

THE PARIS AGREEMENT AND ITS FUTURE

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INDEPENDENCE

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EXECUTIVE SUMMARY

When the nations of the world adopted the Paris Agreement in December 2015, they took a giant step toward establishing an operational regime to spur climate action after some 20 years of failed attempts to do just that.¹ This paper focuses on both the paradigm shift in diplomacy that made the success in Paris possible, and the considerable challenges facing the Agreement this year, as Parties struggle to complete the implementing measures needed to get the Paris regime up and running.²

The Paris Agreement succeeded by changing the paradigm of climate diplomacy. It adopted a bottom-up structure for emissions targets (“nationally determined contributions”), balanced by top-down provisions for strong global emission goals and key accountability provisions, such as reporting and review. It shifted the paradigm of differentiation—continuing to assure developing countries that their priorities for growth and development would be fully respected, but putting in place more supple means of differentiating than the 1990s firewall erected between developed and developing countries. It is a legal hybrid, blending binding elements of accountability with non-binding emissions targets. In critical ways, it bets on the force of rising norms and expectations rather than law to achieve its aims. For Paris to succeed in the end, this is the bet that will need to pay off.

Negotiations in 2018, concluding in December at the U.N. climate conference in Katowice, Poland also known as COP 24, are focused on the so-called “rulebook”—guidelines and rules on matters such as accounting for emissions, reporting and review, and on the way the new Committee on Implementation and Compliance should operate.³ This rulebook is a key step for turning Paris into an effective regime.

To date, rulebook negotiations have not gone smoothly, though there is time to get them right. The absence of the United States at a political level is problematic, but not the only problem. Many developing countries are worried about how much will be expected of them in areas like reporting and review. Others are seeking, unhelpfully, to re-establish as much of the old firewall as

possible. And uncertainty about donor financial contributions creates anxiety.

These rapids can be navigated if countries stay focused on the imperative of building out an effective regime that is faithful to the deal struck in Paris. Developing countries have no need for anxiety. After all, 85 of them already get special, gentler treatment under the Paris Agreement as Least Developed Countries or small island developing states.⁴ And, for the important transparency regime of reporting on inventories and progress toward targets, “flexibility” is available to any developing country that needs it “in the light of their capacities.”⁵ Plus, the expert panels that review country reports are already instructed in the Agreement to pay attention to the capabilities and circumstances of developing countries.

All Parties need to be sensible about the level of rigor and detail required in these rules. They obviously need to be strong enough to support ambitious action but going overboard will make developing countries feel that the central bottom-up top-down balance is getting lost. The important thing is to get countries all in one effective system and get moving.

The thing we cannot do is go backward toward the old firewall, which is untenable both substantively and politically. That retreat could happen by putting in place different requirements for developed and developing countries. It could also happen by converting the flexibility principle in transparency—limited in the Paris Agreement to developing countries with capacity needs—to one available to all developing countries, irrespective of capacity.

Once again, norms and expectations have a critical role to play. In theory, countries could negotiate hard criteria for deciding who gets flexibility in reporting, but in practice, that is unlikely to work. So, countries will have to be responsible for making their own decisions about whether they can properly claim flexibility, with norms and expectations—and some practical safeguards—keeping the system honest.

Donor countries will also need to reassure developing countries that they are working hard to meet their existing financial commitments. Financial assistance is a perennial source of friction in international climate negotiations, with developed countries struggling to provide more, and developing countries feeling short-changed. The Trump administration's posture—provid-

ing no new funding—only makes things harder.

Finally, Parties should agree that the rulebook will be open for any needed modifications after a reasonable period of time, perhaps 5 to 10 years after it is finished.

Paris succeeded as a new kind of climate agreement. The rulebook can help turn it into a strong, lasting regime, provided it stays faithful to the Paris Agreement itself.

The Paris Agreement and Its Future

Todd Stern

Introduction

On December 12, 2015, the countries of the United Nations Framework Convention on Climate Change (UNFCCC) adopted the landmark Paris Agreement, sending a message heard round the world that national leaders had finally seized the moment and committed their countries to meet this metastasizing threat.⁶ It was a galvanizing moment, resonating in governments, among publics, in civil society and in boardrooms worldwide.⁷ Efforts to establish an operational regime to help spur climate action had faltered for nearly 20 years, but Paris signaled that the stalemate had been broken, we were on our way, and there was no turning back.

Less than 11 months later, on November 4, 2016, owing to the Obama administration's intensive diplomacy, the Agreement entered into force two or three times faster than any expert could have predicted, clearing the twin thresholds of covering the requisite number of countries and the requisite percentage of global greenhouse gas emissions.⁸

In December 2018, at the annual U.N. climate conference to be held in Katowice, Poland, the Parties' central objective is to agree on a set of rules and procedures meant to implement Paris, the next key step in building a workable, effective international regime. While rules and procedures may seem weedy, getting them right is essential to driving the climate action we need.

But success is far from assured. The excitement of Paris and the sense of living in a stars-aligned moment has faded, and the historic acrimony and dissension that has marked and marred climate negotiations from the beginning have crept back into the proceedings. On top of that, there is the Trump administration, with its know-nothing belligerence, mocking the reality of the problem, speaking the unhinged language of umbrage and grievance. By asserting his intention to withdraw from the Paris Agreement,⁹ President Trump has thrown a monkey wrench into efforts to make progress.

In what follows, I will look at what made the Paris Agreement work in the first place and what needs to be done this year to complete the so-called "rulebook." I

will then offer a few preliminary thoughts about international collaboration going forward.

The road to Paris

First, let's look briefly at why efforts to negotiate a workable, effective climate agreement ran aground for the 20 years before Paris.

To begin with, climate negotiations inherently have a high degree of difficulty. There are more than 190 countries in the UNFCCC, grouped into different blocs with their own agendas;¹⁰ long-standing north-south resentments aggravate the debate; and negotiations are governed by what amounts to a consensus rule of procedure,¹¹ so that everyone, or nearly so, needs to agree on any decision. Moreover, addressing climate change implicates virtually every aspect of national economies, since greenhouse gases are produced mainly by the use of fossil fuels and secondarily from forestry and agriculture. So, limits on emissions have always made countries nervous about economic growth and development, and have made developing countries particularly nervous.

In addition, developing countries traditionally saw themselves as getting the short end of the climate stick. From the perspective of developing countries, developed countries caused climate change; they didn't worry about limiting carbon dioxide (CO₂) emissions when they were developing; it should be their responsibility to take the action required to contain climate change; and they should pay for any actions developing countries voluntarily take as well as for the damages those countries suffer.

Owing to these concerns, the original 1992 climate treaty differentiated between developed and developing countries, notably by establishing separate categories ("Annex 1" for developed, "Non-Annex 1" for developing)¹² and by embracing the principle that countries had "common but differentiated responsibilities and respective capabilities." That general principle was converted into an operational firewall in the 1997 Kyoto Protocol, which assigned legally binding targets and timetables for reducing emissions to developed countries, backed up by rigorous rules for accounting, transparency, and

compliance, while asking virtually nothing of developing countries.¹³

Now, the developing country narrative was understandable. The trouble is that it cannot work as the basis for tackling climate change. Do the math. Developing countries, which accounted for roughly 45 percent of energy-related CO₂ emissions in 1990, account for over 60 percent today and are projected to account for roughly two-thirds by 2030. China's emissions were about one-third the size of the United States' in 1992, but are about twice the size now. A ranked list of countries with the highest gross domestic product (GDP) per capita today will show a significant number of developing countries ranking higher than some developed countries.¹⁴ These numbers tell us two things. Most importantly, developing countries—particularly the more advanced and industrialized among them—are necessarily a large and growing part of any climate solution. In addition, the material conditions of countries keep changing, with many developing countries becoming more prosperous, so the idea of apportioning climate responsibilities on the basis of an immutable division of countries from 1992 makes no sense.

Finally, on climate, as everywhere across the diplomatic map, domestic politics matter. The Kyoto Protocol failed in the United States mostly because the idea of exempting China and other large emerging economies was politically toxic. And with the United States and developing countries both on the sidelines, Kyoto could never become an effective international regime.

Faced with this reality, the Parties to the UNFCCC agreed at the 2007 climate conference in Bali on a mandate for a new agreement to cover everyone, intended to be completed two years later.¹⁵ That conference, in Copenhagen, quickly descended into recriminations and discord, largely over these same issues of the firewall. In the final 30 hours, the Copenhagen conference was salvaged by the improvisational diplomacy of a small group of world leaders, who produced the three-page Copenhagen Accord.¹⁶ The conference was roundly dismissed as a failure, though the U.S. negotiating team believed that the accord planted important seeds of change, and the years since have validated that belief. Still, the world was far from a broad, workable climate agreement.

Two years later, in Durban, South Africa, the Parties agreed to make another try for a new large-scale agreement to be concluded four years later.¹⁷ That Durban mandate set us on the road to Paris.

The Paris Agreement

The path to a viable agreement in Paris was littered with hurdles. First, the prevailing orthodoxy of climate negotiations said, in effect, that agreements had to be based on top-down, legally binding targets and timetables for reducing emissions, with rigorous associated rules. The new agreement had to call on all countries to act, not just some. It had to be ambitious in combatting climate change, despite nervous resistance from many countries. It needed to be durable, unlike the Kyoto Protocol, whose shortcomings have limited its life-span. It needed to preserve differentiation, but to move beyond the firewall version of that principle. It needed to be legally binding in some respects, but without scaring off countries large and small. It needed to maintain existing commitments to provide financial assistance, recognizing the importance of such aid to recipient countries but the real constraints faced by donor countries.

Put simply, the agreement had to be carefully constructed. Lean too much one way and the structure would fall apart; lean too much the other way, same result. And all of this careful calibration had to take place in an atmosphere of anxiety and unease, where history gave no cause for confidence, and mistrust hung in the air.

In the end, a deal was secured in Paris because the agreement charted a new, paradigm-shifting path for climate diplomacy.¹⁸ It blended elements that were top-down and bottom-up. It was built to last. It found a new way to differentiate but not bifurcate. It blended elements that were legally binding with those that were not. And, crucially, it relied on expectations and norms where binding, or rigid, rules would not work.

First, Paris abandoned the old Kyoto model of top-down negotiated emission targets and instead adopted a bottom-up structure for mitigation (limiting emissions), known in the agreement as nationally determined contributions (NDCs). This bottom-up structure was

balanced by a number of top-down provisions. These included aggregate emission goals that all countries adopted both to keep the increase in global average temperature to well below 2 degrees Celsius and to achieve net zero emissions in the second half of this century. These also included accountability requirements to submit updated NDCs periodically, to provide clarifying information so the NDCs would be understandable, and to report and be reviewed on emission inventories, progress toward achieving NDCs, and support provided and received. This structure, a version of which was first proposed by Australia in a 2009 paper, was essential for an agreement that had to include all.¹⁹

Second, the agreement was built for the long term, with (1) its long-range, science-based goals; (2) a system of staggered, continuously repeating five-year cycles both to review and ramp up individual targets and to take stock of how the world is doing in the aggregate relative to global goals; and (3) a call for countries to map out longer-term “mid-century strategies” for deep decarbonization.

Third, Paris shifted the paradigm of differentiation. The agreement continues to deliver on the fundamental purpose of differentiation: assuring developing countries that they will not be pushed to take action they see as beyond their capacities or as inconsistent with their priorities for growth and development. But differentiation in the Paris Agreement is no longer a firewall, with one set of rules for developed countries and a different one for developing. This modified form of differentiation is visible in four ways: (1) the nationally determined structure for country targets allows differentiation across the full spectrum of countries, rather than basing it on categories; (2) differentiation in the form of “flexibility” is provided in the transparency system only to “those developing countries that need it in the light of their capacities,” not to all developing countries; (3) a new formulation of the classic “common but differentiated” principle adds “in light of different national circumstances,” suggesting that differentiated treatment should relate to material circumstances, which evolve; and (4) the substantive paragraphs of the Agreement mostly avoid an explicit call for developed countries to do one thing while developing countries do something else.

Fourth, the legal form of the Paris Agreement is a hybrid, breaking the orthodoxy of legally binding emissions targets, but including legal obligations for elements such as submitting NDCs on a periodic basis, and the transparency system of reporting and review.

Critics who dismiss Paris because of these non-binding targets not only misunderstand what was possible, but also miss a larger point about the Paris idea.²⁰ They misunderstand the possible, because while a system of binding targets with penalties for failing to meet them might sound good on paper, it was not doable, because too many countries, including the United States, would have balked.

And critics of non-binding targets miss the core point that Paris made a different bet, namely, that the rising force of norms and expectations will make climate action important to global standing and reputation and will goad and prod countries to do better and do more. Norms and expectations might sound weaker than binding targets, but, in reality, such targets would almost surely depress ambition, since many countries would opt for lower targets out of fear of the consequences of coming up short. The opposite will be true if norms and expectations rise rapidly.

Moreover, expectations can play an important role in areas where rigid rules will not work. For example, given the opposition of many powerful and influential developing countries, it is not possible at this time to create formal subcategories of developing countries with different requirements for mitigation, transparency, or accounting. Yet, it is difficult to construct an effective agreement unless countries of very different capabilities—for example, industrializing, emerging economies on the one hand and Least Developed Countries or small islands on the other—can at least be *expected* to act in different ways.

So, a bet on the premise of rising norms and expectations is at the heart of the Paris Agreement. If the Paris regime is to succeed, this bet, above all, has to pay off.

The Paris “rulebook”

After the agreement was completed in December 2015 and entered into force in November 2016, attention turned to negotiating the agreement’s next layer, the implementing rules, guidelines, and procedures needed to turn the Paris Agreement into a working Paris regime. The agreement calls for a number of such guidelines and rules, for example on the information needed to make NDCs clear and understandable; on accounting for emissions; on the transparency system to report and be reviewed on inventories, progress toward NDCs, and financial support provided and received; on procedures for the “global stock-take” of aggregate progress every five years; and on how the new Committee on Implementation and Compliance should operate.

This rulebook is consequential. It can make the difference between an effective regime and one that disappoints. We need a viable rulebook to pave the way for ramped up ambition for decades to come.

Now, it will come as no surprise to veterans of the international climate process that the negotiations on the rulebook are not going smoothly. Climate negotiations never have, so in that sense the current difficulties shouldn’t set off alarm bells. But given the changed context of the negotiations since Paris, I also wouldn’t underestimate the cause for concern.

The biggest, though not sole, shift in context, of course, is the diminished role of the United States. At the senior, political level, the United States is simply not participating. And, in the wake of both President Trump’s announced intention to withdraw from the Paris Agreement and his administration’s overt antipathy to any policy meant to address climate change, the United States has lost much of the leverage and credibility it built up during the Obama years.

This matters. To borrow Madeleine Albright’s famous phrase, the United States has been an “indispensable nation” in climate diplomacy, especially during the Obama years.²¹ It developed key ideas and championed key ideas from others. It built effective relationships with all major players. It formed a memorable and decisive partnership with its historic climate antagonist,

China. It helped build pivotal coalitions, issue by issue. It had the power to convene whenever necessary. It led the Major Economies Forum on Energy and Climate (MEF),²² a collection of influential developed and developing country ministers that met several times a year to try to facilitate the negotiations. Where necessary it stood up against hardline resistance to new ideas. And it built its credibility through the all-in engagement of President Obama and his team, walking the walk on climate change both at home and abroad.

Now, there is a leadership vacuum. To be sure, other leading players, such as the European Union (EU) and China, are stepping up. But the absence of the United States at a political level is keenly felt. And it is felt all the more because many countries swallowed hard in Paris to accept paradigm-shifting provisions that they saw as necessary to get the United States on board. Having taken those sometimes difficult steps, urged on by the United States, they then turned around to discover that, less than 18 months later, the United States had jumped ship.

In the current climate negotiations, there are a number of interrelated tensions. First, many developing countries worry about being put in the same system as developed countries, who have long experience on matters like accounting, reporting, and the like. And this worry is exacerbated by the push from some Parties to make the new rules detailed and rigorous with a view to ensuring the ambition and effectiveness of the regime.

Still another group of countries, including the so-called Like-Minded Developing Countries, partly for ideological reasons, is pushing to re-establish as much of the old firewall as possible.²³ This group was uncomfortable with the degree to which Paris moved away from that old model and—with the United States on the sidelines—wants to use the rulebook negotiations to backtrack. And these various tensions are aggravated by the anxiety that donor country pledges for financial assistance, including support for the Green Climate Fund, will come up short—especially with no more funds provided by the United States.

In short, the waters are roiling.

But there are ways to navigate these rapids, provided that enough critical players keep their eyes on the prize—namely, the construction of an effective climate regime, faithful to the deal struck in Paris, able to grow and evolve into a potent force in the fight against climate change. Several principles should guide us.

First, we need to get the regime up and running, understanding that it is appropriate for countries to take a little time—but not too much—to get their sea legs.

Second, there is no need for high anxiety among developing countries. Remember that 85 of them are either Least Developed Countries or Small Island Developing States, all of whom are already given special dispensation in the Paris Agreement. Nor do other developing countries need to be worried in carrying out tasks such as providing clarifying information or reporting on their progress, since Paris, by definition, is a facilitative, non-punitive agreement. Moreover, the review panels established to consider country inventories and progress reports are specifically enjoined in the agreement to pay attention to the national capabilities and circumstances of developing countries.

Third, we should all be smart about the level of detail and rigor required by the rulebook. The binding system of accountability built into Paris was a necessary complement to the non-binding system of NDCs, so the accountability system should certainly be solid and meaningful. But we need to apply a rule of reason, especially right out of the gate. It is more important to get us all in one effective system than to legislate a system that seems burdensome or unnerving to developing countries.

Fourth, we cannot backtrack toward the firewall, which is already archaic and will become more so with every passing year, as developing countries continue to industrialize and account for a larger and larger share of global emissions. Backtracking could happen in different ways, none legitimate. For example, various proposals have been put forth to require separate lists of clarifying information to be included with NDCs—one for developed countries, one for developing. Such ideas were advanced on the road to Paris and were flatly rejected.

The recent talks about transparency guidelines have surfaced a related problem. As noted, the transparency article says “flexibility” shall be provided “to those developing country Parties that need it in the light of their capacities.” Some now argue that *all* developing countries are entitled to flexibility, no matter whether they lack capacity, but that’s a clear misreading of the provision. When climate documents mean to refer to all developing countries, as they have hundreds of times, they just say “developing countries,” not “those developing countries” with capacity limitations. This pivotal sentence was originally negotiated between the United States and China as part of the Joint Statement by Presidents Obama and Xi Jinping issued in September 2015, in the lead-up to Paris.²⁴ Its meaning is clear and important. It was a critical part of the paradigm shift on differentiation discussed above. There are no grounds for walking away from it.

At the same time, to make the provision operational, the most practical approach is likely to be for countries to self-determine whether they have a legitimate need for flexibility. In theory, the transparency guidelines could stipulate criteria to specify who has a capacity need or could establish a panel to approve or deny flexibility requests. But in the real world, it is highly unlikely that such arrangements could be negotiated. Here again, the Paris regime should rely upon norms and expectations. In the absence of hard criteria for deciding who gets flexibility in reporting, countries will have to make their own decisions, but norms and expectations can keep the system honest—with some practical safeguards.

For example, (1) the guidelines should underscore clearly that it is only legitimate for countries with genuine capacity concerns about a given element of transparency to claim a need for flexibility; (2) Parties who self-select should be required to explain why they genuinely lack capacity to carry out a given element; and (3) the guidelines should articulate a further expectation that countries with a capacity problem in the first round of reporting should seek to fix that problem by the next round, with capacity building assistance, where needed. Regarding such assistance, the Paris Agreement—with strong support from the United States—provided for the establishment of a special Capacity Building Initiative for Transparency to strengthen the capacities of

developing countries in meeting the Agreement’s transparency requirements. The Initiative is administered by the Global Environment Facility, with donor support. It needs to be fully and amply funded.

Fifth, donor countries will need to reassure developing countries that they are working hard to meet existing financial commitments, that they will furnish as much advance information as they can regarding their plans to provide assistance, consistent with their own budgetary processes, and that they are mindful of the need for a strong replenishment of the Green Climate Fund, once the next replenishment is triggered.

Finally, in order to alleviate the pressure on Parties that flows from an assumption that guidelines and procedures once agreed will be set in stone, Parties should agree at the conference in Poland that the rulebook will be reviewed after a reasonable period of time, perhaps 5 to 10 years after it is finished, with the intent to make any needed modifications.

The bottom line is that getting the rulebook done won’t be easy, but it is doable, especially if Parties keep clearly in mind why Paris succeeded in the first place—what the nature of the fundamental bargain was—and why staying on track is so important.

One last point: recognizing how disturbing the current posture of the United States is, Parties should bear in mind that the day will come when the United States looks to re-engage, in one way or another. So, a rulebook that walks backward from Paris, thereby complicating such U.S. re-engagement, would be short-sighted and unwise.

Beyond the rulebook

Let’s take a moment now to look ahead, post-rulebook, at how international collaboration can expand. This is a broad topic, of course, and I mean here only to offer a few preliminary thoughts.

The backdrop to this exercise is the stark reality that we are in a race against time to contain climate change. Clean energy innovation is happening much faster than

most anyone predicted, which is very good news, but ominous climate impacts are also coming at us faster than anticipated. The action needed to meet our Paris goals is daunting, so moving in the right direction is not enough. We need to move at significantly greater speed and scale.

Of course, most of the real-world action to achieve country targets, decarbonize the global economy, reduce forest and land-use emissions, and build resilience takes place at the national, subnational, and private sector levels.²⁵ But there is also an important role for high-level international collaboration, whether under the auspices of the Paris regime itself or separate from the regime but welcomed by it.

Here are a few examples:

Biennial Leader engagement. The Paris Agreement was reached only with the dedicated participation of Leaders—at the Paris conference itself, in bilateral engagement in the two years leading up to Paris, and all the way back to the chaotic but important conference in Copenhagen in 2009. We can only make the kind of rapid progress we need with ongoing Leader engagement.

In the near future, probably after responsible climate leadership returns to the White House, a mechanism should be established for biennial Leader meetings among a relatively small number of key countries to review where we stand on climate change and to consider new forms of joint action. Such meetings could be self-standing or could involve a day added to an existing summit, such as the Group of 20 (G20). These biennial meetings would become action-forcing events for countries and other climate actors to advance new ways to accelerate the transformation of the global economy, to reform use of forests and lands, and to manage the worldwide impacts of climate change. The fact of such meetings would empower internal players within the governments involved and put a Leader-level imprimatur on the continuing need for ambitious climate action.

Collaborative action. In 2012-13, the United States explored using the Major Economies Forum to promote clean energy collaboration, but with most MEF

countries focused on the climate negotiations leading to Paris, that effort proved premature. In the coming years—especially when there is new leadership in Washington—this kind of collaboration could make sense. It might take place in existing entities, such as an elevated, mission-driven version of the Clean Energy Ministerial, a body established in the wake of the 2009 MEF Leaders’ meeting, or in a new grouping.²⁶ It might happen on a sector-by-sector basis or more broadly.

A finance partnership. The issue of climate finance is crucial for two reasons. First, there is no way to accomplish our Paris goals regarding both decarbonization and managing the impacts of climate change unless climate-friendly funding is invested in countries around the world at much larger scale than has happened to date. Second, the perennial “us versus them” tensions over climate finance will continue vexing the international climate dialogue unless and until we can put climate finance on a sounder footing.

For a number of reasons, developing countries have traditionally focused much more on donor countries providing public funds than on mobilizing private capital. This focus does not serve their own material interests.

Here are five propositions, which, if agreed upon, could spur constructive change: (1) the need for climate-friendly development capital in developing countries is enormous; (2) while donor countries need to provide as large a dose of government funds as possible, the available amount of such funds is dwarfed by the huge pools of private capital controlled by entities such as pension funds, insurance companies, sovereign wealth funds, and the like; (3) public funds and public policy (such as loan guarantees, first loss protection, or political risk insurance) should generally be used to leverage the greatest amount of private funding possible; (4) the more a recipient country improves its own investment environment and presents an attractive risk/reward calculus for investors, the more capital it will attract; and (5) there are likely to be needs, especially in regard to building resilience and managing climate impacts, where it will be more difficult to leverage private investment and where funding from governments and international financial institutions will be paramount.

Rather than staying stuck in the same contentious debates between climate negotiators who generally lack financial or investment expertise, focus on the wrong objectives, and are ill-suited to develop inspired solutions, we should imagine a new, collegial partnership among financially savvy representatives from donor and recipient countries, international financial institutions, private sector financial experts, and the managers of large capital pools. This kind of partnership would be dedicated to creating the investment environments, investment instruments, and political commitments needed to make numbers like \$100 billion per year seem small.

Conclusion

These are just a few initial ideas. There will doubtless be many others once we finish the essential labor of making the Paris regime operational. The order of the day should be to conclude a clean, reasonable rulebook, faithful to the deal reached in Paris. Then the door will open to accelerate our joint efforts. There is no time to lose.

ENDNOTES

1. The Paris outcome included both the Paris Agreement itself and an accompanying decision. Unless otherwise noted, “Paris Agreement” applies to the whole outcome. See United Nations Framework Convention on Climate Change (UNFCCC), Paris Agreement, (December 12, 2016), https://treaties.un.org/doc/Treaties/2016/02/20160215%2006-03%20PM/Ch_XXVII-7-d.pdf.
2. “Parties” is used to refer to countries that have ratified the Paris Agreement. See “Paris Agreement – Status of Ratification,” UNFCCC, <https://unfccc.int/process/the-paris-agreement/status-of-ratification>
3. “COP24: Katowice,” Polish Ministry of the Environment, <http://cop24.gov.pl/>.
4. For a list of the Least Developed Countries (47), see “LDC Country Information,” UNFCCC, <https://unfccc.int/topics/resilience/workstreams/national-adaptation-programmes-of-action/ldc-country-information>, and for a list of the Small Island Developing States that are U.N. members (38), see “Small Island Developing States,” U.N. Sustainable Development Knowledge Platform, <https://sustainabledevelopment.un.org/topics/sids/list>.
5. UNFCCC, Paris Agreement, Article 13.2.
6. For a list of countries party to the 1992 UNFCCC, see “List of Parties to the Convention,” UNFCCC, <https://unfccc.int/process/parties-non-party-stakeholders/parties-convention-and-observer-states>.
7. Coral Davenport, “Nations Approve Landmark Climate Accord in Paris,” *The New York Times*, December 12, 2015, <https://www.nytimes.com/2015/12/13/world/europe/climate-change-accord-paris.html>.
8. The Paris treaty entered into legal force 30 days after the date on which at least 55 Parties to the United Nations Framework Convention on Climate Change, representing at least 55 percent of global greenhouse gas emissions, had ratified the Paris Agreement, which occurred on October 5, 2016. See United Nations, Paris Agreement entry into force, C.N.735.2016.TREATIES-XXVII.7.d (Depositary Notification), (October 5, 2016), <https://treaties.un.org/doc/Publication/CN/2016/CN.735.2016-Eng.pdf>.
9. Donald Trump, “Statement by President Trump on the Paris Climate Accord,” (speech, Washington, DC, June 1, 2017), <https://www.whitehouse.gov/briefings-statements/statement-president-trump-paris-climate-accord/>.
10. See “Party Groupings,” UNFCCC, <https://unfccc.int/process-and-meetings/parties-non-party-stakeholders/parties-party-groupings>.
11. See United Nations, United Nations Framework Convention on Climate Change, (1992), <https://unfccc.int/resource/docs/convkp/conveng.pdf>.
12. For descriptions of Annex I and Non-Annex I designations, see “Parties & Observers,” UNFCCC, <https://unfccc.int/parties-observers>.
13. See United Nations, Kyoto Protocol to the United Nations Framework Convention on Climate Change, (1998), <https://unfccc.int/sites/default/files/kpeng.pdf>.
14. See “GDP per capita, current prices,” International Monetary Fund, data as of April 2018, <https://www.imf.org/external/datamapper/NGDPDPC@WEO/OEMDC/ADVEC/WEOWORLD>.
15. See UNFCCC, Report of the Conference of the Parties on its thirteenth session, held in Bali from 3 to 15 December 2007, FCCC/CP/2007/6/Add.1, (March 14, 2008), <https://unfccc.int/resource/docs/2007/cop13/eng/06a01.pdf>.
16. See UNFCCC, Report of the Conference of the Parties on its fifteenth session, held in Copenhagen from 7 to 19 December 2009, FCCC/CP/2009/11/Add.1, (March 30, 2010), <https://unfccc.int/resource/docs/2009/cop15/eng/11a01.pdf>.
17. See “Essential Background - Durban Outcomes,” UNFCCC, <https://unfccc.int/process/conferences/the-big-picture/milestones/outcomes-of-the-durban-conference>.
18. For two very good accounts of what Paris did, see David G. Victor, “Why Paris Worked: A Different Approach to Climate Diplomacy,” *Yale Environment 360*, December 15, 2015, https://e360.yale.edu/features/why_paris_worked_a_different_approach_to_climate_diplomacy; and Michael A. Levi, “Two Cheers for the Paris Agreement on Climate Change,” *Council on Foreign Relations*, December 12, 2015, <https://www.cfr.org/blog/two-cheers-paris-agreement-climate-change>.
19. “Paper No. 4B: Australia, Schedules in a Post-2012 Treaty, Submission to the AWG-LCA, April 2009,” in UNFCCC, Ad Hoc Working Group on Long-

- Term Cooperative Action Under the Convention, (May 19, 2009), <https://unfccc.int/resource/docs/2009/awglca6/eng/misc04p01.pdf>.
20. See Gail Collins and Bret Stephens, “The Polar Bear in the Room,” *The New York Times*, June 6, 2017, <https://www.nytimes.com/2017/06/06/opinion/paris-climate-agreement-carbon-tax.html>; Ross Douthat, “Neither Hot Nor Cold on Climate,” *The New York Times*, June 3, 2017, <https://www.nytimes.com/2017/06/03/opinion/sunday/neither-hot-nor-cold-on-climate.html>.
 21. “Secretary of State Madeleine K. Albright, Interview on NBC-TV ‘The Today Show’ with Matt Lauer,” U.S. Department of State, <https://1997-2001.state.gov/statements/1998/980219a.html>.
 22. See “Major Economies Forum on Energy and Climate,” U.S. Department of State, <https://2009-2017.state.gov/e/oes/climate/mem/index.htm>.
 23. The Like-Minded Developing Countries group comprises over 20 countries, including China, India, Saudi Arabia, Pakistan, Bolivia, Nicaragua, and Venezuela, among others.
 24. See “U.S.-China Joint Presidential Statement on Climate Change,” The White House, September 25, 2015, <https://obamawhitehouse.archives.gov/the-press-office/2015/09/25/us-china-joint-presidential-statement-climate-change>.
 25. This is a point made and developed cogently by my Brookings colleagues David G. Victor and Bruce Jones in a paper published earlier this year, though I think they underestimate the importance of diplomacy. See David G. Victor and Bruce D. Jones, “Undiplomatic action: A practical guide to the new politics and geopolitics of climate change,” (Washington, DC: Brookings Institution, February 2018), <http://www.brookings.edu/research/undiplomatic-action-a-practical-guide-to-the-new-politics-and-geopolitics-of-climate-change>. I share their view that it is a mistake to see the fight against climate change through the singular lens of negotiating an international agreement, but rather than a vision of “[economic and political] fundamentals first and diplomacy last,” I see more of a dialectic between international agreements and real-world action. An increased belief that “deep decarbonization is possible at a reasonable cost” helped underwrite progress in climate diplomacy. (On this point,

see also Brian Deese, “Paris Isn’t Burning: Why the Climate Agreement Will Survive Trump,” *Foreign Affairs*, July-August 2017, <http://www.foreignaffairs.com/articles/2017-05-22/paris-isnt-burning>.) But, the dialectic works in the other direction as well. Under the 2009 Copenhagen Accord, developed and many developing countries agreed to implement pledges to limit their emissions, which in turn prompted action at home to fulfill those pledges. Paris, as noted, not only set goals but sent important signals to governments, companies, and civil society that a direction has been set by world leaders. At times, Victor and Jones recognize this kind of dynamic, as when they talk about the way “high-level political mobilization around Paris caught the attention of C-Suite actors,” or the way the “Mission Innovation” effort among 23 countries to boost private sector investment in clean technologies was catalyzed in part by the Paris process. But in my view, they don’t fully recognize diplomacy’s role.

I also think Victor and Jones understate the “practical relevance of the [U.S.] federal government” in regard to progress toward the clean energy transformation. They observe, at the end of their paper, that the “underlying realities—whether Clinton or Trump—barely change. It’s the facts on the ground that matter.” While I understand the thrust of their point—that Trump may favor coal, but market forces will dictate coal’s future—they go too far. A U.S. president and his or her administration can make a big difference in pursuing specific policies, in setting a tone about what is important to the nation and the direction we need to go, and in making climate a priority issue in discussions with foreign counterparts. I agree when Victor and Jones say that, “[t]o understand effective pathways for energy transitions, we have to consider how the shifting interests of organized political constituencies, including voters, alter how government behaves and how those shifts in behavior alter the content of both policy and diplomacy.” But, here again, I see more of a dialectic. Those forces affect how government behaves, but governmental leadership, especially by a president and his or her administration, can significantly affect the views of those constituencies.

My last reservation concerns the implicit assumption Victor and Jones make about how gradual the process of transformation can be without triggering unacceptably dangerous impacts. They note their skepticism about how fast the project of decarbonization can go and note that “[t]he whole business of changing energy systems and changing how people and firms view what is feasible for their long-lived infrastructure is a slow business.” They are surely right that this has traditionally been true. But at what level of pressure from the natural world—at what level of perceived national security and human risk—might this traditional truth

change? Those who caution, reasonably, about how long it will take to transform the global energy system need at least to address the genuine possibility that what the poet Wallace Stevens once called “the pressure of reality” will force a much different calculation by leaders and societies about what is feasible.

26. See Clean Energy Ministerial, <http://www.cleanenergyministerial.org/>.

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