

COP21 and Paris Agreement

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Road to Paris Agreement

- **Kyoto Protocol (1997)**
 - ◆ **Developed countries: mandatory reduction targets**
 - ◆ **Developing countries: no obligation**
 - **US withdrawal and no mitigation target for China**
 - ➔ **Mitigation coverage 13% (2011)**
 - ➔ **No meaningful effect on global GHG reduction**
- **Bali Action Plan (2007) for negotiating post 2013 framework**
- **COP 15 (2009) Failure to adopt “Copenhagen Accord”**
- **COP 16 (2010) Adoption of “Cancun Agreement” as post 2013 framework (no legally binding)**
- **Durban Platform (2011) for negotiating post 2020 framework**

“develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties to be adopted at COP21 for it to come into effect and be implemented from 2020”

Contentious Issues at COP21

- Long-term target
 - ◆ Temperature target (limiting temperature increase to 2 degrees or 1.5 degrees from pre-industrial level)
 - ◆ Quantitative (40-70% reduction from 2010 by 2050) and qualitative target (de-carbonization, emissions neutrality etc)
- Scope of legally binding agreement
 - ◆ Legally binding process (communication, report and review of Intended Nationally Determined Contribution (INDC))
 - ◆ Legally binding targets?
- Differentiation between developed and developing countries (Common But Differentiated Responsibilities)
 - ◆ Donors of financial assistance (developed countries only?)
 - ◆ Transparency (differentiated review process?)
- Finance (roadmap to 100 billion USD by 2020, new target beyond 2020?)
- Loss and Damage

Paris Agreement: Key Issues (1)

■ Objective (Article 2)

- ◆ “well below 2 degrees above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 degrees”

■ Mitigation (Article 3)

- ◆ “Global peaking of GHG emissions as soon as possible” “rapid reduction thereafter” “a balance between emissions and removals by sinks of GHG in the second half of this century”
- ◆ Each Party shall prepare, communicate and maintain successive nationally determined contributions
- ◆ Each Party’s successive nationally determined contributions will represent a progression beyond the Party’s then current nationally determined contribution and reflect its highest ambition.
- ◆ Each Party shall communicate a nationally determined contribution every five years
- ◆ All Parties should strive to communicate long-term GHG emission development strategy

Paris Agreement: Key Issues (2)

- Market Mechanism (Article 6)
 - ◆ Parties shall, where engaging on a voluntary basis in cooperative approaches that involve **the use of internationally transferred mitigation outcome towards nationally determined contributions**, promote sustainable development and ensure environmental integrity and transparency...and shall apply robust accounting to ensure...**the avoidance of double counting**, consistent with guidance adopted by the CMA (Conference of the Parties serving as the meeting of the Parties to the Paris Agreement)
 - ◆ **A mechanism** to contribute to the mitigation of GHG emissions and support sustainable development is **hereby established under the authority and guidance of the CMA** for use by Parties on a voluntary basis. (→ “New CDM”)
- Loss and Damage (Article 8)
 - ◆ Recognize importance of averting, minimizing and addressing loss & damage
 - ◆ Warsaw International Mechanism for Loss & Damage subject to the authority and guidance of CMA
 - ◆ **Not involve or provide a basis for any liability or compensation**

Paris Agreement: Key Issues (3)

- Finance (Article 9 and Decision 54)
 - ◆ **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
 - ◆ **Other Parties are encouraged to provide** or continue to provide such support voluntarily.
 - ◆ Developed countries intend to continue their **existing collective mobilization goal through 2025....; prior to 2025 the CMA shall set a new collective quantified goal from a floor of USD 100 billion per year.**
 - ◆ **Developed country Parties shall biennially communicate** indicative quantitative and qualitative information....including, as available, projected level of public financial resources to be provided to developing country Parties. Other Parties providing resources are encouraged to communicate biennially such information on a voluntary basis.

Paris Agreement: Key Issues (4)

■ Transparency (Article 13)

- ◆ The purpose of the **framework for transparency of action** is to provide a clear understanding of climate change action... including clarity and tracking of progress towards achieving Parties' individual nationally determined contributions...
- ◆ Information submitted by each Party... shall undergo **a technical expert review**.
- ◆ Each Party shall participate in **a facilitative, multilateral consideration of progress** with respect to efforts and its respective implementation and achievement of its nationally determined contribution.
- ◆ The technical review shall consist of a consideration of the Party's support provided and **its implementation and achievement of its nationally determined contribution**. The review also identify **areas of improvement** for the Party and include **a review of the consistency of implementation with the modalities, procedures and guidelines** adopted by the CMA.

Paris Agreement: Key Issues (5)

■ Global Stocktake (Article 14)

- ◆ Periodically **take stock of implementation** of this Agreement to assess the collective progress towards **achieving the purpose of this Agreement and its long-term goals**.... Considering mitigation, adaptation and means of implementation and support.
- ◆ **First global stocktake in 2023** and **every 5 years** thereafter
- ◆ Outcome of global stocktake shall inform Parties in updating and enhancing, in a nationally determined manner, their actions and support

■ Entry into Force (Article 21)

- ◆ Enter into force on 30th day after the date when **at least 55 Parties** to the Convention accounting in total for **at least an estimated 55% of the total GHG emissions** have deposited their instruments of ratification, acceptance, approval or accession.

Why Succeeded?

- Lessons learnt from past negotiation
- ◆ top-down, stringent Kyoto type regime will not get participation of US and China
- ◆ bottom-up, flexible Cancun type regime is the only way for ensuring participation of all Parties
- Major players needed a deal
- ◆ France: desperate to work out agreement by all means
- ◆ US: desperate to leave legacy of President Obama
- ◆ China: need to show the world its constructive posture and cope with domestic air pollution
- ◆ UN process: cannot repeat “Copenhagen” its relevance at stake
- Diplomatic skill of French Presidency
- Milder weather, food and wine....

Assessment

- **Historical step from dichotomous Kyoto Protocol to Paris Agreement where all the Parties participate in mitigation efforts.**
- **Legally binding process with non-legally binding targets**
- **Built in mechanism for respecting nationally determined contribution and raising its level through expert review, 5 year updating and global stock taking.**
- **While it is extremely tough (almost impossible) to achieve 2 degrees target, setting 1.5 target will further expand the gap between ideal and reality. Such gap will never be filled by bottom-up nationally determined contribution.**
- **Development of innovative technologies is the only solution to bridge the gap. “Coalition of willing” for innovation will be far more effective than UN format.**

Nuclear and UNFCCC

- IPCC AR5 and the WEO 2015 acknowledge the role of nuclear in achieving 2 degrees or 450 ppm scenario. The role of nuclear should be even bigger under more ambitious temperature goal.
- In the UNFCCC negotiation, however, there is a staunch anti-nuclear inclination led by some Parties (e.g., AOSIS) and NGOs.
- While nuclear is zero-emission technology, developed countries have been required to “refrain from” acquiring credits from nuclear projects under JI and CDM (Marrakesh Accord). Attempts to change have been always unsuccessful.
- There was no debate about nuclear in COP21. Parties will nationally determine how to achieve their targets.
- Scope of technologies could be discussed in developing rules and modalities of a new market mechanism under the Paris Agreement. We should make utmost efforts for, at least, avoiding negative reference to nuclear.

Thank you !