

How the Most Vulnerable Countries Fared at the Paris Meeting

SUJATHA BYRAVAN

The most vulnerable countries of the world had specific concerns going into the Paris meeting of the Conference of Parties on climate change. Some of these concerns were met at the conference, although the long-term implications remain to be seen.

Most delegates and observers have regarded the recently concluded 21st Conference of Parties (COP21) in Paris as a reasonable success in spite of some concerns being expressed by several commentators on the process and outcomes. Even before the COP21, a new regime in international climate governance had been established based on the Intended Nationally Determined Contributions (INDCs) submitted by 160 countries. The purpose of the INDCs was to get commitments from all countries with the overall goal of bending their trajectories sufficiently by 2030 so that dangerous climate change could be avoided.

Careful analysis of the INDC targets by independent experts showed that the pledges did not amount to a global emissions reduction pathway sufficient to reach a 1.5°C or even 2°C target (UNFCCC 2015a), but rather one that would likely lead to average global temperature rise by at least 3°C. Significantly, the review also showed that when the historical obligations of developed or Annex-1¹ countries of the UNFCCC (United Nations Framework Convention on Climate Change) were considered, together with their capabilities and continuing high emissions, their commitments were far below fair shares (Fair Shares 2015).

Expectations

For the most vulnerable countries, including the Least Developed Countries (LDCs) and small island states, there were several concerns going into COP21 (Coast Trust 2015). The significant ones were as follows:

(i) Setting a target of no more than 1.5°C rise in average temperature has been considered important at least since 2007, when the Fourth Assessment Report of the Intergovernmental Panel on Climate Change pointed out that exceeding those

levels would give rise to worsening risks for ecosystems, coasts and food production. The extreme vulnerability of many LDCs, including the small island nations, whose very existence is threatened by rising seas, led to a strong push for 1.5°C as a safer target than 2°C, and this has been the dominant theme in technical sessions of the UNFCCC (AOSIS 2015). By 2010, the Long-term Cooperative Action track of the UNFCCC, the negotiating team leading up to Paris, had included in its text an option of having a global goal of 1.5°C.

More recently, experts from the Structured Expert Dialogue (SED), who held discussions on the long-term temperature goal, agreed that there is a meaningful difference between the level of risk from global warming in a 2°C and a 1.5°C scenario. According to their report (UNFCCC 2015b), the notion of the 2°C guard rail concept, up to which warming is considered safe, is inadequate, and would therefore be better seen as an upper limit that should be rigorously defended, while less warming would be preferable. Further “[w]hile science on the 1.5°C warming limit is less robust, efforts should be made to push the defence line as low as possible.”

(ii) Rich countries, such as the United States (US) and European countries, would need to reduce their emissions to zero quickly giving the remaining development space to LDCs and developing countries. Some civil society groups were also of the opinion that rich countries should peak at the latest by 2020, large developing countries by 2025 and LDCs by 2030.

(iii) The agreement had to be legally binding. This was necessary to ensure long-term commitments and adequacy to stay below the 1.5°C target. But this was also critical for locking in finance, technology transfer and non-monetary recourse in cases of loss and damage experienced by the most climate vulnerable communities and countries.

(iv) Loss and damage was to be at least a placeholder distinct from mitigation and adaptation, so that progress could be made in the 2017 review meeting. Under loss and damage, the issue of “liability and compensation” or ascribing responsibility to and claiming support

Sujatha Byravan (sbyravan@cstep.in) is Principal Research Scientist at the Center for Study of Science, Technology & Policy, Bengaluru.

from countries that benefited from their greenhouse gas (GHG) emissions, is an important issue for small islands, LDCs and developing countries. Issues of migration, relocation and planned displacement were also very important since these would remain options for the most vulnerable as global warming impacts become severe. While loss and damage was intended to cover these concerns, many spokespersons, especially from small-island states, felt that there needed to be explicit recognition of these requirements by the international body, especially if the 1.5°C target was likely to be breached.

(v) Lastly, there was considerable concern expressed about the likelihood of financial wizardry benefiting Northern corporations while taking advantage of LDC vulnerability. For instance, many were insistent that there ought to be no resource transfer occurring from poor countries to rich ones for insurance or reinsurance programmes to protect from loss and damage.

On the whole, the concerns for the LDCs and small island states were similar to those of large developing countries, with a few important differences in emphasis. For instance, Common but Differentiated Responsibilities (CBDR), Article 3 of the Convention, was expressed as being very important to other developing countries. On the long-term temperature goal of 1.5°C, large developing countries, such as India, were supportive and wanted the context to be equity and CBDR (TWN 2015).

CBDR, often used interchangeably with differentiation, has been at the heart of “climate justice” or “the development rights” paradigm of global climate dialogue. The understanding of differentiation has been quite clear. Since industrialised countries are responsible for two-thirds of the anthropogenic carbon dioxide present in the atmosphere and continue to be high emitters, they are expected to bear the bulk of the burden for clearing space for the rest of the world and have the responsibility for providing support to vulnerable countries “to promote, facilitate and finance, as appropriate, the transfer of, or access to, environmentally sound

technologies and know-how to other Parties, particularly developing country Parties” (UNFCCC 1992).

Outcomes

The Paris Agreement calls for the increase in the global average temperature to stay “well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.” Even though 1.5°C is an aspirational goal, it is a clear victory for the most vulnerable nations of the world. While there has been much talk about this not being feasible, this goal acknowledges the vulnerability faced by the poorest nations of the world.

The Paris Agreement repeatedly acknowledges in several places the principle of equity and common but differentiated responsibilities. It notes the obligations of rich countries towards mitigation, adaptation, finance, technology transfer and capacity building needs of the developing countries.

Almost all the LDCs have submitted INDCs, demonstrating their commitment towards reducing GHG emissions. In this regard, the fact that there is no peaking year mentioned for rich countries is a shortcoming for equitable development, since continued growth and emissions by Annex-1 countries implies less space for the most vulnerable nations.

Financial support and technology transfer by developed countries is reiterated in the agreement. However, language on finance being new, additional, adequate, predictable, accessible or sustained is not part of the agreement. The \$100 billion as a minimal annual support is not in the agreement, but in the decision portion of the text.

Estimates suggest that the most vulnerable countries require about \$94 billion annually from 2020 in order to be able to implement their INDCs (IIED 2015). The transition to a low carbon pathway for the LDCs is absolutely essential if equity is to find expression in the global climate deal. Unfortunately, since most international finance does not reach the most vulnerable countries, special attention should be given to ensure that these countries receive finance and can grow along a low-carbon pathway.

That loss and damage has been acknowledged in Article 8 of the agreement is a clear victory for the vulnerable nations. This needs to be recognised in spite of the fact that developing countries could not maintain in the final text some of the stronger language that was in earlier versions of the draft having to do with “identifying arrangements, modalities and procedures to convene and promote work on climate change displacement,” for example. At present, issues of migration and displacement are seen in the text as requiring investigation, which provides some hope for future acknowledgement of the need to deal with climate change displacement through policy. Nevertheless, the text also makes it clear that there is no basis for liability and compensation. The implications of this are unclear; it is likely that claims against parties cannot be made through the UNFCCC, but there is no reason to assume that litigation by individual plaintiffs or even states is thereby precluded. The hard-won victory in any event was that LDCs had been steadfast about having loss and damage included as a separate article even though developed countries preferred to include it under adaptation (Siddique 2015).

The most vulnerable countries of the world are caught in a perfect storm of worsening climate, an exceedingly short time frame in which to coordinate significant global collective action, a highly skewed global political order in which they have the least influence, shrinking opportunities for fossil-fuel directed economic development and the prospect of being wiped out as viable nation states if no action were taken. Under the circumstances, the Paris deal provides a significant foothold to help them get out of their predicament. How well the available elements of the agreement are implemented, the increase in future ambitions along with continuing support for the most vulnerable will be key to real success of the global climate policy.

NOTE

- 1 According to the UNFCCC, Annex-1 Parties “include the industrialized countries that were members of the OECD (Organisation for Economic Co-operation and Development) in 1992, plus countries with economies in transition

(the EIT Parties), including the Russian Federation, the Baltic States, and several Central and Eastern European States.” Source: http://unfccc.int/parties_and_observers/items/2704.php, accessed on 16 December 2015.

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