

## COP21 Climate Change Conference: Will Paris Succeed Where Copenhagen Failed?

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### SYNOPSIS

There are high expectations that a new climate change agreement will be reached in Paris at the 21<sup>st</sup> Conference of the Parties (COP21) on Climate Change this December. The stakes are high for France to show leadership and get the negotiating parties to agree on an effective global approach to address climate change after the Kyoto Protocol expires in 2020. On 19 March 2015, the UN Framework Convention on Climate Change Secretariat communicated an 86-page negotiating text to all the participating countries. With the text comprising thousands of combinations of options, COP21 will be remembered either as a global turning point in the transition towards a low-carbon civilization or a tipping point towards runaway climate change. This policy brief provides an account on the current developments leading up to COP21, particularly the role of the French government in preparing for this critical summit.

### KEY POINTS

- The world is at a critical juncture with regard to the climate challenge and 2015 will be a decisive year. If the COP21 in Paris fails to deliver, the already declining faith of the general public in international climate negotiations will be further damaged.
- Paris is often compared to the 2009 COP15 in Copenhagen, as this will be the first opportunity since COP15 to deliver a new global agreement that would include the biggest emitters of greenhouse gases, namely the United States, China and India.
- France's whole-of-government approach and its engagement in climate diplomacy around the world in the lead up to this event will likely significantly help to facilitate a positive momentum for COP21.
- The biggest challenge to date is that much of the architecture for an agreement remains to be determined and the governments only have a limited time to overcome their own difficulties as well as mutual differences to ensure collective action beyond 2020.
- While the spotlight is on the major emitters, France also recognizes the importance of engaging the emerging economies of Southeast Asia in the build-up to COP21, due to the region's rapidly growing energy demand.

### INTRODUCTION

In December 2015, France will host the United Nations Framework Convention on Climate Change (UNFCCC) 21<sup>st</sup> Conference of the Parties (COP21), where there are high expectations that a new climate change deal will be struck. It will receive close to fifty thousand participants and international delegates. This event will be an important milestone for the international community

since it is hoped that for the first time in over 20 years of climate negotiations, a universal agreement on greenhouse gas (GHG) mitigation to prevent further anthropogenic interference with the climate system can be reached.

The Lima COP20 held in December 2014 resulted in a document commonly referred to by negotiators as the "Lima Call for Climate

Action". The 37-page text elaborated the elements of the new agreement and saw agreement on ground rules on how all countries can submit their emission reduction pledges. This has paved the way for a new climate change agreement to be adopted at the COP21 and implemented by 2020. The approach adopted in Kyoto in 1997, namely to require countries to cut GHG emissions by particular amounts, within specified timeframes under international law, has been abandoned. Instead, the new agreement will rely on national accountability measures and global cooperation to slow down global warming by presenting Intended Nationally Determined Contributions (INDCs) to be submitted by 1 October 2015. These bottom-up pledges are likely to form the foundation for climate action post-2020.

The Lima text was further refined when countries met again in Geneva, Switzerland in February 2015. Unfortunately, in the process of clarifying proposals and presenting options, the resultant text from the Geneva session more than doubled in size and is now a hefty 86 pages. Nevertheless, the text, available since 19 March in all six UN languages, forms a good basis for negotiations since a fully elaborated legal text of the agreement needs to be prepared six months ahead of COP21 to be considered for adoption. After five years of slow progress, national governments are finally at the table with a leaner text that is more robust and has diverse options for negotiation.

## **ANALYSIS**

### ***The Copenhagen Disappointment***

The adoption of a new international instrument to tackle climate change had been under discussion prior to 2009, in eager preparation for the 15<sup>th</sup> Conference of the Parties (COP15) to be held in Copenhagen at the end of that year. COP15 was a historic event because it marked the culmination of years of intensive negotiations under the UNFCCC. However, the process leading up to it was dysfunctional. The text was over 150 pages and some Parties were not even willing to use it as a basis for negotiations. Eventually, an Accord was drafted, on one side, by the United States represented by President Barack Obama, and on the other, in a united position by BASIC countries (Brazil, South

Africa, India and China), led by President Luiz Inácio Lula da Silva, President Jacob Zuma, Prime Minister Manmohan Singh, and Premier Wen Jiabao. Despite the fact that the Copenhagen Accord was reached by a group of very important Parties, it lacked legitimacy since most other Parties, including the European Union (EU), were left out of its negotiations. After the disappointment of Copenhagen, it was feared that there was not even the possibility of reducing GHG emissions and that "climate fatalism" would take hold.

### ***Singular COP Presidency Versus Whole-of-Government Approach***

As one of Europe's greenest societies, Denmark was an excellent summit host. But the government of Lars Lokke Rasmussen, in the weeks leading up to the Copenhagen Conference, made a number of errors while attempting to push the COP15 agenda forward. Allegations were made that even before the summit began, his office had put forward a draft political declaration to a select group of "important countries", undermining the UNFCCC process of equal consultation. The chief Danish negotiator, Thomas Becker, was sacked just weeks before the summit amid rumours of a rift between Rasmussen's office and the climate department of Minister Connie Hedegaard, who served as COP President during COP15. An atmosphere of distrust ensued and the Danes found it difficult to maintain control during the two-week summit. Misguided efforts to expedite negotiations so that an agreement could be reached led to protests from many developing countries. As a result, suspensions of sessions became routine.

A key lesson from COP15 is that an ambitious but impartial Presidency is needed in order to create an atmosphere of trust, bring viewpoints together and ensure that an agreement is adopted unanimously. The calibre and experience of the key personnel appointed to lead the talks at COP21 is worthy of mention. Laurent Fabius, Minister of Foreign Affairs and International Development, together with Ségolène Royal, Minister of Ecology, Sustainable Development and Energy, will share the leadership role. Both Fabius and Royal are specialists in economic and financial issues, European

affairs and international relations. They also represented France at in Rio de Janeiro, Brazil in 2012 at the UN Conference on Sustainable Development (Rio+20 Earth Summit), with Royal having attended the first summit in 1992.

The broader COP21 steering committee – “Team France” – is comprised of several ministers and political figures. One key member is Laurence Tubiana, a renowned sustainable development expert who in 2012 was appointed by the French government to the National Steering Committee on Energy Transition. She has been appointed Special Representative of the French Minister of Foreign Affairs and French Ambassador for Climate Negotiations. She joins Pierre-Henri Guignard, an experienced diplomat, in his role as General-Secretary in charge of the preparation and organization of COP21. The involvement of at least four French Ministries, as well as the deployment of the highly-regarded veteran individuals is aimed at ensuring a whole-of-government approach and this will significantly drive the Paris agenda forward. Having said that, the success at COP21 will depend on the extent to which the negotiating parties are prepared to compromise for the common good. The French government will have to work closely with the UNFCCC Secretariat to ensure that all views are properly addressed in an open and transparent manner.

#### ***French Leadership in Carbon Mitigation and Climate Diplomacy***

France is internationally regarded as a credible leader in climate change mitigation, having one of the lowest levels of per capita greenhouse gas emissions among the developed countries at 5.73 tons in 2013, compared with the European Union’s average of 7.35 tons. This is due to the fact that nuclear power accounts for 74 percent of France’s electricity needs. The French Parliament recently debated a bill on “energy transition for green growth”, which will help to further drive down the country’s emissions. Additionally, in an effort to remain as a leader in sustainability in Europe, France is preparing environmental reforms and working to further lower the country’s GHG emissions by working with local governments.

At a global level, the networks of elected officials, the strength of the global French-speaking community and diplomatic relations are assets that are being tapped to advance the COP21 agenda. Climate diplomacy is a key strategy for France in ensuring success in December. France is also working with Peru, which hosted the Lima COP in December 2014, through the Lima-Paris Action Agenda to catalyze action on climate change.

#### ***Role of ASEAN Member States***

While the spotlight is on major emitters such as China, the United States and India, collective action among the emerging economies in the Southeast Asian region will also be important. According to the International Energy Agency’s *Southeast Asia Energy Outlook* released in 2013, energy-related carbon dioxide emissions in the region will almost double, from 1.2 gigatonnes (Gt) in 2011 to 2.3 Gt in 2035. In a visit to Singapore in March 2015, UNFCCC Executive Secretary, Christiana Figueres said that Southeast Asia’s huge and growing demand for energy will set the tone for the global fight against climate change. As testament to the French government’s active outreach for COP21, the French President François Hollande travelled to the Philippines to launch the “Manila Call to Action on Climate Change” alongside his local counterpart, President Benigno Aquino in February 2015. Also in May 2015, the French Foreign Minister, Laurent Fabius, will deliver an International Institute for Strategic Studies (IISS) Fullerton Lecture in Singapore on the challenges of climate change and the preparations for COP21.

The Association of Southeast Asian Nations (ASEAN) released an “ASEAN Joint Statement on Climate Change 2014” in November 2014; which was delivered by Myanmar on behalf of the 10 ASEAN Member States at COP20 in Lima. It builds on past commitments from the regional body since the Bali Climate Conference in 2007 and contains strong commitments, including affirmation that all ASEAN countries will put forward INDCs well in advance of COP21 in Paris. ASEAN governments are aware of the dangers of climate change and have committed to taking appropriate mitigation strategies and actions. However, it remains to be seen if these commitments can translate into timely

concrete action, given the pressing socio-economic developmental challenges facing many of the ASEAN governments.

### ***Major Bumps Ahead***

Despite the efforts undertaken by France and the UNFCCC to try to ensure a fair, ambitious and binding deal in Paris, there are still bumps on the road ahead. The first deadline for submission of INDCs was 31 March 2015. At the time of writing, only the EU, Switzerland, Mexico, Norway, United States, Gabon and the Russian Federation had submitted INDCs. Although another round of submissions is expected by the middle of the year, there remains a significant gap towards achieving the stabilization of GHG concentrations in the atmosphere. But all hope is not lost. The NewClimate Institute, an independent non-profit research institute based in Germany, tracked the progress of INDC preparations worldwide and found that 81 countries have made progress in the preparation of their INDCs. A second implicit submission deadline is 1 October 2015, after which submissions are still allowed but will not be included in the UNFCCC's synthesis report, which will be made available to Parties in time for the COP21. It is hoped that by the October deadline, all countries, especially major emitters, will have submitted an INDC, which will provide critical information necessary to tally the collective efforts and measure whether the world is on track for an effective agreement.

Since 2009, many new negotiating groups and blocs have sprung up, some of them bridging the traditional developed and developing countries divide. Significantly, the US has recently entered into important bilateral agreements with China and India. While some observers worry that such bilateral cooperation could derail multilateral efforts, others see these developments as a positive signal that major emitters are doing their part for the climate. Yet, there are still deep tensions between those who advocate maintaining the status quo, and those who want to move beyond the Kyoto Protocol's style of differentiation, possibly eliminating the Kyoto Protocol's Annex I-Non-Annex I distinction which has been the centerpiece of the international climate negotiations for over two decades.

The Geneva negotiating text has formally put parties on a course to make history and address what has been termed "the greatest challenge facing mankind". But much of the architecture for an agreement remains to be determined, including the dates of any targets or accounting periods; accounting rules such as crediting of nuclear, CO<sub>2</sub> capture and storage, treatment of land use change, various forms of offsets, and whether they will be the same for all parties; as well as the legal form of an agreement, provisions for entry into force, terms of compliance, and procedures for review and extension.

### **WHAT TO LOOK OUT FOR**

- The outcomes of the three preparatory meetings in Bonn in June, August/September and mid-October 2015.
- The number and level of commitment indicated in the INDC submissions received before COP21, as they will serve as key input for negotiations and form the foundation for climate action post-2020.
- A synthesis report on the aggregate effect of the INDCs communicated by Parties compiled by the UNFCCC Secretariat by 1 November 2015. This report will determine the sufficiency of INDCs to limit the temperature increase to 2°C and be the basis for an effective agreement.

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