The Roads to and from the Paris Climate Agreement

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1. How We Got Here
2. The Paris Outcome
3. The Current Stress Test
When do we hit “dangerous anthropogenic interference”?

United Nations Framework Convention on Climate Change

**Article 2**

**OBJECTIVE**

The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.
A Brief History of the UN Climate Negotiations

1992 UN Framework Convention on Climate Change

1. Laid the foundation for global action but short on specifics
3. In an attempt at distributive justice, created a bifurcated world of climate diplomacy for over 20 years.

Guidance for Distributive Justice in the Climate Talks
Common But Differentiated Responsibilities (CBDR)

UNFCCC 3.1: “The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof.”

1. Physical properties of CO2 are considered relevant to distributing responsibilities for emission reductions:
   1. Historical emissions: Long life of warming caused by CO2 should determine mitigation responsibilities.
   2. Development needs: Current role of CO2 in fueling economic development should determine mitigation responsibilities.
2. On the basis of assumptions like this, bifurcation between developed and developing countries is cemented in the negotiations including mitigation, finance, even reporting.

Emerging Consensus View on Shape of a Progressive Global Climate Agreement (GCA)

Minimally (1) early polluters must go first, (2) development space for poor must be protected, (3) differentiated transparency, (4) binding enforcement with penalty for non-compliance among those who will be required to do something.

All elements assume some form of CBDR.

Development Status is Stipulated Through Annexes to Convention

Annex I

Non-Annex I
Lessons from Kyoto Protocol for a progressive GCA:

1. Ineffective if it doesn’t include largest emitters.
2. Need to account for changing emissions trends between developed and developing countries.
3. Stronger, top-down compliance may diminish participation even though it is theoretically stronger.

Minimally (1) early polluters should do more, (2) later and poorer polluters should be supported by developed countries if they take action, (3) differentiated transparency and review.

Still, a continued and pervasive influence of CBDR.

A Brief History of the UN Climate Negotiations

1992 UN Framework Convention on Climate Change
- Laid the foundation for global action but short on specifics
- By default created a body that operates by consensus
- Signed by George H.W. Bush, ratified by U.S. in 1993
- In an attempt at distributive justice, created a bifurcated world of climate diplomacy for over 20 years.

1997 Kyoto Protocol to the UNFCCC
- Top-down reduction requirements for 2008-2012 for developed country parties (Annex I)
- Signed by Bill Clinton; not ratified by U.S

2009 Copenhagen Accord/Cancun Agreements (2010)
- Bottom-up reduction pledges to 2020
- Commitment to create new financial and technological incentives for developing country reductions
- Bifurcated transparency regime – stronger for developed countries; weaker for all developing countries
- Not a treaty; didn’t need signature or ratification

Global Temperature Target: 2°C
Global Finance Targets: $30B now; $100B a year by 2020

Emissions pledges for developed countries
- USA: 17% below 2005 levels by 2020 in the context of legislation
- EU: 20-30% below 1990 levels by 2020
- Japan: 25% below 1990 by 2020 contingent on others acting
- etc.

Emissions pledges for developing countries
- China: 40-45% reduction in emissions intensity below 2005 by 2020
- Indonesia: 26-41% below BAU by 2020
- Brazil: 36-39% below BAU by 2020
- India: 20-25% reduction in emission intensity below 2005 by 2020
- etc.

But what did Copenhagen achieve?
Lessons from Copenhagen Accord/Cancun Agreements for a progressive GCA:

1. Voluntary pledges can work but need to be stronger.
2. Ambition in a bottom-up system requires universal, rigorous, and binding transparency and reporting.

Minimally (1) big polluters should do more, with more ambition for early polluters, (2) poorer, but especially poorest polluters should be supported, (3) rigorous and universal, but flexible transparency and review.

Tactics for Paris: Raise ambition through better bottom-up targets.

- Problems from Copenhagen: pledges come late, no scrutiny, low ambition in atmosphere of distrust.
- Need to create early announcements allowing for individual and collective assessment, creating race for greater ambition.
- Form: “Intended Nationally Determined Contributions” (INDCs), by March 2015, 9 months before Paris.
- Legal form not stipulated; growing assumption is non-binding pledges and binding review procedures.

Race to the Top Begins: First INDCs announced Nov. 2014 in Surprise Announcement by Biggest Climate Adversaries

United States:
- 26-28% below 2005 levels by 2025
- 2X pace of decarbonization from 2010-2025
- Trajectory for 80% reduction by 2050

China:
- PM emissions around 2010
- >25% non-fossil energy by 2030
- >800,000 gigawatts new nuclear, wind, and solar = all current U.S. power generation
### Top 20 Greenhouse Gas Emitters

Data from WRI CAIT 2.0 – CO2-equivalent, includes land use change and forestry.

<table>
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<tr>
<th>Rank</th>
<th>Emitters</th>
<th>2010 emissions (billion tonnes)</th>
<th>% of global (billion tonnes)</th>
<th>2010 emissions per capita (tonnes)</th>
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<td>China</td>
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<td>Total</td>
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**INOC submitted at start of Paris COP**

188 countries

98.5% of current global emissions

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### A Few Reasons Why Paris Was Different

1. **Changing economic conditions and improvements in climate science** make the case for strict bifurcation of responsibilities harder to maintain, and strengthen the case for an “all in” approach.

2. **Urgency of experienced impacts helps to break climate diplomacy out of its silo.** Whether a country acts on climate change is a test of its global character – helping to address a global threat or making it worse.

3. **The agreement represents a full embrace of pluralism about values** – it is a test that all parties could see as representing their reasons for concern about the problem and vision of a sustainable world. Convergence on action on climate change, not consensus.

4. **Moral commitment of leaders that demanded responses from their own governments and other parties.**

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**2015 Paris Agreement**

- **For period beyond 2020, starting with commitments to 2025/30**

- **Bottom-up: non-binding country pledges with ex-ante info**

- **Top-down: binding and universal transparency and reporting:**
  - Drawing from previous systems, regular reporting requirements on GHG sources, sinks, and Info needed to track NDC progress.
  - Annual technical expert review on national progress designed to enhance capacity for monitoring and reporting.
  - A new Capacity Building Initiative for Transparency (at the GEF).
  - Common modalities, procedures and guidelines to follow.

- **Substantive advances in sections of the agreement on adaptation, loss and damage, finance, markets, etc.**

- **Regular cycles of global stock take, followed by renewed pledges** every five years starting in 2025 with no backsliding.

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**'And within 9 months after Paris'**

The Paris agreement really does change everything

Barry Gardner

UN agreement reached on aircraft climate-change emissions

Historic agreement: Canada signs on to world’s 1st airline climate plan

Nations, Fighting Powerful Refrigerant That Warms Planet, Reach Landmark Deal

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India is an independent country, and there is no pressure on us from any country or any person. But there is pressure. When we think about the future generations and what kind of world we are going to give them, then there is pressure. Climate change itself is a huge pressure.”

Prime Minister Narendra Modi, joint press conference with Obama.

Delhi, January 2015
1. How We Got Here

2. The Paris Outcome

3. The Current Stress Test

The U.S. Has Not Withdrawn from Paris

**Good news:** Withdrawal takes 4 years – 3 + 1. Earliest withdrawal date will be 1 year after Entry into Force date = 1 day after next U.S. election in 2020.

“Trump’s Rose Garden speech [on June 1] has as much legal force as one of his tweets.” – Harold Koh

**Good news:** Intensive lobbying efforts kept Trump from (1) withdrawal from UNFCCC (effectively 1 year withdrawal from Paris), or (2) send the Paris Agreement back to the Senate.

**Bad news:** Regardless of whether Trump withdraws, he is intent on taking down as much federal climate action as possible. That damage will be done with or without the possible withdraw.

Policies adopted by the Obama Administration can reduce greenhouse gas emissions

Further action needed to close the gap

Trump had already started to roll back Obama’s climate progress before the Paris Announcement
TRUMP HAD ALREADY STARTED TO ROLL BACK OBAMA’S CLIMATE PROGRESS BEFORE THE PARIS ANNOUNCEMENT

Trump signs executive order which:
- Rolls back federal guidance on climate change considerations in project permitting
- Outlaws working group on Social Cost of Carbon, rescinds estimates
- Rolls back executive orders on climate resilience
- Orders review of Clean Power Plan
- Orders review of carbon rules for new and modified fossil power plants
- Orders termination of coal leasing moratorium on public lands
- Orders review of fossil fuel production rules on public lands
- Orders review of methane emissions limits for new and modified oil and gas systems.

Source: WRI

IF SUCCESSFUL, THESE ACTIONS WILL SET BACK U.S. TARGET

WILL IT BE POSSIBLE TO CLOSE THE GAP?

- Private sector
- States and cities
- Federal

Source: Rhodium Group Analysis

2,500+ U.S. Non-Federal Actors Explicitly Support the Paris Agreement

2,500+ U.S. Non-Federal Actors Remain Committed to Paris – Aggregate Size and Rank as Country and % of U.S. Totals

1,400+ U.S. Non-Federal Actors Have Adopted GHG Reduction Targets - Aggregate Size as Country and as % of U.S. Totals
29 states have mandatory renewable portfolio standards (representing 56% of U.S. electricity sales).

43 cities have committed to 100% clean energy goals.

62 Fortune 500 companies with U.S.-based operations have set renewable energy targets.

10 states have adopted Zero Emission Vehicle (ZEV) targets.

30 U.S. cities have committed $10 billion to purchase 114,000 EVs for their municipal fleets.

U.S. car manufacturers like General Motors and Ford are committing to increased EV production.

Over 400 companies have voluntarily committed to reduce their energy use through DOE’s Better Buildings / Better Plants program.

TRENDS: AMERICANS ARE IN FAVOR OF THESE MEASURES

TRENDS: FALLING COSTS OF RENEWABLES MAKE THEM INCREASINGLY COMPETITIVE

TRENDS: US HAS DECOUPLED GROWTH FROM CO2
TRENDS: RENEWABLES ARE BIGGEST AND FASTEST GROWING JOB SECTOR FOR ENERGY

THREE OPTIONS FOR A RESPONSE

Other Countries Link with US Sub-National Alliance

ISOLATION

RE-ENGAGEMENT

RE-ENGAGEMENT
Why Might Paris Survive?
None of These Factors Have Changed

1. Changing economic conditions and improvements in climate science make the case for strict bifurcation of responsibilities harder to maintain, and strengthen the case for an “all in” approach.

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