

A Look at COP 21: Seven Wrinkles in the Paris Climate Deal

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Will the landmark UN climate deal mark a turning point in the fight against climate change? The devil's in the details.

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The headlines from the Paris climate talks tell an inspiring story. Agence France-Presse reported an outbreak of “euphoria” [1] as the international climate accord was sealed. Reuters hailed a global “turn from fossil fuels.” [2] *The Guardian* headlined “a major leap for mankind.”

The celebratory tone is partly relief at the fact that 195 countries managed to agree to any kind of climate deal at all. It drew a stark contrast with the finger-pointing and despair that followed the failed 2009 talks in Copenhagen, which ended with only vague promises to action and left many climate activists pessimistic that negotiators would be able to bridge their differences.

This time, they were. They managed to seal a pact that sets a surprisingly ambitious target for limiting global warming, reflects the vast differences between countries in terms of their different historical and current responsibilities for causing climate change, and recognizes poorer countries' need to eradicate poverty even as they embark on a more sustainable development path.

Unfortunately, however, the main text of the agreement is long on rhetoric and short on action. Here are seven takeaways from a closer parsing of the deal.

1. Its targets are ambitious, but they're unlikely to be met

An extraordinary claim at the heart of the Paris Agreement [3] aims not only at “holding the increase in the global average temperature to well below 2° C above pre-industrial levels” — that's 3.6 degrees Fahrenheit — but also promises “to pursue efforts to limit the temperature increase to 1.5°C,” or 2.7 degrees Fahrenheit.

In other words, the emission reduction goals from Paris are even more aggressive than the 2-degree baseline promoted by scientists as a means to prevent the worst impacts from climate change

Yet actually achieving the 1.5°C goal is more than even many climate campaigners have the audacity to hope for. It would mean the world would have to stop burning fossil fuels by 2030 [4]. Unfortunately, nothing in the Paris deal itself suggests that's likely to happen. This is even acknowledged in the introductory blurb to the treaty itself, which says that "much greater emissions reduction efforts will be required" to meet even the 2-degree target.

The new agreement doesn't take effect until 2020, the chance to achieve the 1.5-degree goal will have already gone, unless all of the world's largest economies dramatically change course.

But big polluters like the United States have been dragging their feet for years — watering down [5] and then abandoning the Kyoto Protocol (which was the last global climate deal), scuppering progress at the UN climate talks in Copenhagen six years ago [6], and then killing off hopes of new global targets in Durban in 2011. The European Union [7], which has already met its unambitious 2020 emissions reduction pledge, has been similarly obstructive, refusing to take on more cuts despite falling a long way short of its fair share [8] of global efforts to limit climate change.

Going into Paris, 176 of the world's 195 countries wrote down what they intended to do to address climate change. But even if all of these promises were met, the world would still be heading for 3 degrees or more of global warming [9]. That would take us into extremely dangerous territory, with rising seas inundating coastal cities and setting off some chain reactions (called "tipping points") that could fundamentally alter our ability to live on large parts of the planet.

Leaving Paris, that's still the case.

2. There are no legally binding targets to cut climate pollution

There's a big legal devil in the details that made the Paris Agreement possible.

While the now defunct Kyoto Protocol set binding targets for rich countries related to their responsibility for causing climate change (admittedly, with some considerable loopholes), the new deal takes an "anything goes" approach. Countries are free to promise whatever they want, and there's *no penalty* if they break these promises.

All a country needs to do to meet its obligations under the Paris Agreement is to come back in 2023 (and every 5 years after that) and say they'll do a little more. That leaves a risk that if some countries clearly aren't pulling their weight, others might take it as an excuse to call a halt on their own efforts.

A number of rich countries have a history here: The United States, Canada, and Australia all missed their targets under the Kyoto Protocol, which makes their claim to be "high ambition" [10] champions this time around ring particularly hollow.

James Hansen, a former NASA scientist dubbed the "father of climate change awareness," is fairly blunt about what this means in practice [11]:

"It's just bullshit for them to say: 'We'll have a 2C warming target and then try to do a little better every five years.' It's just worthless words. There is no action, just promises. As long as fossil fuels appear to be the cheapest fuels out there, they will be continued to be burned."

3. No new money is promised to address climate change in developing countries

The 1992 global treaty that gave birth to the Paris Agreement this year gets one thing straight: developed countries [\[12\]](#) should give “new and additional financial resources” to developing countries to cover the costs of addressing climate change.

This “climate finance” isn’t aid or charity. It’s better thought of as a form of debt.

Imagine it this way: You hosted a party in a friend’s house, things got out of hand, and now you’re paying for the clean up. There are even some things that will never work the same way again, so you’d better pay a bit more to patch those together or replace them, too.

Climate finance means paying developing countries to move beyond the reliance on fossil fuels that made the U.S. and other developed countries rich. It also means paying for vulnerable communities and ecosystems to adapt to the climate change that’s already happening.

Yet rich countries have repeatedly failed to provide climate finance on anything close to the scale needed. Back in Copenhagen, they promised [\[13\]](#) to “mobilize” \$100 billion per year of climate finance by 2020. Using some highly creative accounting [\[14\]](#), they now say they’re already providing \$62 billion, and that new promises made in Paris [\[15\]](#) could take that total to \$94 billion per year.

In reality, only about \$2 billion [\[16\]](#) is actually delivered annually in dedicated climate funds, and a maximum \$20 billion per year of climate finance is flowing if a broader definition is used [\[17\]](#). The estimated need, according to the Climate Fairshares tool [\[18\]](#), is upwards of \$400 billion annually.

The Paris Agreement offers no new numbers. Instead, it introduces language about making the fundraising a “global effort,” which sounds innocuous but is intended to chip away at the liability of developed countries. During the talks, rich countries snubbed efforts led by African negotiators to set a better target for adaptation funding over the next five years.

And while rich countries now “intend to continue” efforts to provide \$100 billion in climate finance a year until 2025, the wording of the deal is deliberately vague about their obligations after that. You don’t have to be a lawyer to see how weak that commitment is.

4. Climate reparations are off limits

Unfortunately, the discussions of climate finance that did occur were limited from the outset. That’s because the U.S. categorically refused to consider any proposals for reparations for the damage rich countries’ emissions have already caused.

“The idea of even discussing loss and damage now or in the future was off limits. The Americans told us it would kill” the agreement, said Leisha Beardmore [\[19\]](#), chief negotiator for the Seychelles.

Other developing country diplomats reported the same message. Floods, typhoons, or droughts costing you billions? Tough luck. Climate change melting the glaciers that provide you with water? Don’t look to the United States for help, or the other developed countries who were supporting the same position with less fanfare.

Washington’s negotiators shut down this discussion through a mix of bullying and bribery. The carrot was a promise that the U.S. would sign up to the 1.5-degree Celsius goal, or something

approximating that — as long as it wasn't binding, and as long as the U.S. didn't have to take on its fair share [20] of meeting that target. The stick was a threat to bring the whole show crashing down if compensation was mentioned.

The U.S. even sought to go further, proposing that the Paris Agreement should insure wealthy countries against any future claims for “liability or compensation” for the loss and damage caused by climate change [21]. That phrase was kicked out of the final Paris treaty, although it remains in the accompanying guidance on how it will be implemented. That's a devastating blow to poor and vulnerable countries already facing the worst impacts of climate change.

5. It doesn't tell oil, gas, or coal producers to leave fossil fuels in the ground

Avoiding runaway climate change means leaving over 80 percent of the world's remaining fossil fuel reserves in the ground, according to climate scientists [22].

Earlier drafts of the Paris Agreement included options that reflect this, suggesting that countries should “decarbonize” over the course of the century. Even this languid approach to getting out of fossil fuels is absent from the final text. A call to “reduce international support for high-emissions investments” was struck out too, at the behest of the big oil producers.

Instead of getting out of fossil fuels, the Paris Agreement aims only to achieve “a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century.” Loosely translated: We'll fake it if we don't make it.

“Removals by sinks” can mean protecting or even re-growing the world's depleted forests, which capture carbon dioxide and convert it into oxygen. That would be a good thing. But the language hints at a variety of more damaging and outlandish ideas, too.

“Reforestation” is sometimes so loosely defined that it can mean replacing forests with plantations [23], or kicking indigenous peoples and forest communities off their land. “Sinking” carbon can also be a way of referring to Carbon Capture and Storage [24], an unfeasibly expensive (and leaky) scheme to bury carbon emissions that dirty industries invoke whenever they want to avoid cleaning up their act. Bioenergy with Carbon Capture and Storage (BeCCS), the latest fad in carbon sinks, proposes that we burn biomass as an energy source and then bury the carbon released by the process deep in the ground. The science behind this is contested [25], at best.

6. It opens the same carbon trading loopholes that undermined the last global climate deal

The Paris Agreement is intended to replace the Kyoto Protocol, a planet-sized flop that established a target for reduced greenhouse gas emissions far below what science suggested was needed — and then set up a series of loopholes that allowed developed countries to avoid climate action.

It relied on a system called the Clean Development Mechanism (CDM), a carbon “offsetting” scheme [26] that allowed rich countries to buy “carbon credits” from poorer countries instead of reducing their own emissions. The credits were meant to represent a ton of carbon cuts, but were based on dubious accounting that meant polluting companies got paid for doing almost nothing, or even expanding harmful projects. The market for CDM credits “essentially collapsed” in 2012 [27], and since then a ton of carbon has cost far less than a cup of coffee.

The idea of trading emissions hasn't gone away. Though there's no mention of carbon markets, the Paris Agreement explicitly allows countries to count emissions reductions made in other countries as part of their own domestic targets, referring to these by the euphemism "internationally transferred mitigation outcomes."

It also creates a new mechanism to replace the CDM. To keep the diplomatic silence on the discredited carbon market system [28], this is referred to as "a mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development" (MCMGGESSD?).

It's based on a joint proposal from the EU and Brazil [29], who clearly intend it to be a carbon trading scheme. But the length of the acronym and the obscurity of the language reflects the controversy surrounding international carbon markets, with Bolivia and its allies in the ALBA group of Latin American countries raising particularly strong objections.

Nonetheless, a new carbon market mechanism won't get off the ground without a fight. A battle over the rules for creating one will likely take place at the next UN climate change conference in Marrakech — the same city that hosted the 2001 summit that established the rules for the CDM [30] and the other UN carbon trading mechanisms.

7. Carbon pollution from international shipping and flights doesn't count

Carbon emissions from international transportation [31] already have as much climate impact as those from Germany or South Korea. And it's going to get worse: Emissions from international flights are on course to triple by 2050, and shipping emissions set to quadruple [32].

But for some reason, that pollution doesn't count as greenhouse gas emissions, according to the Paris Agreement.

That's scandalous, but sadly predictable. A similar hole was worked into the Kyoto Protocol [33], which gave responsibility for emissions cuts in those sectors to the International Civil Aviation Organization and the International Maritime Organization, respectively. In the 18 years since Kyoto, those bodies have shown themselves incapable of taking meaningful action.

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P.S.

* "Seven Wrinkles in the Paris Climate Deal". Foreign Policy in Focus. December 14, 2015: <http://fpif.org/seven-wrinkles-paris-climate-deal/>

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Footnotes

[1] <https://news.yahoo.com/world-adopts-historic-paris-global-warming-pact-183508708.html>

- [2] <https://news.yahoo.com/final-push-landmark-climate-deal-end-fossil-fuel-040818222.html>
- [3] <http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>
- [4] <http://www.climatechangenews.com/2015/12/07/scientists-1-5c-warming-limit-means-fossil-fuel-phase-out-by-2030/>
- [5] <http://www.monbiot.com/2007/12/17/hurray-were-going-backwards/>
- [6] http://www.theecologist.org/News/news_analysis/2340878/how_the_us_scuppered_climate_progress_at_copenhagen.html
- [7] <http://www.eea.europa.eu/publications/trends-and-projections-in-europe-2015>
- [8] <http://civilsocietyreview.org>
- [9] <http://www.wri.org/blog/2015/11/insider-why-are-indc-studies-reaching-different-temperature-estimates>
- [10] <http://www.theguardian.com/environment/2015/dec/12/australia-belatedly-joins-coalition-of-ambition-at-paris-climate-talks>
- [11] <http://www.theguardian.com/environment/2015/dec/12/james-hansen-climate-change-paris-talks-fraud>
- [12] <http://www.ipcc.ch/ipccreports/tar/wg3/index.php?idp=478>
- [13] <http://unfccc.int/resource/docs/2009/cop15/eng/11a01.pdf>
- [14] <https://www.environmental-finance.com/content/analysis/cop-blog-paris-100bn-question.html>
- [15] <http://www.reuters.com/article/us-climatechange-summit-funding-idUSKBN0TP07I20151206>
- [16] <http://climatepolicyinitiative.org/publication/global-landscape-of-climate-finance-2015/>
- [17] <http://www.climatefairshares.org>
- [18] <http://www.climatefairshares.org>
- [19] <http://www.theguardian.com/us-news/2015/dec/13/climate-change-paris-deal-cop21-obama-administration-congress-republicans-environment>
- [20] <http://www.climatefairshares.org>
- [21] <https://www.foe.co.uk/sites/default/files/downloads/loss-damage-proposal-compensation-fund-redress-process-76293.pdf>
- [22] <http://www.carbonbrief.org/meeting-two-degree-climate-target-means-80-per-cent-of-worlds-coal-is-unburnable-study-says>

- [23] http://www.theecologist.org/blogs_and_comments/commentators/2680451/fao_a_plantation_is_not_a_forest.html
- [24] <http://www.zdnet.com/article/why-carbon-capture-and-storage-will-never-pay-off/>
- [25] <http://www.biofuelwatch.org.uk/2015/beccs-report/>
- [26] <http://www.fern.org/campaign/carbon-trading/what-are-offset-projects>
- [27] <http://www.theguardian.com/environment/2012/sep/10/global-carbon-trading-system>
- [28] <http://corporateeurope.org/environment/2015/12/cop21-and-carbon-market-menace>
- [29] <http://carbon-pulse.com/13054/>
- [30] http://unfccc.int/land_use_and_climate_change/lulucf/items/3063.php
- [31] <http://earthjustice.org/blog/2015-december/ships-planes-and-climate-change>
- [32] <http://www.maritime-executive.com/article/Report-Shipping-Emissions-to-Quadruple-Up-to-2050-2014-12-03>
- [33] <http://unfccc.int/resource/docs/convkp/kpeng.pdf>