

## **The Paris Agreement and the Future of International Climate Policy**

U.S. SPECIAL ENVOY FOR CLIMATE CHANGE TODD STERN REFLECTS ON THE OUTCOME OF THE 2015 U.N. PARIS CLIMATE CONFERENCE

**On December 12, 2015, 195 countries reached a historic international climate agreement in Paris. Universally applicable and lasting in nature, the deal provides a framework for the future of international action against climate change. Making his first public appearance since the agreement was finalized, U.S. Special Envoy for Climate Change Todd Stern reviewed the Paris agreement at the Center for American Progress on December 15, 2015. The discussion was moderated by Pete Ogden, Senior Fellow at the Center for American Progress.**

### The Paris Agreement

Comparing key elements of the deal to previous efforts such as the Kyoto Protocol, **Stern** introduced the Paris Agreement as a major historic agreement. Overcoming shortcomings of former approaches, he described the latest agreement as universal, lasting and simultaneously highly ambitious. Furthermore, the deal's innovative architecture serves not only as a cornerstone for its realization, but also as a model for future multinational endeavors. According to Stern, the agreement's general focus has shifted towards each country's actual performance in order to determine its ongoing national targets. Thereby creating a living agreement that is able to respond and adjust accordingly to a changing global development. Stern also highlighted the innovative component of the agreement, i.e., the legally binding transparency regime that is enforced on the basis of inventories, reports, and peer reviews. This now allows for enhanced national planning and, at the same time, for better international coopera-

tion. A key component of the Paris Climate Conference was the inclusion of an agreed upon regime to redistribute financial and technical assistance for developing countries. This was only possible because of the close cooperation with countries such as China and India. In sum, Stern asserted that this agreement had become imperative to stall global warming at the target of 2°C, preferably limiting it to 1.5°, and to optimally achieve carbon neutrality in this century.

Asked about the inclusiveness of the Paris Agreement, Stern elaborated that the failed 2009 Copenhagen Accord illustrated the need to further develop merely politically binding approaches. According to him, past approaches failed *inter alia* due in part because of the separation between richer and poorer countries; the sentiment had been that developed and undeveloped countries were sharing the burden unequally. Consequently, the Paris 2015 deal sought to address this shortcoming by making the deal applicable to all countries, irrespective of development level. Stern emphasized that the Obama administration had also sought to enforce a widely applicable deal at the Climate Conference in Durban 2011, but was only able to bring it to fruition in Paris.

Finally, for the U.S. the legal architecture of the agreement had great implications. No agreement would pass a vote in a Republican led U.S. Congress. For instance, Stern reported about a misprint that implied an increased scope of Art.4 (4), making it directly binding for all countries. Representing the U.S. he was particularly afraid of such a wording, fearing to lose support for the deal in the U.S. administration. Moreover, he

Konrad-Adenauer-Stiftung e.V.

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December 2015

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was alarmed about the possible outcry among fellow negotiators. However, according to Stern, he played a pivotal role in limiting the impact of the error through intense negotiations and elaborate conversations off the record.

#### Negotiation Dynamics

Describing Stern's performance as "diplomatically skillful", **Ogden** inquired further about the dynamics that characterized the negotiations leading up to the Paris Agreement. Elaborating on this, Stern iterated that the French bureaucracy handled the meeting exceptionally well. More specifically, they provided an open and inclusive atmosphere, providing all parties with the opportunity to be heard. Stern stressed that the inclusive environment increased the negotiators' will to cooperate. Stern thus came to the conclusion that the French contribution was as crucial to the success of the climate conference as the diplomatic skills of the negotiators. He concluded that the process of organizing climate conferences was "an art, not a science," and that the French had mastered it on an advanced level.

Replying to a question from the audience, Stern further explained that neither the negotiators nor governments had a formula for convincing as many countries as possible to join. He clarified that the first step was to acknowledge that it is impossible to convince every partner of each point in the agreement. Instead, one had to create enough "landing zones" and incorporate other country's priorities to then find a common ground. Only because of this inclusive approach were we able to reach consensus among most countries.

The role of the U.S. government was not insignificant. According to Stern, the U.S. played a central role in pressuring countries to disclose their emission data or otherwise put their country's reputation at stake. As opposed to the European Union, which favored an assessment process, the U.S. was convinced that such pressure was sufficient to ensure discipline among the countries. In

particular, the U.S. believed in a binding transparency regime that was not to be punitive. In Stern's view, the U.S. only slowly emerged from the margins of the debate, but was able to create momentum for this compromise. However, since the U.S. was not central to climate discussions in the past, the central role for him and his team was to establish the American position and to position itself among the key players.

#### What to expect from the future

Concluding the session, Stern discussed what the climate agreement means for the U.S. and future international efforts to combat climate change. Still more work needs to be done, in particular guidelines in the agreements need further clarifications. For any further actions to be taken continuing pressure by the international community is essential. Additionally, the negotiating countries will have to take steps to meet their targets on bilateral and multinational levels. Here, Stern stressed that, in particular, developing countries will have to be given the necessary support in order to attract foreign investments. Only then will these countries be able to restructure their economies in an environmentally friendly manner.

In essence, Stern argued that the agreement's goals are achievable as long as the global economy is fundamentally transformed to a low to non-carbon system. Practical steps can be taken by providing incentives for the private economy to transform production. Stern understands Nicaragua as a trailblazer in this respect. By providing the legal and regulatory framework, countries such as Nicaragua have already undergone an energy transformation. Stern encouraged governments to speed up this development and hopes that Nicaragua can play an exemplary role. Finally, he believes that once we "get into a virtuous circle, where more action begets more action ... and where the straight economic case says you are better off going with clean energy than with the alternative", we will have succeeded.