



A Primer on the Paris Climate Summit

By Gwynne Taraska November 18, 2015

After years of negotiations, world leaders are set to strike a new international climate agreement when they convene for the 21st Conference of the Parties to the U.N. Framework Convention on Climate Change, or UNFCCC. The conference, known as COP21, will be held in Paris from November 30 through December 11.¹

COP21 has incited a groundswell of climate pledges. More than 150 countries—which are collectively responsible for nearly 90 percent of global emissions—have now put forward national plans to reduce greenhouse gas emissions and increase resilience to the effects of climate change.² Nonstate actors have mobilized as well, with scores of business leaders—including oil and gas executives—and religious leaders calling for a strong climate accord.³

As droughts, floods, storms, and wildfires around the globe continue to illustrate, climate change has devastating costs—both economic and human—and disproportionately harms those who already face social and economic burdens.⁴ There is therefore tremendous pressure on COP21 to produce an effective agreement.

As always, the potential for discord and deadlock pervades the climate negotiations. The UNFCCC has 195 country parties and makes decisions by consensus rather than majority vote.⁵ In order to come to a final agreement, the parties must navigate several controversial topics—including international climate finance—when they meet in Paris.

It is possible that the Paris summit will come to represent a global pivot toward clean energy and a new era of international climate cooperation. It is also possible that the summit will come to represent the dysfunction of the UNFCCC. The outcome hinges on whether heads of state summon the diplomacy and vision necessary to finalize a strong agreement.

The structure and potential of the agreement

The design of the emerging Paris agreement takes into account the strengths and weaknesses of its predecessors—the 1997 Kyoto Protocol and the 2009 Copenhagen Accord.

The Kyoto Protocol, an agreement with legally binding national targets, required emissions reductions only from developed countries.⁶ It therefore lacked the participation of China, India, and several other major economies—which dissuaded the United States from seeking to ratify it. The Protocol now covers only a fraction of world emissions.⁷

The Copenhagen Accord, a political agreement with self-determined national targets, successfully attracted wide participation and covers more than 80 percent of global emissions.⁸ However, it resulted in insufficient emissions reductions to effectively combat climate change.⁹

The emerging Paris agreement, by contrast, has the potential to cover a high percentage of global emissions and also leverage meaningful reductions.¹⁰

Beyond Kyoto: A new geopolitics of climate change

The 2014 joint announcement from the United States and China on climate change symbolized a shift in the geopolitics of climate action.¹² The United States—the largest carbon polluter from the developed world—committed to reduce greenhouse gas emissions 26 percent to 28 percent below 2005 levels by 2025.¹³ Meanwhile, China—the largest carbon polluter from the developing world—committed to peak carbon emissions around 2030 and increase nonfossil energy to meet 20 percent of its energy consumption by the same year.¹⁴

Commitments from developing countries—as classified by the UNFCCC—now account for approximately two-thirds of the national goals submitted in advance of the Paris summit.¹⁵ Mexico, for example, aims to peak emissions by 2026. Brazil aims to reduce emissions 37 percent below 2005 levels by 2025. South Africa aims to peak emissions by 2025. India aims to increase non-fossil energy to meet 40 percent of its power capacity by 2030.¹⁶

It is also notable that many developing countries have been contributing to international climate finance. Examples include China, which announced more than \$3 billion in climate finance this September, and Mexico, which announced a \$10 million contribution last September to the Green Climate Fund, a multilateral fund that supports clean energy and climate resilience in developing countries.¹⁷

The whole theory of the agreement was that it was going to be applicable to all. In other words, it was going to be the “not-Kyoto.”

—Todd Stern, U.S. Special Envoy for Climate Change, on the beginning of the process to create the Paris agreement¹¹

The Paris agreement has the potential to cement this inclusive model of climate action. It is expected to oblige all countries to submit climate targets, while still respecting that countries differ with respect to their responsibility for climate change and their capacity to address it. The agreement is also expected to oblige all countries to report on their progress reducing emissions.¹⁸

Beyond Copenhagen: A framework for driving ambition

The Paris summit will produce a package that includes the core agreement along with associated decisions and commitments. A key component of the package will be the set of post-2020 national climate goals submitted to the UNFCCC.

Unlike the Copenhagen Accord, the core Paris agreement is expected to be legally binding. The parties, for example, could be bound to submit national climate goals and participate in a review system.¹⁹ The national goals themselves, however, are expected to be political commitments.²⁰ For those following domestic politics in the United States, it is noteworthy that the lack of binding national targets suggests that the agreement will qualify as an executive agreement that does not require formal congressional consent.²¹ The agreement would be pursuant to the UNFCCC, which received the U.S. Senate's consent to ratification in 1992, and would not require any change to U.S. law for implementation.²²

In addition to lacking legal force, the national goals will be self-determined and are therefore known as nationally determined contributions, or NDCs.²³ Recalling Copenhagen, targets that are nonobligatory and self-determined would seem to invite inadequate ambition.²⁴ And, in fact, the goals submitted to date are collectively insufficient: Although they have lowered projected warming by 1 degree Celsius by 2100—as compared to a business-as-usual trajectory—they have not limited warming to 2 degrees Celsius over pre-industrial levels, which is the U.N.-recognized threshold for avoiding the most dangerous effects of climate change.²⁵

The promise of the Paris agreement, however, is that it will not consist of a single wave of commitments. Instead, it is expected to establish a lasting framework that elicits improved commitments over cycles.²⁶ The parties should ensure that these cycles occur frequently, such as every five years. In order to facilitate accountability, the parties also should ensure that there are frequent reviews of national and collective progress. And in order to provide a benchmark and a signal to markets, the parties should set a long-term global goal on the transition to clean energy.

Selected disagreements to resolve in Paris

The parties are coming to Paris with a draft text that they crafted during the October negotiating session in Bonn, Germany. This draft presents the parties' sometimes divergent proposals for the final agreement and will serve as the basis for negotiations in Paris.²⁷ The topic of international climate finance draws particular controversy and tends to divide developed and developing countries, as do the topic of differentiation and the topic of loss and damage—both defined below.

Finance

During the Copenhagen summit, developed countries collectively pledged to scale up climate finance for developing countries to \$100 billion each year by 2020.²⁸ For the Paris agreement, developing countries—as represented by the Group of 77 and China—hold that \$100 billion per year should be established as a floor in 2020 that would be scaled up over time.²⁹ The developing countries also stress that public funds should be understood to be the primary means of meeting financial commitments.³⁰ Developed countries, by contrast, are hesitant to commit to an open-ended scale-up.³¹ They also stress the importance of mobilizing private capital and hold that all parties—not only developed parties—should contribute to international climate finance if they have the capacity.³²

In order for the Paris finance package to be credible, the parties should focus on the needs of the most climate-vulnerable countries—such as the Small Island Developing States, or SIDS, and Least-Developed Countries, or LDCs—and should focus on elevating finance for adaptation, which is chronically underfunded.

Differentiation

When the UNFCCC was adopted in 1992, it divided countries into categories: Annex I parties are countries that were then developed or in transition, and Non-Annex I parties are countries that were then developing.³³ During the October negotiating session, several proposals from blocs of developing countries reintroduced the so-called annexes and assigned them different obligations on topics such as finance and emissions mitigation. The reintroduction of the annexes, however, is a red line for many developed parties—including the United States and the European Union—that argue that the annexes do not represent the current landscapes of development, emissions, and capacity.

If the final agreement is to be effective, the parties will need to find a way to respect that countries have different levels of capacity and different histories of emissions—without reverting to dated and static categories that would leave emissions reductions on the table.

Loss and damage

“Loss and damage” refers to the harm—both economic and noneconomic—that is caused by the effects of climate change. Outside of the UNFCCC, the concept of loss and damage is often mistakenly conflated with the concept of climate compensation, which is the idea that those responsible for climate change should pay for any climate-induced harm.³⁴ The two concepts, however, are not equivalent. Compensation has been rejected for inclusion in the agreement by developed countries, and it does not make an appearance in the draft text.

Within the UNFCCC, the questions of how loss and damage should be addressed in the Paris package and where it should be addressed are still under negotiation. The position taken by several developed countries, including the United States, is that loss and damage should not be mentioned in the core agreement but in an accompanying decision text that discusses climate displacement, insurance, and risk transfer.³⁵ Prominent acknowledgement of the harms of climate change, however, is a priority for the most vulnerable countries, such as the SIDS, for which sea-level rise and extreme weather are a particular threat.

Conclusion

The Paris summit—even if remarkably successful—will not be a panacea for climate change. It will take increased action from individuals, the private sector, and all levels of government to change the course of the global economy.

That said, the summit should be expected to produce an agreement that drives a marked and sustained downward trajectory of global emissions, mobilizes increased climate finance for vulnerable developing regions, and improves resilience to the effects of climate change. It would not otherwise be defensible.

Such an outcome is possible—but only if the scores of presidents, prime ministers, and cabinet ministers descending on Paris function as world leaders rather than mere heads of government.

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