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Global Climate Change Policy: Will Paris Succeed Where Copenhagen Failed?

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IAN M. MCGREGOR, NOV 5 2014

In 2009, following completion of my PhD thesis on global climate change politics, I travelled to Copenhagen to attend my first UN Framework Convention on Climate Change (UNFCCC) COP (Conference of the Parties). My hopes for a strong and effective outcome from COP15 were not high, as I had already co-authored an article for an online Climate Change Conference (Klima 2009) entitled, *What we need from the Copenhagen Climate Summit – and are unlikely to get!* (McGregor & Baer 2009).

Nonetheless, I was shocked when I attended a Climate Action Network (CAN) International Briefing and Strategy meeting just before the COP began, and was told the draft negotiating text ran to about 300 pages and was full of brackets (bracketed text indicating text that had not been agreed to). CAN was pushing hard for a Fair, Ambitious and Binding (abbreviated to FAB) Agreement as the outcome of the Copenhagen COP – although there was little optimism that this outcome would be achieved (CAN 2009a). With over 100 world leaders arriving for the final stages in the second week, there was still, however, optimism that significant progress would be made. This was reflected in the lead story in CAN's ECO newsletter from the first day of the COP – *It must be a FAB deal* (CAN 2009b).

The outcome of Copenhagen COP15 has been widely discussed, both on this platform and elsewhere, and is regarded by most commentators as a failure (Christoff 2010; Dimitrov 2010; McGregor 2011). Why it failed has been the subject of much debate. The Danish Government was obviously keen for the COP to succeed, however, and clearly made mistakes in working towards that outcome (Meilstrup 2010). The overarching problem, however, was that the representatives of over 190 national governments arrived at COP15 without being close to agreeing on and documenting an international approach to effectively address climate change. They were also far from having a mutual understanding of their fair shares of the ambitious efforts required to address climate change.

Progress towards COP21 in Paris

Having followed closely and been involved in the UNFCCC negotiations since Copenhagen, I am deeply concerned that, once again, government representatives are likely to arrive in Paris in December 2015 for COP21 without being close to agreeing and documenting an effective global approach on how to address climate change. In 2011, at COP17, all governments agreed in the Durban Platform for Enhanced Action that they would reach a new global agreement to tackle climate change by 2015 at the latest, with the agreement to come into force by 2020.

These negotiations under the Durban Platform at the UNFCCC are called the ADP (Ad-hoc Working Group on the Durban Platform). After almost three years of the ADP negotiations, the outcome of the latest round of these negotiations at Bonn in June 2014 was still far from a consensus on the key elements of the global agreement to be finalised in 2015.

If the new agreement is to include legally binding elements in the form of a protocol, or a similar instrument, under the rules of procedure of the UNFCCC, these legally binding elements would have to be submitted for consideration six months prior to COP21, which would be the end of May 2015 (UNFCCC 1992). There are only a few months left for any key elements to be included in the draft of a legally binding protocol (UNFCCC 1992).

There also remains a substantial gap between what developed countries have pledged to do, particularly prior to 2020, to reduce emissions, compared with what is needed to reach an emissions pathway limiting warming to less than 2^0C. The current emissions pathway makes it highly likely that temperatures will rise by more than 2^0C above pre-industrial levels. UNEP's Emissions Gap Report (2013) confirmed that no significant progress has been made in closing this substantial gap between that necessary for a less-than-2^0C emissions pathway and developed countries' pre-2020 mitigation commitments.

The lack of progress towards a 2015 agreement is because any country's government disputes that climate change is a global problem requiring urgent action, or denies the climate science and carbon budget in the most recent IPCC reports. There is agreement on what is needed to avoid the risks of dangerous climate change: limit temperature rise to well below 2^0C and consider strengthening the goal to a 1.5^0C limit (UNFCCC 2011). It is also acknowledged that unless greenhouse gas emissions start reducing soon, any chance to stay below a 2^0C rise will be lost.

Major Issues on the Negotiating Table

One major reason for the lack of progress is a failure to effectively address the overarching issue of each country's fair share of the global effort required to keep global temperature rise well below the 2^0C limit. The equity, or global effort-sharing issue, is far from new; academics and activists highlighted it as a pertinent issue even before COP15 in Copenhagen (Alcock 2008; Baer & Athanasiou 2007; Beckman & Page 2008).

The global effort not only refers to each country's commitment to reducing or limiting greenhouse gas emissions, but also to developed countries' share of the financial support required by many poorer countries, particularly the Least Developed Countries (LDCs), to address climate change without slowing poverty-reducing development. This financial support is needed to cover the additional costs incurred by these countries in moving to a Low Emission Development pathway. Financial support is also needed (CAN 2014a) to cover the costs of the Adaptation measures required to deal with the effects of climate change that have already occurred, and further warming that is unavoidable, in these countries. Funding for an international mechanism to pay for further Loss and Damage caused in these poorer countries by climate change is also a necessity (CAN 2014a). The Indian Environment Minister has recently highlighted that success in reaching a global deal in 2015 depends on developed countries' commitments on finance (Yeo 2014).

The ADP negotiations are co-chaired by Artur Runge-Metzer from the European Union and Kishan Kumarsingh from Trinidad and Tobago. In their notes on progress, prepared for the latest ADP negotiations in Bonn in June, they noted that "equity and ambition are of central importance for the agreement and need to be reflected in all the elements, including mitigation, adaptation and means of implementation" (UNFCCC 2014c: 4). The major problem is that they are currently far from any agreement from the various groups of countries in the ADP negotiations on how equity and ambition will be reflected in the 2015 agreement.

There have been proposals from a number of country groupings, both on ambition and equity; however, none has yet gained widespread acceptance in the ADP negotiation process. In terms of ambition, more than 60 countries endorsed the proposal of a total phase-out of fossil fuel use by 2050 at the ADP negotiations in June 2014 (CAN 2014e). To minimise the risk of extremely dangerous climate change, there is overall agreement that greenhouse gas emissions need to be rapidly reduced as soon as possible, and to as low a level as possible (zero is certainly feasible for fossil-fuel-sourced emissions), although overall global targets for emission reductions have not been agreed upon. There is also no agreement on how the global effort to achieve the huge level of emission reductions needed should be divided or shared.

During the ADP negotiations in Warsaw at COP19, a new term emerged: Intended Nationally Determined Contributions (INDCs), sometimes shortened to Nationally Determined Contributions (NDCs). It was agreed that these INDCs should be submitted by the first quarter of 2015. What INDCs actually contain has not yet been determined, nor has their legal status, with their content to be determined ideally by the end of the first half of 2014 (UNFCCC 2014d). The first half of 2014 has already concluded, and at the recent ADP negotiations in Bonn, there was long discussion on the content of INDCs, but no agreement was reached. In July 2014, a draft decision on the

content of the INDCs was issued by the ADP Co-Chairs, but this was still not agreed on by the various countries' negotiators at the ADP session in Bonn in October (UNFCCC 2014a). As noted previously, the INDCs are due to be submitted by the first quarter of 2015, just over nine months from the end of the inconclusive June 2014 Bonn ADP negotiations. There is also no agreement as to the status of these INDCs as they are, currently, to be submitted "without prejudice to the legal nature of the contributions" (UNFCCC 2014d).

As CAN pointed out recently, when a country submits it INDC, it is implicitly choosing a temperature target, one that would be realized if all other countries were to act in a comparable manner, relative to their fair share of the global effort required. If a country proposes a contribution that amounts to less than its fair share of the global effort required to keep temperature rise well below 2°C, then that country is, in effect, proposing an overall global temperature increase that exceeds 2°C (CAN 2014d).

The same submission also highlighted the lack of a process in the ADP negotiations to gauge if the total effort reflected in INDCs meets the level of ambition and global effort required to maintain a well-below-2^{0}C rise pathway, and whether each country was taking on a fair share of that effort. This assessment of fair share of effort not only applies to a country's emissions reduction commitment, but also to developed countries' levels of financial, technological, and capacity building support for mitigation measures and adaptation to be provided to developing countries. For poorer developing countries, this would include emissions reductions that will be undertaken given a particular degree of financial, technological, and capacity building assistance (CAN 2014d).

It is clear from the outcome of the most recent ADP negotiations in Bonn that we are still far from agreeing upon and documenting an effective global approach to address climate change (CAN 2014b). CAN indicated that progress on the ADP could only be made with new commitments at the UN Secretary-General Ban Ki-Moon's Climate Leaders' Summit in September (CAN 2014c). In the ADP Co-Chairs' reflections on progress made at the June 2014 ADP negotiating session, it was acknowledged that a substantial amount of work remained to be done to have a legal agreement ready for translation within the next nine months (UNFCCC 2014b).

The challenge remains of how to ensure that all governments are willing to make substantial commitments to reach an effective global agreement to address global climate change, given the huge vested interests trying to undermine this agreement in many countries (Hansen 2009; Manne 2012; Union of Concerned Scientists 2007). Progress so far towards reaching an effective global agreement in 2015 in Paris has been extremely slow. Far more needs to be done on a war footing if governments are to avoid arriving in Paris without a fair, ambitious, and binding agreement, ready to finalise and sign. Regrettably, there remains a severe danger that COP21 in Paris will be as much a failure as COP15 in Copenhagen.

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