

THE PARIS AGREEMENT: A MOMENT FOR REFLECTION

Discussion Paper



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Questions for consideration

- Why is the Paris Agreement not catalyzing climate action at the pace and scale needed?
- In addition to nationally determined contributions (NDC), how can international cooperation be enhanced so as to close the gap between ambition and implementation?
- How can we best use the existing international climate regime and institutions to make the Paris Agreement deliver in today's political realities?
- What would success at COP30 look like?

INTRODUCTION

There is introspection in the aftermath of every Conference of Parties (COP) as to whether the Paris Agreement (PA), and the United Nations Framework Convention on Climate Change (UNFCCC) climate regime more widely, are working. COP29 is no exception, and has resulted in more commentary than usual on the functioning of the PA.

There are a number of reasons for this, including: rising emissions,¹ even as countries' nationally determined contributions have become more ambitious over time; evidence that 2024 saw the world reach the 1.5-degree-Celsius limit;² increasingly severe, frequent, and visible global climate impacts; a challenging geopolitical context, including the outcome of recent elections; the timing of COP29 in a relatively fallow part of the PA cycle, following on from the 'big' global stocktake (GST) COP in Dubai; significant dissatisfaction with the quantum of the New Collective Quantified Goal (NCQG) on climate finance agreed in Baku; and the letter published by the Club of Rome during COP29.³

THE PARIS AGREEMENT IS WORKING, BUT NOT FAST ENOUGH

The reality, though, is that PA is having a positive impact. Since it was adopted in 2015, successive COPs have taken the world closer to achieving its goals.⁴ Based on a 2023 policy setting, the International Energy Agency

(IEA) projected the world will experience 2.4 degrees C of warming by 2100 compared to pre-industrial levels. While concerning, this is 1 degree C lower than projections before the adoption of the PA.⁵

With the adoption of the remaining implementing guidance on Article 6 at COP29,⁶ the PA is now fully operational. 2025 will see the first full turn of the PA's five year 'ambition cycle,' including completion of the first GST⁷ and submission of the first round of biennial transparency reports,⁸ as well as new NDCs. As the misquoted Club of Rome letter says, "despite some of its flaws, and limited resources, the global policy framework is scientifically rigorous and economically sound and complete."⁹

The PA has also proven resilient, not only surviving but continuing to drive climate action despite significant geopolitical headwinds and economic shocks, including the withdrawal of the United States under President Trump's first administration. This is no surprise—the PA was designed to be resilient. Arguably, while high undesirable and regrettable, the United States announcing its intention to withdraw from the PA again is less consequential than it was in 2016, given that completion of the implementation guidance at COP29 means there are no remaining 'big ticket' items to be negotiated.

Furthermore, the PA has evolved since its adoption in 2015, including through formal COP decisions. Driven in large part by clearer scientific evidence there is now an emphasis on the 1.5-degrees-C temperature limit, rather

than 2 degrees C; an understanding that the world needs to achieve net-zero emissions by 2050; references to the need to transition away from fossil fuels in the energy system;¹⁰ sectoral and adaptation cycle targets to be achieved by 2030.¹¹ There has also been a maturing of the role of the High-Level Champions (HLCs) and the action agenda. Despite common misperceptions, there have been improvements in the UNFCCC process, including fewer agenda fights and a greater willingness to allow COP Presidencies and Presiding Officers to proactively facilitate the process.

At the same time, global climate action is still incremental and not at the pace and scale necessary to achieve the goals of the PA. If incremental progress continues, we will not reach net-zero emissions by 2050, nor will we be better placed to adapt to the inevitable impacts of a warming planet.

IT IS WRONG AND DANGEROUS TO BLAME THE PARIS AGREEMENT

Some of the commentary since COP29 gives the impression that the PA is some sort of autonomous machine—the idea being that you crank the handle at every COP with the expectation that greater ambition on all fronts will be generated. When that expectation is not met, the focus turns to the machine and how to fix it, giving in to a temptation to ‘scapegoat’ the PA and successive COPs as ‘failing.’ This betrays a fundamental misunderstanding of how the PA was designed to work and, more seriously, leads to the erroneous conclusion that ‘fixing’ the PA would also fix the problem.

This is at best overly simplistic, and at worst dangerous by diverting attention away from addressing the underlying causes of inadequate action. The PA was crafted to: (i) serve as a mirror, reflecting back to the world what we are collectively willing to do at a global level; (ii) point the way to what needs to be done collectively to achieve its goals; and (iii) provide milestones to generate political peer pressure to drive accelerated action.

Blaming the PA for inadequacies in global climate action is akin to a bad driver blaming their car for a crash. A better car is not the answer: getting better at driving is.

The PA imposes binding requirements on countries to have NDCs, to try to achieve them, and to report on their progress. But it does not provide for climate targets to be

negotiated—rather, these are ‘nationally determined.’ Nor does it set out punitive consequences if countries fail to meet the targets. All this was by design, the calculation being that such a framework would incentivize universal participation, and the PA’s five-year ambition cycle would provide regular political pressure points and peer pressure to incentivize a race to the top.

There are ways that the UNFCCC process could be improved so as to be more effective—and these should be pursued.¹² However some suggestions—ranging from adopting a voting procedure to ideas for significant redesign of aspects of the PA—have no chance of succeeding any time soon and risk losing valuable time if pursued. The reality is that if the current geopolitical and economic context had been in place in 2015, the PA would not have been adopted. Given that, to expect significant changes in its design or the workings of the wider UNFCCC regime in the near future is fanciful.

The outcomes from the PA ultimately depend on the underlying collective political drivers that shape the inputs that go into it. But despite increasingly severe and frequent climate impacts around the world, the evidence does not suggest that taking action is a political priority.¹³ If we want more ambitious outcomes from the PA and COPs, examining how to address and reverse this—and the part the UNFCCC process can play in that—is where the focus needs to be. Multilateral processes and their outcomes need to help generate the domestic support that is necessary for transformative climate action. And domestic action in all countries is needed to help generate multilateral momentum.

DO WE NEED A CHANGE OF APPROACH?

Moving from incremental improvements in climate action to the transformational levels necessary could be facilitated by changing how we engage with the PA, rather than an attempt to overhaul it or the UNFCCC process.

For at least the last two decades the UNFCCC has been the setting for confrontational zero-sum negotiations. While that was understandable in the years that led up to adoption of the PA, and to some extent negotiations of its detailed implementation guidance, arguably that approach no longer serves us well. COP outcomes secured through confrontational dynamics risk securing achievements only on paper that are not translated into action, due to lack of buy-in.

With the last of the Paris ‘rulebook’ having been adopted at COP29, the PA is now fully operational. Relatively speaking we are in a post-negotiating phase. But the culture of the UNFCCC regime has not yet caught up with that nor the reality that the center of gravity of global climate action is less focused on the COP process.

To accelerate climate action, the UNFCCC process could transition to a dynamic that values and places as much effort into cooperating to achieve the goals of the PA and fully implement promises made, as it does to maintaining pressure on ever more ambitious climate targets.

Article 14.3 of the PA states that:

The outcome of the global stocktake shall inform Parties in updating and enhancing, in a nationally determined manner, their actions and support in accordance with the relevant provisions of this Agreement, as well as in enhancing international cooperation for climate action.¹⁴

Since 2015 the focus of engagement with the PA has, to a large extent, been geared toward updating and enhancing NDCs. While this is critical, very little attention has been dedicated to how the UNFCCC regime can help enhance international cooperation. The outcome of the first GST is weak in this regard.

THE OPPORTUNITY OF COP30

COP30 will inevitably attract a lot of political attention. It will need to respond to what will very likely be an inadequate level of ambition from the latest round of NDCs. At the same time, the formal agenda for COP30 does not have mandated outcomes to match those expectations.

Coming after the submission of new NDCs, COP30 will have to respond to the collective level of ambition that they represent. It seems inevitable that this will be in the form of an overarching hard-negotiated decision, the contents of which are predictable: lament the lack of ambition in NDCs; re-emphasize the importance of the 1.5-degrees-C limit; urge countries to do more; stress the importance of honoring climate finance commitments; and look ahead to the second global stocktake. While it is essential that COP30 sends a strong signal on NDC ambition, the outcome of recent COPs does not suggest this alone would be sufficient to generate transformative climate action.

COP30 could go beyond the predictable to also set in motion a greater emphasis on enhancing international cooperation for climate action, and start the process of changing the culture and approach of the UNFCCC to that end. COP30 and the months leading up to it could:

- provoke an honest examination of the underlying reasons for why the climate regime has succeeded only in delivering insufficient incremental progress
- examine progress against the various 2030 targets agreed at COP28 as part of the GST outcome, including reasons for falling short
- encourage voluntary coalitions of countries and other stakeholders, including non-Parties—under the umbrella, or in support of, the PA process—to enhance international cooperation to achieve the COP28 targets and to build capacity for others to also do so, noting that consensus is not required for this (C2ES has produced a series of papers that explores these ideas¹⁵)
- establish a clearer understanding of the added value and limitations of the PA process, and clearly communicate these. As the Club of Rome letter states, the PA alone is “not enough to solve the problem”¹⁶
- leverage greater synergies with international processes outside the UNFCCC, including the other Rio Conventions, the multilateral development banks, and international financial institutions, as well as achieving the sustainable development goals¹⁷
- place as much importance on fostering the conditions needed to implement promises made under the PA as on increasing formal ambition. Including through a greater emphasis on the enhanced transparency framework and utilization of its facilitative multilateral consideration of progress (FMCP) process as opportunities to share best practice and lessons learned, as well as to generate discussion as to how to overcome barriers to action and build capacity
- mainstream the work of the High-Level Climate Champions and action agenda in the COP process, with a focus on the 2030 Climate Solutions,¹⁸ and hold non-Party stakeholders to greater accountability for the promises that they make
- produce outcomes and clear signals that speak much more clearly to domestic stakeholders in language that is meaningful to them
- reorganize the UNFCCC agendas around themes, to reduce inefficient redundancies and overlaps.

While arguably some of the ideas listed above are already happening, the UNFCCC process remains dominated by an approach geared to generating moments of jeopardy and high political drama in the final plenary of each successive COP, with success or failure judged solely against this. Does a focus on confrontational negotiations under a PA, where by design climate targets are not negotiated, continue to serve us well? Rising global emissions suggest not. Ultimately success under a consensus-based process may require persuading those who fear they have most to lose from a transformational clean energy transition, that the transition is in their overall interest.

One COP is not going to solve the problem. But Brazilian leadership, and the timing of COP30 in the PA's five-year cycle, present an opportunity to examine how things might be done differently. And there are signs, such as the Mission 1.5 initiative,¹⁹ that the incoming Presidency is looking to do that. They should be supported in these efforts.

The well-known saying is that only an insane person repeatedly does the same thing and expects a different result each time. Consideration needs to be given to how *engagement* with the PA and COPs could be different in order to catalyze—and secure support for—transformational change. Enhancing international cooperation could be the key, and COP30 could be the moment.

ENDNOTES

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