



# COP21 en route to Paris: the state of play

by Balazs Ujvari

The 21st Conference of Parties (COP21) for the United Nations Framework Convention on Climate Change (UNFCCC) – to be held in Paris at the end of this year – is widely hoped to bring about a new long-term global regime on climate change. While climate negotiations are still about preserving the environment and minimising economic losses while doing so, their *modus operandi* has changed over the years. Long gone are the days of Kyoto-style agreements seeking to bring all UNFCCC parties under a set of legally binding national targets. Since COP15 in Copenhagen (2009), where efforts to extend the Kyoto Protocol beyond 2012 resulted in definitive failure, the tone of climate negotiations has profoundly changed.

Although the Copenhagen Accord proved short-lived, COP15 did serve as a stepping stone to an overhaul of the UNFCCC process launched at COP17 in Durban (2011). At this conference, parties converged on three key points. First, it was decided that a new set of negotiations would be launched in order to develop a new regime with legal force by autumn 2015 in Paris; to that end, an Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) was established and mandated to produce this new convention.

Second, largely due to the insistence of developing countries, parties were called to make national voluntary ‘contributions’, rather than ‘commitments’, to the fight against climate change.

Third, a two-step process was agreed upon, according to which nations were to reveal their intended contributions by 31 March 2015, leaving time for a scientific assessment of whether such efforts would suffice to realise the overarching goal: holding global temperature rise ‘below 2°C or 1.5°C above pre-industrial levels’.

## Climate diplomacy

The rules of the game have therefore changed. But how are the negotiations unfolding in practical terms? And are the parties still on track to clinch a deal this December in Paris?

The 17th meeting of the ADP, the latest staging post on the way to COP21, concluded last June in Bonn by adopting a last-minute deal on a painfully negotiated 83-page draft text for COP21. As drafting by 195 national authors proved virtually unmanageable, delegates authorised the two co-chairs (Algeria and the US) to make their own alterations to the text with a view to meeting the deadline of 24 July set for submitting a streamlined draft of the Paris convention to the UNFCCC secretariat.

Yet unresolved issues abound: most notably, a key disagreement remains between China and the US over whether developing countries should benefit from differentiated treatment. The informal ministerial meeting to be hosted by French Foreign Minister Laurent Fabius on 21 July in Paris will

thus be an opportunity to gather key emitters and address sticking points so that delegates can engage in concrete bargaining during the next ADP session at the end of August.

Despite the progress made in the negotiations, only 44 countries – 34 of which ahead of the March 31 target – have hitherto filed greenhouse-gas pledges. As the overwhelming majority of these submissions stem from developed nations, their aggregated emissions account for merely 54.7% of that of the entire globe – a figure that will drastically increase this coming autumn when other developing countries with the largest emission rates are due to reveal their contributions.

## Back to BASICS?

If the tone and language of UNFCCC negotiations has considerably changed since the first COP in Berlin in 1995, one thing has remained the same: the central importance of negotiating blocs. The first bloc to determine its contribution to COP21 was the EU: a binding, economy-wide, domestic greenhouse gas emissions reduction target of at least 40% below 1990 levels by 2030.

Another major bloc in the process is the BASICS, formed at the 2009 Copenhagen conference, including the world's first- and third-largest greenhouse gas emitters – China and India – together with Brazil and South Africa. In spite of their widely differing interests, the members of the group have successfully prolonged their cooperation on climate change. As a result, the Chinese delegate, for example, acted as a spokesperson for the BASICS when opening speeches were delivered in Durban (COP17).

Although their submissions – due by this autumn – will likely differ, it is expected that the BASICS will again present a united front during the summit in an attempt to ensure that the final outcome fits their own vision of multilateralism. The only BASIC country to have made a carbon pledge thus far is China, which is aiming to lower carbon dioxide emissions per unit of GDP by 60% to 65% from the 2005 level. It remains to be seen whether the BASICS can turn into BRICS by bringing Russia on board. Moscow, however, has taken a major step backwards with regard to its previous commitments, offering to cut emissions to just 75% of 1990 levels by 2030.

By contrast, the US, the second-biggest carbon dioxide emitting nation, has committed to reduce CO<sub>2</sub> emissions by 26%-28% by 2025 – the most ambitious pledge that can be met without new

climate laws being passed by Congress. Canada has recently followed suit by setting a 30% reduction target below 2005 levels by 2030. For their part, Japan (whose contribution will largely hinge on its success in reintegrating nuclear power into its energy mix) and Australia (where emission cuts are complicated by the abundance of natural resources) are yet to declare their contributions.

## Outstanding issues

In order for COP21 to culminate in a robust global climate deal, at least three conditions will have to be met. First and foremost, it will be necessary for the parties to eventually converge on the form and content of their contributions: this promises to be a rather daunting task in the light of the broad variety of proposals circulating thus far, involving quantitative reductions, mitigation actions, adaptation efforts, financial aid, capacity building, technology transfer and research and development (R&D) efforts.

Second, and closely related, is the need to agree on an accounting period, as well as a base year against which to measure the implementation of the contributions made. Lastly, once the above conditions are fulfilled, a compromise will have to be found on the potentially most contentious issue, and not only between developed and developing countries: the legal form of the agreement, including provisions for its entry into force and a procedure for its review and extension.

Owing to the early declaration of its contribution(s), the EU is well positioned to set an example in the run-up to the Paris conference. And domestic public opinion is rallying behind it, as most recently indicated by Dutch citizens successfully suing their government over inaction on climate change. Furthermore, through the 'Green Diplomacy Network', European environment and climate change experts are already actively engaged climate diplomacy in third countries, seeking to foresee, leverage or accommodate other major players' stances on the matter.

The lessons of the Copenhagen setback seem indeed to have been learnt, including the opportunity to convene world leaders at the beginning of the conference rather than at the very end. In this regard, France's efforts to set the tone for COP21 by steering the parties towards the 'Paris Alliance for Climate' may eventually prove crucial.

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