

COP 21 and ‘The Paris Agreement’: The Promise of a Legally Binding Agreement on Climate Change

Lena Dominelli attended the United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP) or COP21 meeting in Paris, France, representing social work for the International Association of Schools of Social Work (IASSW). COP21 ran from 30 November to 12 December 2015 and had 196 countries attending the proceedings. Lena also organised a side-event on the role of social work in climate change situations for the meeting. This took place at Le Conservatoire National des Arts et Métiers (CNAM) on 1 December 2015.



Figure 1: Lena Dominelli with the speakers of COP 21

The programme for this event is available on http://unfccc.int/files/documentation/submissions_from_observers/application/pdf/cop21_social_work.pdf

and a summary report can be found at

<http://www.tsa-quotidien.fr/action-sociale/travail-social/a-366754/un-changement-climatique-a-accompagner.html?xtmc=un%20changement%20climatique&xtcr=1>

COP21 was held at the Exhibition Park in Le Bourget, and in the aftermath of the Paris atrocities of 13 November 2015. Armed police and soldiers were everywhere in the city – a sight I had not seen there before. I was staying near CNAM, which was not far from the Place de La République where the flowers, shoes and moving statements were laid for those who died on that day (Add photo 1).



Figure 2: Place de La Rep

The conference venue itself was a huge place with plenty of potential to get lost inherent in the rabbit mazes between the different halls, offices and open spaces where the official meetings occurred (Add photo 2).



Figure 3: COP21 Venue Front

The Climate Generation space provided areas for civil society to hear many of the side-events and other presentations. Prioritising which of the many meetings to attend was also an issue for participants. IASSW holds its status at COP meetings as a RINGO (research and independent non-governmental organisations) Observer of the proceedings, which means it can attend any open meeting and raise questions when recognised by the Chair. Observer open meetings can be cancelled or postponed and/or rooms changed at the last moment. The main role that is played by Observers is to bear witness to the

proceedings and, when recognised, ask questions of interest to us. The closed meetings are reserved for government delegates where the real negotiations take place.

My contributions were linked to highlighting the importance of interdisciplinarity in holistic approaches to climate change and social work research and social work academics and practitioners having a visible role at the table. One of my questions was about the forward planning required to meet the needs of climate change migrants that would be knocking on Europe's doors if greenhouse gas emissions (GHGs) were not substantially reduced (now deemed to be less than 1.5°C above pre-industrial GHG levels) and how these could be addressed to maintain people's dignity and human rights as citizens of another country. I don't think I got a satisfactory answer to this question, so it remains a challenge for social workers to continue to address, get a place at the decision-making tables, and have its current involvement in these issues recognised.



Figure 4: Al Gore at COP 21



Figure 5: Lena Dominelli at COP 21

The most powerful speeches were made by delegates from small island states (SIDS) who have contributed least to the creation of climate change, but are at greatest risk of being submerged by rising sea levels, and the speeches of some smaller Latin American countries such as Ecuador, Bolivia and Peru. I also found the intervention by Canada's recently elected young Prime Minister, Justin Trudeau, quite refreshing and he restored the tarnished image of the country that in previous COPs had gained the most 'fossil of the day' awards for being a large emitter of GHGs (for its controversial oil sands development) and lack of commitment to doing much about them. Of the side events I attended, those I enjoyed most described the environmentally sustainable initiatives of Indonesia, and the presentations by Al Gore. The most interesting pavilion for me was the one from India.



Figure 6: India Pavilion



Figure 7: United Kingdom Pavilion

As to the actual negotiations, this were something of a roller-coaster ride with ups and downs as hopes were picked up, dashed and picked up again. The President of the UNFCCC COP21 proceedings, Laurent Fabius, the French Prime Minister, was determined to reach a successful conclusion, i.e., an agreement between the Parties that would actually make a difference and resolve the tricky issues blocking the climate change discussions. How did he score on this point? His key action words were: listening, transparency, ambition and compromise, and he worked hard to live up to these words. He certainly reached an agreement, and the Paris Agreement of 12 December 2015 was hailed as a 'legal and policy document for climate change action for years to come'. The Paris Agreement relies on individual countries implementing their previously intended nationally determined plans (INDCs), now NDCs (nationally determined plans), whereby each country sets its targets, processes and actions for achieving GHGs reductions, mitigation and adaptation, initially for a 2°C target rise in global temperatures and with a commitment to reaching 1.5°C as soon as possible. The NGO community was divided as to whether NDCs with their reporting requirements could be construed as legally binding commitments. Enforcement mechanisms to ensure that each NDC is realised are absent, but in international law, they appear to have legal commitments.

I am somewhat sceptical about the capacity of NDCs to be implemented in a way that will reach the 1.5°C temperature rise target any time soon. Yet, this is what is really needed as of now, not least because GHGs already in the air are beyond the 2°C level set by Kyoto and will take 100 years to go away. In this scenario, whether the Paris Agreement and the NDCs are legally binding is somewhat irrelevant because without an enforcement mechanism, the principle of national sovereignty will not be easily overridden. Nonetheless, the Paris Agreement does hold promise of actual substantial reductions in the future, possibly after 2030, because both the US and China, currently the largest emitters of GHGs, have theoretically signed up to it. But, President Obama has a reluctant Congress who may refuse ratification, and without ratification, as we

know from the Kyoto Protocol which President George W Bush had agreed to but which Congress rejected, little progress can be made. Also, India, now the 3rd largest emitter of GHGs is claiming special status as an industrialising country and requires more time to reach a satisfactory mix of development and GHGs reduction with a diminution in fossil fuel usage that implies. This highlights the basic, intractable, and irresolvable tension in all the COP meetings I have attended as IASSW representative since 2010, and that is the division between the so-called ‘developed’ and ‘developing’ countries (I prefer to call them ‘industrialised’ and ‘industrialising’ countries, but will stick to the UN terminology here).



Figure 8: Lena Dominelli leaving message for Oil companies in Ecuador

The ‘developed’ countries, mainly Western countries as those contained in Annex 1 of the Kyoto Protocol, have a historical debt for the GHGs already emitted and that have led to the pollution of air, soil and water, rising temperatures, acidic oceans, melting ice caps, rising sea-levels and other environmental degradation that have left mainly ‘developing’ countries in the Global South that have contributed least to the damage, facing the most serious consequences including the potential loss of entire nation states as in the case of some SIDS like Kirabati, Tuvalu, the Maldives. They want financing to address their situations and technology transfers so that they may engage in finding green solutions to these problems. Annex 1 countries accepted the concept of a ‘historical debt’ when discussions around climate change began in 1992, but now, several decades later, a number of ‘developing’ countries that have embarked on industrialisation have themselves become large emitters of GHGs, namely, China, India, Mexico, Brazil, Indonesia, and others on the horizon catching up. They have large populations and poverty to eradicate. Africa, a continent of 1 billion inhabitants, has similar concerns. Thus, some Annex 1 countries argue, the division between ‘developed’ and ‘developing’ countries is outmoded; everyone needs to reduce their GHGs. Attempts to resolve this tension led to the creation of INDCs which asked all countries to consider what they would do to cut their own emissions, taking into account local cultural factors and developmental needs. But no sanctions can be applied, and there are no guarantees that each country will abide by their commitments including those in Annex 1’s previous obligation to fund technology development and transfers and mitigation and adaptation strategies to facilitate action in ‘developing’ countries. Another unresolved issue is that of when the Paris Agreement will come into force. A double trigger approach of 55 countries ratifying the agreement and which covers at least 55 percent of total GHGs was

included in the final text. Whether this can be actioned before 2020 is to be discussed by the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP). Hence, while The Paris Agreement has made a promising start in substantially reducing global temperature rises, it is far from clear that this promise will be delivered in full given that the overall capacity of the earth to absorb GHGs is limited within the timeframe required remains a moot point.

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