latest-climate-finance-goal-text/>.

¹⁵ Government Offices of Sweden, 'New Climate Finance Goal Adopted at COP29' (2024), available at: <https://www.government.se/articles/2024/12/new-climate-finance-goal-adopted-at-cop29/>.

¹⁶ Sarah Thompson and Romain Weikmans, 'Assessing COP29: Did the 'Finance COP' Meet its Lofty Goals?' (Sciences Po, 2025), available at: <https://www.sciencespo.fr/psia/chair-sustainable-development/2025/02/14/assessing-cop29-did-the-finance-cop-meet-its-lofty-goals/>.

¹⁷ Legal Response International previously responded to a query regarding the implications of the process of adoption and the dissatisfaction of some States, Legal Response International, 'Process around adoption of NCQG decision' (In response to Query 109/24) (Legal Response International, 2025), available at: <https://legalresponse.org/wp-content/uploads/2025/01/Advice-to-Q109-24-process-around-adoption-of-NCQG-decision.pdf>.

¹⁸ UNFCCC, 'Closing Plenary of COP, CMP, CMA' (24 November 2024), available at: https://unfccc-events.azureedge.net/COP29_106149.

Table 2: Comments of States regarding Paragraph 7

State ¹⁹	Comments
India	'In this regard, the roadmap must place Article 9.1 which categorically states that developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation as its central pillar and explore how Article 9.1 can be operationalised to enable the mobilisation of 1.3 trillion dollars annually from 2025 taking into account the needs and priorities of developing countries'.
Australia	'Australia recognises this important opportunity to facilitate scaled up financing to developing countries from all public and private sources to at least USD 1.3 trillion per year by 2035 '.
Türkiye	'The commitment to mobilizing at least USD 1.3 trillion per year by 2035 in total international climate finance flows'.
Chile on behalf of the AILAC Group of Countries composed of Chile, Colombia, Costa Rica, Guatemala, Honduras, Panama and Peru	'In addition, the goal of scaling up climate finance to at least USD 1.3 trillion per year by 2035, this must not be treated as an aspirational goal where multiple actors participate without a clear and detailed monitoring and transparency mechanism to track progress'.
Like-Minded Developing Countries	'In this regard, the roadmap must place Article 9.1 as its central pillar and explore how Article 9.1 can be operationalised, to enable mobilisation of 1.3 trillion dollars for developing countries '.
The United Kingdom	'The Roadmap provides the first opportunity under the UNFCCC and the Paris Agreement to examine the full finance landscape and how we can take a holistic approach to scale up financing to developing countries for climate action across adaptation, mitigation and ensuring the co-benefits of nature and climate finance are maximised . This will include considering how the new collective climate finance goal of 'at least £300bn' forms a part of the action required to scale up at least \$1.3tn by 2035 '.
Arab Group	'While the NCQG decision covered Articles 9.2 and 9.3 of the Paris Agreement, there is a gap when it comes to Article 9.1 of the Paris Agreement. This is an opportunity to explore how Article 9.1 can contribute to the road to 1.3T by developed countries scaling up the provision of grant, concessional and non-debt-creating finance to developing countries beyond the USD 300 billion , which focuses on mobilization'.
Vanuatu	'Given the escalating severity of climate impacts, especially for particularly vulnerable nations such as Vanuatu and other Small

¹⁹ These extracts are taken from State Party submissions submitted to the CMA 6 and CMA 7 Presidencies, as part of the Baku to Belém Roadmap to 1.3T and are collectively available at: <https://unfccc.int/topics/climate-finance/workstreams/baku-to-belem-roadmap-to-13t#Submissions>.

Table 2: Comments of States regarding Paragraph 7

State ¹⁹	Comments
	Island Developing States (SIDS), achieving the minimum target of USD 1.3 trillion per year by 2035 is essential but must be clearly understood as a starting point rather than an endpoint'.
Morocco	'The Roadmap must address how to scale up financing to the \$1.3 trillion per year , in particular by clearly outlining options of fiscal actions for developed country Parties to increase their provision of grant-equivalent climate finance to developing countries'.
The European Union	'The 'Baku to Belém Roadmap to 1.3T' is envisioned as a valuable way for all actors as part of a global effort to work together to enable the scaling up of financing to developing country Parties for climate action from all public and private sources to at least USD 1.3 trillion per year by 2035'.

Table 3: Framing Non-State actors regarding Paragraph 7

Organisation ²⁰	Framing
1. Green Climate Fund	A USD 1.3 trillion
2. Ecco Think Tank	target/mobilisation target/annual
3. The Food and Agriculture Organization of the United Nations	target.
4. Global Clearinghouse for Development Finance	
5. IDDRI and Tempus Analitica	
6. IMAL Initiative for Climate and Development	
7. The International Union of Railways	
8. C40 Cities and the Global Covenant of Mayors	
9. The Global Center on Adaptation	
10. IETA	
11. Concito	
12. Marrakech Partnership for Global Climate Action Finance Working Group	
13. International Development Finance Club, UNEP Finance Initiative, Mainstreaming Climate in Financial Institutions Initiative, Principles for Responsible Investment	
14. Women and Gender Constituency	
15. Environmental Defense Fund	
16. Climate Action Network International	
17. Germanwatch and UNF	
18. Global Solidarity Levies Task Force Secretariat	
19. International Organization for Migration	
20. Inter-American Development Bank	

²⁰ These extracts are taken from non-State Party submissions submitted to the CMA 6 and CMA 7 Presidencies, as part of the Baku to Belém Roadmap to 1.3T and are collectively available at: <https://unfccc.int/topics/climate-finance/workstreams/baku-to-belem-roadmap-to-13t#Submissions>.

Table 3: Framing Non-State actors regarding Paragraph 7

Organisation ²⁰	Framing
21. Instituto Aupaba 1. International Chamber of Commerce in its role as UNFCCC Business and Industry Constituency Focal Point 2. Third Generation Environmentalism 3. Global Citizen 4. Youngo 5. Conservation International 6. FMDV 7. Greenovation Hub 8. Emergent 9. Grupo de Cambio Climático para Latinoamérica y el Caribe (GFLAC) on behalf of REDFIS 10. Loss and Damage Collaboration 11. Mercy Corps, Plan International, Concern Worldwide, and Practical Action 12. Boston University Global Development Policy Center 13. Danish Industry	A USD 1.3 trillion goal/climate finance goal.
1. Climate Action Network International 2. Greenpeace	A USD 1.3 trillion ambition.
Center for Climate and Energy Solutions	An aspirational 1.3 trillion goal.
Green Guarantee Group: Initiated by the Germany Federal Government	A 1.3 'trillion goal [that] is a floor that should be reached as soon as possible, in order to use it as a baseline to build climate action from'.
Aviva	A '\$1.3 trillion Roadmap goal as a floor not a ceiling of ambition'.
Aksyon Klima Pilipinas	The minimum target of USD 1.3 trillion by 2035.

4.10 Consequently, while not a definitive method of interpretation, in the absence of a record of the position of States during CMA 6, Table 2 shows that according to States, paragraph 7 provides, at best, a target to scale-up funding to at least USD 1.3 trillion per year by 2035. While some States such as Vanuatu interpret paragraph 7 as a 'minimum target' and a 'starting point', other developed States like Türkiye consider paragraph 7 as a 'commitment to mobilising' funds. India on the other hand considers that paragraph 7 requires a 'mobilisation of 1.3 trillion dollars annually from 2025'. Chile, on behalf of the AILAC Group, was the only Party that referred to paragraph 7 as a goal.

4.11 Table 3 demonstrates three main interpretations of paragraph 7, that paragraph 7 represents either a target, a goal or an ambition. While roughly a dozen non-States consider paragraph 7 to represent a goal, significantly more non-State actors submitted that paragraph 7 represents a target and not a goal.

- 4.12 Putting aside the interpretations from States and non-State actors on paragraph 7's status as a target, goal or commitment, it is clear from its language that:
- (a) paragraph 7 is expressed in weak terms using the phrases 'calls on' rather than 'urging' or 'encouraging';
 - (b) paragraph 7 does not expressly reaffirm the Article 9 PA commitments; and
 - (c) paragraph 7 is very vague, with references to 'all actors to work together to enable the scaling up of financing'.
- 4.13 Therefore, paragraph 7 requires a clear and detailed roadmap on how the 1.3 trillion per year figure will be achieved, along with linkages to the Enhanced Transparency Framework, to track progress.

5 Consequences of Paragraph 7 not being a 'goal'

- 5.1 Unlike the views of India (extracted in Table 2 above), paragraph 7 does not seem to provide any requirement for paragraph 7's target to be reached now, in 2025.
- 5.2 Climate financing goals are ambitious and it is important to recognise that even the 2009 goal of developed countries committing to a goal of mobilising jointly USD 100 billion dollars a year by 2020 was only first met in 2022, two years after the initial deadline.²¹ Therefore, using the terminology of a 'goal' is no guarantee of the goal's realisation.
- 5.3 Nevertheless, as the USD 1.3 trillion value is only an aspirational target, at best, addressed to all actors, including the public and private sectors and developed and developing country parties, there is less responsibility and ownership for this target and the target being met.
- 5.4 The use of the decision verb 'call' at the beginning of paragraph 7 additionally reinforces that the 1.3 trillion per year figure by 2035 does not request, require or obligate parties to realise this figure, but rather asks that Parties undertake the action.
- 5.5 It is to be hoped that the June 2025 Climate Meetings and open consultations on the Roadmap will provide further guidance and clarity on paragraph 7.

²¹ The Organisation for Economic Co-operation and Development, 'Climate Finance and the USD 100 Billion Goal' (2024), available at: <https://www.oecd.org/en/topics/sub-issues/climate-finance-and-the-usd-100-billion-goal.html>.