

The Paris Agreement and its Next Steps

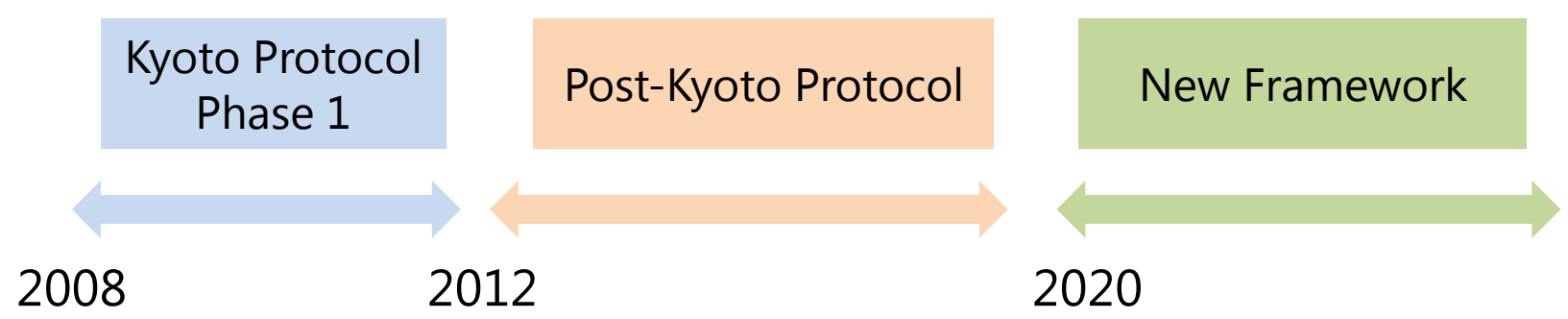
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2016/2/10

This presentation includes opinions and analysis of international agreements' content and countries' specific situations. The views expressed in this presentation are the author's own.

Evolution of the international framework



EU	Kyoto Protocol Phase 1	Kyoto Protocol Phase 2 (+Cancun Agreement)	Paris Agreement
Japan • Russia	Kyoto Protocol Phase 1	Voluntary Action and Effort under the COP16 Cancun Agreement	
US • Canada Developing countries			

Post-2020 negotiations framework

At the 2015 COP21, the 'Paris agreement' was adopted as the international framework for post-2020 climate action.

Developing the legal document (the above-mentioned 'Paris agreement') for the post-2020 regime was the mission of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), which they achieved through a total of 14 meetings between 2012 and 2015.

Outline of the presentation

1. Outline of the COP21 Agreement (Paris Agreement + decision)
2. Analysis and assessment ① Is the Paris agreement effective?
3. Analysis and assessment ② Will the US participate?
4. Analysis and assessment ③ Will the Paris agreement come into effect?
5. Analysis and assessment ④ What will happen to the postponed parts of the negotiation?
6. Analysis and assessment ⑤ Issues specific to Japan

1. 1. OUTLINE OF THE COP21 AGREEMENT (PARIS AGREEMENT + DECISION)

Framework for Nationally Determined Contribution (NDC)

(1) Five-yearly global stocktake of progress towards achievement of the long-term goals

Every 5 years from 2023
From 2018 for mitigation

Bold font means legally binding provisions (shall)

(2) Five-yearly submission of NDC, informed by outcome of the stocktake

Preparation, submission and improvement of NDCs: submission every 5 year

Next submission in 2020

Next contribution progress from current

Developed countries should keep undertaking economy-wide absolute emission reduction targets. Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets.

(3) Assessment of the aggregated effect of submitted NDCs in comparison with the long-term goals

Parties shall submit to the secretariat their nationally determined contributions at least 9 to 12 months in advance.

(4) Pursuing domestic measures aiming for achieving NDC with biennial reporting and international review on progress

Pursuit of domestic measures

Support to the implementation by developing countries

Biennial report of the progress towards the achievement contribution, expert review, multilateral study, flexibility for developing countries

(5) Facilitation of implementation and compliance through a new committee

Implementation of a facilitative, non-intrusive, non-punitive framework

About mitigation

Bold font means legally binding provisions (shall)

① Long-term targets

Achieve temperature target (keep global temperature well below 2 degrees Celsius, and to drive efforts to limit the temperature increase even further to 1.5 degrees Celsius above pre-industrial levels; Art.2)

Reach global peaking of greenhouse gas emissions as soon as possible, and undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century.

② Long-term strategy

Planning and submission of long-term low-GHG emission development strategy

Submission of mid-century strategy to the Secretariat up to 2020

③ NDC to be submitted in 2020

Parties that submitted targets for 2025 will submit their new NDC for 2030
Parties that submitted a 2030 target will resubmit or update their NDC

About funding

Bold font means legally binding provisions (shall)

① Donor countries

Maintained obligation for developed countries to fund developing countries under the UNFCCC

Voluntary contributions is encouraged from other countries

② Mobilization of resources

Developed countries should continue to take the lead in mobilizing climate finance from a wide variety of sources, instruments and channels, noting the significant role of public funds

Developed countries intend to continue their existing collective mobilization goal through 2025 (100 billion per year)

Prior to 2025 the CMA shall set a new collective quantified goal from a floor of USD 100 billion per year

About transparency

Bold font means legally binding provisions (shall)

① Establishment of one single framework

Establishment of **an** enhanced transparency framework

② Providing information on mitigation on a regular basis

Each country should provide regularly essential information about the national inventory of emissions and the progress made in implementing and achieving its NDC.

③ Providing information on support on a regular bases

Developed countries should provide regularly information on provided support

Support provided by other countries should also be shared

④ Frequency of information sharing

Except for the least developed country Parties and small island developing States, no less frequently than on a biennial basis

About transparency (Follow-up)

Bold font means legally binding provisions (shall)

⑤ Expert review and multilateral consideration

The submitted information shall undergo a technical expert review where implementation and achievement of provided support and NDC shall be examined and areas of improvement identified.

Parties should provide support for funding and for NDC achievement and implementation progress, and take part in multilateral consideration (✕ timing and frequency to be addressed further on)

⑥ Flexibility for developed countries

Flexibility shall be provided in the implementation of the provisions to developing countries that need it in the light of their capacities.

About global stocktake

Bold font means legally binding provisions (shall)

① Purpose of the global stocktake

assess the collective progress towards achieving the targets and long-term goals (referred to as the “global stocktake”). It shall do so in a comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support, and in the light of equity and the best available science.

② Implementation period

first global stocktake in 2023 and every five years thereafter

facilitative dialogue in 2018 to inform the preparation of nationally determined contributions (✕ mitigation only)

③ Relationship between outcome of stocktake results and each country's effort

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, as well as in enhancing international cooperation for climate action.

Other important points

Bold font means legally binding provisions (shall)

Implementation facilitation and compliance promotion

A mechanism to facilitate implementation of and promote compliance is established

It consists of a committee that shall be expert-based and facilitative in nature and function in a manner that is transparent, non-adversarial and non-punitive

Signature and ratification

The Agreement shall be open for signature at the United Nations Headquarters from 22 April 2016 to 21 April 2017. It invites the Secretary-General to convene a high-level signature ceremony for the Agreement on 22 April 2016; and all Parties to the Convention to sign the Agreement at the ceremony to be convened by the Secretary-General, or at their earliest opportunity, and to deposit their respective instruments of ratification, acceptance, approval or accession, where appropriate, as soon as possible

Enforcement

The Agreement shall enter into force on the thirtieth day after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55 percent of the total global greenhouse gas emissions have ratified it.

“Total global greenhouse gas emissions” means the most up-to-date amount communicated on or before the date of adoption of this Agreement by the Parties to the Convention.

Characteristics of the Paris Agreement

In order to obtain an unanimous agreement, the agreement presents a balance between common and differentiated application and applicability of legal force regarding mitigation, adaptation, support, (→following slide)

Framework to enhance transparency through a synthesis every 5 years of state of implementation and to promote self-determined ambitious contribution towards achieving long-term target (2°C)

→in 2 slides)

Common and differentiated application, applicability of legal force

Bold font means legally binding provisions (shall)

	Common Application	Bifurcated Application	Other differentiated Application
Mitigation	5-yearly submission of NDC Pursuing domestic measures, with the aim to achieving NDC	Continuation of absolute economy-wide emission reduction targets by developed countries & encouragement for developing countries to gradually move towards economy-wide targets	National determination of NDC (=self-differentiation)
Finance		Continuation of obligation to provide finance for developing countries by developed countries Continuous lead by developed countries to mobilize climate finance and continuation of existing collective \$100B target through 2025	Voluntary provision of finance by other countries (=expansion of donor base)
Transparency	Biennial submission of inventory of emissions and sinks Biennial submission of information necessary for tracking progress of NDC Participation in technical expert review and multilateral consideration	Special attention to respective capacities and circumstances of developing countries at review Submission of provided support for finance, technology and capacity building by developed countries	Provisions of flexibilities for developing countries that need in light of their capacities (=need-based differentiation) Submission of provided support by other countries (=expansion of donor base)
Global Stocktake	Updating and enhancing of actions and support, informed by the outcome of the stocktake, in a nationally determined manner		
Cross-cutting		Provision of support for developing countries when implementing provision of the Agreement	the support providing entities are not specified

Structure of Paris Agreement

Latest available science (IPCC)

→は情報インプットを示す

(1) Global stocktake of progress towards achievement of the long-term goals

- involves mitigation, adaptation, support
- every 5 years, starting from 2018 for mitigation, 2023 otherwise

(2) Updating and enhancing, in a nationally determined manner, their actions and support

- mitigation: obligation to submit NDC every 5 years
- Expected level of public funding for the support: provide information biennially (※if available)

(3) Providing regular information and review about action implementation and provided support

- Provide information at least every 2 years
- expert review on provided information, examination of support and NDC implementation
- achievement, identification of areas needing improvement
- promote implementation of multilateral consideration
- input to stocktake

(4) Promotion of implementation and compliance through committee

- non-adversarial and non-punitive

2. ANALYSIS AND ASSESSMENT ①

IS THE PARIS AGREEMENT EFFECTIVE?

No obligation to attain target, but ensuring effectiveness through simultaneous submission

The effectiveness of the Paris Agreement consists in the pressure on both national and international levels for enhanced transparency on global stocktake, worldwide simultaneous submission of NDC and implementation state of NDC

There is no obligation to attain NDC. However, the global stocktake is used for NDC elaboration; the every 5-year worldwide submission raises international awareness; the biennial review on every country's achievement state of NDC implementation enhances transparency over the subject, as it is nationally and internationally exposed to examination. In the end, effectiveness is ensured not by an obligation to achieve targets but by enhanced transparency .

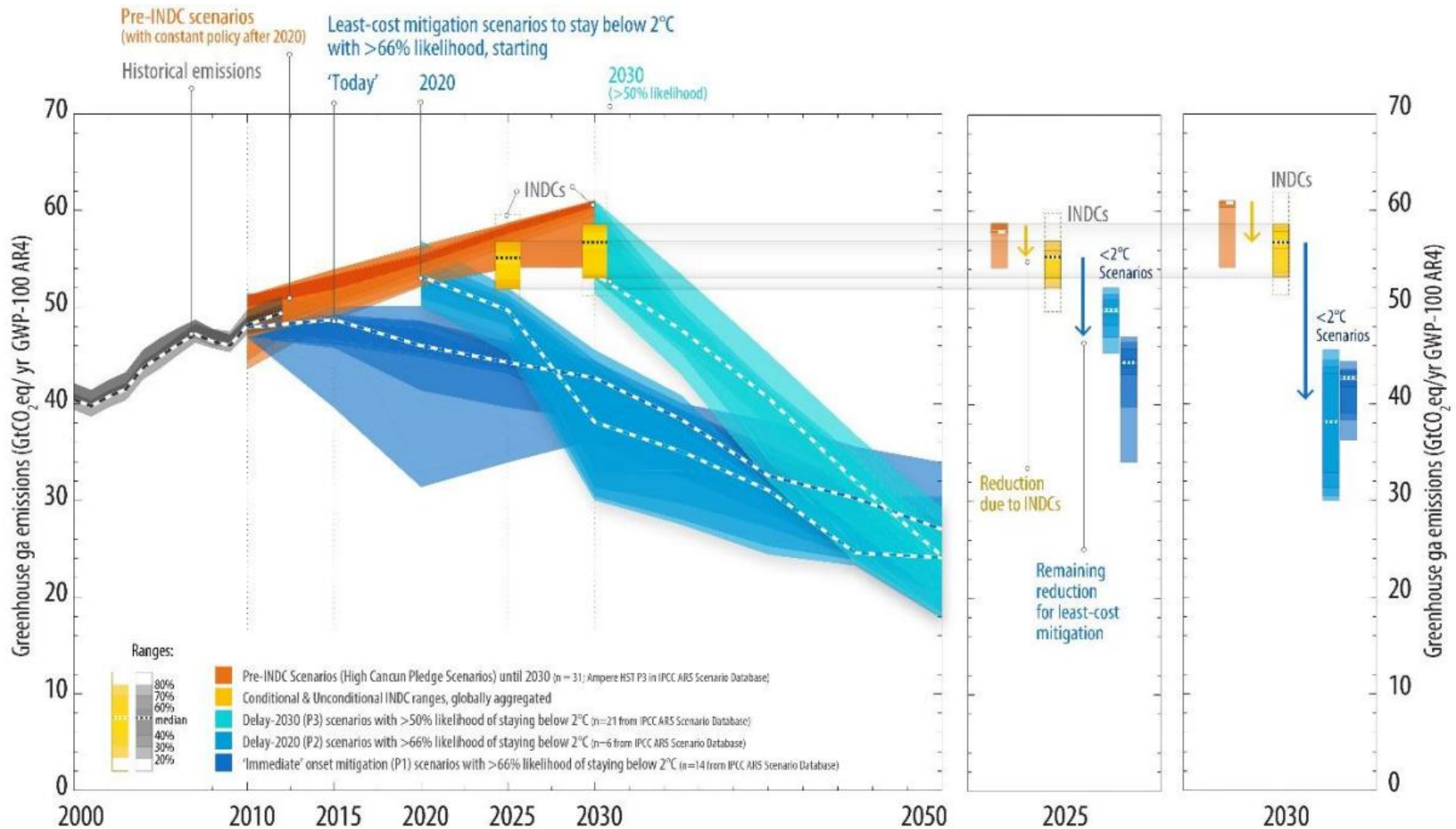
According to important points collected during the submission period, it builds a framework where targets and energy policies of major countries will be at the center of international attention every 5 years.

As contributions are basically 'nationally determined', it will be very difficult to guarantee the long-term target (well below 2°C等). However, there is a better chance now at controlling global warming than if there had been no agreement.

State-of-the-art of INDC submissions

Country	Post-2020 INDC
Japan	-26% by 2030 compared to 2013 (-25.4% compared to 2005)
United States	-26% to -28% by 2025 compared to 2005
EU	-40% by 2030 compared to 1990
Russia	-25% to -30% by 2030 compared to 1990 (※subject to “the maximum possible account of absorbing capacity of forests”)
Canada	-30% by 2030 compared to 2005
Australia	-26% to -28% by 2030 compared to 2005
South Korea	-37% by 2030 compared to BAU
Mexico	-25% by 2030 compared to BAU* (-22% by 2030 compared to BAU in GHG)
China	Achieve the peaking of CO2 emissions around 2030 and making best efforts to peak early Reduce CO2/GDP by -60 to -65% by 2030 compared to 2005 Increase the share of non-fossil energy carriers of the total primary energy supply to around 20% by that time, and increase its forest stock volume by 4.5 billion cubic metres, compared to 2005 levels
India	Reduce GHG/GDP by -33 to -35% by 2030 compared to 2005 Increase the share of non-fossil based power generation capacity to 40% of installed electric power capacity by 2030 Create an additional (cumulative) carbon sink of 2.5–3 GtCO2e through additional forest and tree cover by 2030

Relationship between INDC aggregation and 2°C target



Source: AR5 scenario database, IPCC historical emission database and INDC quantification.

1. 3. ANALYSIS AND ASSESSMENT ②

WILL THE US PARTICIPATE?

Will the US participate?

Ratification without consultation with congress

As the Obama administration judge that the agreement can be implemented without Congress approval, **there is a high probability that the US will ratify the agreement early 2016.**

There is also a possibility that the signing ceremony will be held at the earliest on April 22.

However, there is also a possibility that they simultaneously consult with China and then postpone their ratification according to China's circumstances.

Withdrawal risk, target weakening risk

Only the president could decide a withdrawal.

If the next President is republican, there is a risk of withdrawal.

Alternatively, even without withdrawal, there is a high possibility that a weaker target (compared to the current one of 26 to 28% emissions reduction from 2005) should be resubmitted .

Either way corresponds to Republican candidates' way of thinking.

(Source) CNN coverage of NY mayor Bloomberg campaign

Public opinion survey results by CNN / ORC

	Hillary Clinton leading (%)							
	6/26-28	7/22-25	8/13-16	9/4-8	10/14-17	11/27-12/1	12/17-21	1/21-24
vs Jeb Bush	13	5	9	-2	-	2	-	-
vs Donald Trump	24	16	6	0	5	3	2	1
vs Ben Carson	-	-	-	-5	-1	-3	-	-
vs Carly Fiorina	-	-	10	-	-	-	-	-
vs Ted Cruz	-	-	-	-	-	3	-2	-3
vs Marco Rubio	16	-	-	-	-	-1	-3	-3

Ted Cruz and Marco Rubio

Ted Cruz

Known as a climate skeptic, he stated after COP21 he would withdraw the United States from the Paris agreement

Marco Rubio

Not a climate skeptic at first, now sides with skeptics; he stated after COP21 that it was an 'unfunny joke' and a 'ridiculous deal'

4. ANALYSIS AND ASSESSMENT ③

WILL THE PARIS AGREEMENT COME INTO EFFECT?

Will the Paris agreement come into effect?

If the US do not withdraw, securing more than 55% of world GHG is easy

According to the UNFCCC emissions data, if China, the US, EU and Russia ratify the agreement, 55% are reached already.

In the case of a US withdrawal, there is potential for a postponing or obstruction '45% coalition'

If the US (17.89%) withdraw, if the following countries do not ratify the agreement, it will not come into effect

China & Russia (✕US + China + Russia = 45.51%)

BASIC (✕US + BASIC = 46.02%)

LMDC (✕US + LMDC = around 50%)

⇒ in the case of a US withdrawal, there is a high probability that LMDC, BASIC, Russia would postpone the enforcement on purpose to gain negotiation power and obtain better conditions.

If US and China both ratify the agreement in 2016, there is a high probability that the agreement will come into effect in 2017 even if the US withdraw then

As there is no government change in China, a China withdrawal is very unlikely; and without China, (20.09% of emissions) a '45% coalition' is difficult to bring together.

Last, if the US withdrawal happens after the coming into effect, then the agreement will still continue to take effect as it will have started with ratification by more than 55%

1. 5. ANALYSIS AND ASSESSMENT ④
WHAT WILL HAPPEN TO THE POSTPONED
PARTS OF THE NEGOTIATION?

The definition of guidance and modalities of several elements were postponed to next negotiations

イシュー	検討場所	決定時期
Common time frame for NDC	APA	CMA1
Guidance for NDC features	APA	CMA1
Modalities and procedures of the public registry	SBI	CMA1
Accounting guidance	APA	CMA1
Cooperative approach guidance (including double count avoidance)	SBSTA	CMA1
Mechanism rules, modalities, and guidance	SBSTA	CMA1
Elaboration program for non-market approaches	SBSTA	CMA1
Modalities, planning and function of the Adaptation Forum	SBSTA/SBI	CMA1
Modalities to acknowledge adaptation efforts from developing countries	AC, etc	CMA1
Methodology for mobilization for support to adaptation	AC, etc	CMA1
New collective quantified goal from a floor of \$100 bn. per year	CMA	Until 2025
Specifics on Parties presenting information on support fund	COP	CMA1
Accounting modality regarding public intervention on funding/fund mobilization	SBSTA	COP24 (2018)
Implementation of technology framework	SBSTA	CMA1
Decision on arrangements by Paris committee on Capacity building	COP25	CMA1
Modalities, process and guidance on transparency, implementation period of review	APA	COP24 (2018)
Source of information for global stocktake	APA	CMA1
Application methodology of global stocktake in IPPCC assessment	SBSTA	APA2 (?)
Global Stocktake modality	APA	CMA1
Modality and procedure for the committee for implementation and compliance promotion	APA	CMA1

※APA: Paris agreement of the Ad Hoc Working Group, CMA: Conference of the Parties serving as the meeting of the Parties to this Agreement, AC: Adaptation Committee

The outcome of such future detailed negotiations is unclear

There is a high probability that differences in understanding ambiguous expressions will appear

As many expressions were kept deliberately vague in the Paris agreement and related decisions, in order to reach an agreement.

The climax of negotiations is expected to happen around 2018-2020

Transparency-related decisions will start in 2018.

Many other points are to be decided at CMA1, but CMA1 will be the first COP after the agreement starts being enforced, but at this is point it is not the case yet. Even it should come into effect at an early stage, negotiations may be postponed. As the US presidential election will be in 2020, there should be a climax in 2019.

6. ANALYSIS AND ASSESSMENT ⑤

ISSUES SPECIFIC TO JAPAN

3 major issues

(1) Conclusion of Paris Agreement (ratification)

Given the risk of US withdrawal, would it be better to wait until the 2016 presidential election ?

(2) Detailed negotiations

As the political capital poured in by the US decreases, how will it affect the recovery of the halving issue ?

(3) Issues regarding 2020

In 2020, there will be both the new submission for the 2030 targets and the submission of the strategy to 2050

In 2020, the US will submit their 2030 targets and have their next Presidential election; moreover the Tokyo Olympic Games will be held in Japan. Under such circumstances, there is a chance that international attention will be distracted from climate negotiations.