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## **II. AIR AND ATMOSPHERE**

### **3. Global Climate**

#### **(1) Introduction**

The 23rd Conference of the Parties (COP23) to the United Nations Framework Convention on Climate Change, UNFCCC, was held in Bonn from 6-17 November 2017 under the presidency of Fiji. The conference focused in particular on developing rules to implement the Paris Agreement and on raising ambition for climate protection. Since this was the first “Oceanic” COP, special attention was also given to supporting the countries of the Global South in their efforts to reduce emissions, adapt to climate change and deal with the unavoidable impacts of climate change. The following text sums up the main developments and results of the conference.

#### **(2) Slow progress on the rule book**

One key objective of the Bonn conference was to push ahead with negotiations on the rules for implementing the Paris Agreement. The aim was to enable these to be adopted at the next COP in Katowice (Poland) in December 2018. The Paris climate agreement only establishes the objectives and basic mechanisms of climate policy, but the concrete rules of how to implement the agreement have not been formulated yet. The Paris conference had established a dedicated subsidiary body for this purpose, the Ad Hoc Working Group on the Paris Agreement (APA). The requirement of the Bonn conference was to agree an initial negotiating text for this rule book as a basis for further negotiations in 2018.

#### **(A) Guidelines for national contributions**

In the run-up to Paris, it had not been possible to agree on stringent guidelines for the content of the nationally determined contributions (NDCs) of the Parties to the Agreement. The NDCs therefore differ considerably in their approach and are barely comparable. Part of the negotiations regarding the rule book is therefore to agree on stricter guidelines for future NDCs. The various positions on this point were only reconciled to a minor extent, the end result of the conference being a text with more than 180 pages giving different alternative options, containing numerous duplications and redundancies.

#### **(B) Adaptation communication**

According to the Paris Agreement, Parties should “submit and update periodically an adaptation communication, which may include its priorities, implementation and support needs, plans and actions”. As for NDCs, however, so far, there is no guidance for these communications yet. In Bonn, the end result was a 10-page informal note which contains a preliminary basic structure for further guidance for adaptation communications. The

document already contains options for headings, subheadings and content. However, so far, there has not been agreement on any text yet.

### **(C) The Transparency Framework**

The “enhanced transparency framework for action and support” is considered a cornerstone of the Paris Agreement. It is to inform policymakers at national and international levels on the design and implementation of climate change mitigation, adaptation and support policies while at the same time providing the basis for the global stocktake (see below). The negotiations on the transparency framework in Bonn were characterised by the question of whether and to what extent developing country Parties should be allowed more flexibility in terms of reporting and the international assessment of the information submitted than is afforded to developed country Parties. In spite of political controversies surrounding this question, it was possible to agree on a relatively concise document, which will be used as a basis for discussion in the process of further negotiations. However, it was not possible to significantly reduce the number of possible formulations and options for the future transparency framework.

### **(D) Cooperative Mechanisms**

A robust elaboration of the new mechanisms under Article 6 of the Paris Agreement, which offers countries the option of using internationally transferred mitigation outcomes to achieve their NDCs, is essential for retaining environmental integrity. The negotiations on this topic were particularly difficult, as it had not even been possible before the conference in Bonn to decide which headings the prospective rule book should have. Although there is still a lot of controversy in this area, all the proposals are now available in a written, structured format – at least regarding the headings, which can be considered progress. On this basis, the discussion leaders of the Article 6 negotiations are expected to produce a proposal for a consolidated text by spring.

### **(E) Compliance**

Article 15 of the Paris Agreement establishes a compliance mechanism which aims to promote the Parties’ implementation of and compliance with the agreement’s provisions. In line with the treatment of other issues in the APA, negotiators in Bonn decided to support the development of an ‘informal note’. However, on all of the four main points under discussion – principles, systemic issues, linkages to other bodies, and functions – Parties were unable to agree on how the mechanism should take shape. While there is general agreement that the procedure should be ‘facilitative, transparent, non-adversarial and non-punitive’ (Art. 15.2 of the Paris Agreement), views diverge on whether the Committee should have a more active role, receive information directly or through other bodies, and whether it should be able to define its own rules. In the end, the committee presented a compilation of views in a ‘revised informal note’ documenting the arguments made by the Parties.

### **(F) Global Stocktake**

The NDCs that have been announced so far are too weak to keep the rise in temperature below 2°C: even if all Parties were actually to deliver fully on their pledges, the expected increase in global mean temperature would exceed 3°C. This is why discussions under the Paris Agreement on how much progress the global efforts have made and how they can be intensified are scheduled to take place every five years. After this stocktake, the Parties are to announce new increased contributions. The rule book needs to clarify how this stocktake is to be carried out in concrete terms. In Bonn, there were differences of opinion on whether the process should be organised using the existing subsidiary bodies, or whether to establish a dedicated subsidiary body. There were also controversies on whether the process should take less or more than a year. Many countries were keen to reaffirm that the stocktake will only “inform” the preparation of future NDCs. In their view, future contributions shall continue to be determined nationally and the international process may not create requirements regarding their substance.

### **(G) Outlook**

Overall, the conference in Bonn did not prepare negotiations at COP24 in Katowice as well as had been hoped for. Prospects for the effective implementation of the Paris Agreement therefore remain uncertain, especially since the next climate change negotiations in Katowice will be held under Polish presidency. The Polish government shows little ambition in terms of climate policy, and many observers therefore fear that the next summit will take place under more difficult conditions. The Bonn conference already noted that an additional preparatory meeting may be necessary ahead of COP24.

### **(3) Issues of relevance for the Global South**

Although, geographically, Bonn was the venue for the conference, the host in terms of content was Fiji. Therefore, this "Pacific" or "Oceanic" COP had a focus on topics that are of great relevance to the developing countries in general and small island developing states in particular.

#### **(A) Loss and damage**

Under these auspices, the expectations were particularly high with regard to impacts of climate change where adaptation is no longer possible (loss and damage). These impacts range from deaths from hurricanes to the loss of settlement areas due to sea level rise. The topic of loss and damage was recognised as the third pillar of climate actions in the Paris Agreement, along with emissions reduction and adaptation to climate change. It is being negotiated under the Warsaw International Mechanism for Loss and Damage (WIM), which is part of the Paris Agreement.

In Bonn, an ongoing 5-year work plan was agreed for the WIM, which aims to achieve an increase in active knowledge sharing. However, the question of financing for any potential insurance protection against climate-related damage was left unanswered. In May 2018, a working group will prepare recommendations with a view to limiting the causes of migration in connection with the negative impacts of climate change. In addition to this, an expert dialogue will address the question of support in the handling of loss and damage. This dialogue will also tackle the issue of financing.

## **(B) Financing**

How ambitious climate protection measures can be financed worldwide has been a hotly contested issue for years – and it came up again in Bonn with unexpected severity. One crucial question is what counts as climate financing and how to report both the level of resources provided by developed countries and their use in developing countries. As expected, no decisions were made in this regard.

However, an important decision on the future architecture of international climate financing was made in Bonn. The Adaptation Fund, originally set up under the Kyoto Protocol, will also come under the umbrella of the Paris Agreement in the future. This means that the continued existence of this important fund is secured. However, the future sources for financial contributions to the Adaptation fund remain unclear. As the proceeds from the Clean Development Mechanism (CDM) have all but come to a standstill, the Adaptation Fund has had to rely on voluntary contributions from developed countries for years.

## **(4) Reinforcing climate protection efforts**

### **(A) Climate protection before 2020**

The negotiation mandate agreed at the UNFCCC Climate Conference in Durban in 2011 involved two negotiation tracks: first, the negotiation of a comprehensive agreement for the period after 2020, which was concluded with the adoption of the Paris Agreement in 2015. Secondly, achieving an increase in efforts, especially on the part of the developed countries, for the period up to 2020. This negotiation process has not delivered any tangible results so far.

In Bonn, the topic was, unexpectedly, at the top of the agenda again. The reason for this is that the main building block of the efforts to be made before 2020 has not come into force yet: the Doha Amendment containing the second commitment period of the Kyoto Protocol covering the period from 2013 to 2020. Furthermore, developing countries have not seen any visible progress in the implementation of the commitment by developed countries to increase their financial support to at least USD 100 billion per year by 2020. Developing countries thus demanded that ‘climate protection before 2020’ should be an agenda item in itself, which the developed countries initially rejected.

Ultimately, however, the developed countries relented and agreed to conduct two additional dialogue processes (facilitative dialogues) on global emission reductions and provision of support in 2018 and 2019. Furthermore, by 1 May 2018, the Parties shall submit information on the progress they have made in increasing their efforts. The UN Climate Change Secretariat is to prepare a synthesis report based on this information. In addition, the Parties to the Kyoto Protocol were asked to ratify the second commitment period.

### **(B) Review and increasing efforts**

A first review of global efforts also had to be prepared in Bonn. After the review, the states are to announce new and increased contributions by 2020. So far, however, it had not been clarified in specific terms how this review is to be carried out. As the Paris Agreement does not come into effect until 2020, this review is being negotiated separately from the Global

Stocktake. Effectively, though, the design of the review process in 2018 will set the precedence for the design of the Global Stocktake, which will be carried out every five years from 2023.

The Bonn conference agreed to start the so-called Talanoa Dialogue – named after a Fijian term for a transparent and participatory dialogue – in January 2018. It will be structured around three questions: Where are we? Where do we want to go? And how do we get there? First, during a "technical" phase up until the end of the year, information on these three questions will be compiled during multiple sessions. An essential point in this regard is that not only states but also sub-national and non-state stakeholders will have the opportunity to contribute information to this process. Finally, the Parties will draw conclusions at ministerial level during the “political phase” at COP24. Fiji and Poland will preside over the dialogue together. This is intended to defuse concerns about the lack of commitment on part of the Polish government.

The COP also decided that the outcome of the Talanoa Dialogue will feed into the 2019 stocktake on pre-2020 ambition. The Talanoa Dialogue and the pre-2020 stocktakes will thereby form an ongoing discussion process on raising ambition.

## **(5) Pioneer alliances, non-state and sub-national actors**

As the diplomatic negotiations lacked a sense of urgency, the most important events of the Bonn conference arguably took place outside the formal process. Led by the United Kingdom and Canada, around 20 nations (as well as individual Canadian provinces and US states) set up the “Powering Past Coal Alliance”, an alliance to phase out coal. Its members agreed to phase out existing traditional coal power and restrict financing for its future use. By the end of the year 2017, this alliance had grown to include 26 countries, 8 subnational governments and 24 businesses and organizations.

The civil society programme in the “Bonn Zone” also presented itself more forward-looking than the diplomatic negotiations. Especially notable was the strong presence of the “other America” at Bonn. The “We are still in” coalition of US states, cities, businesses and other stakeholders, who wish to remain true to the targets of the Paris Agreement, was a major presence in Bonn. It remains to be seen, however, whether this sub-national, pro-Paris coalition in the United States can compensate for the dismantling of national climate policy by the Trump administration.

Once more, the Global Climate Action Agenda (GCA) established in Paris provided the platform for a large number of initiatives, alliances and concrete measures. A highlight at COP23 was the publication of the first Yearbook on Global Climate Action, a survey of climate actions of businesses, investors, cities, regions and civil society. Particularly important in this context is that there is a mandate to link non-governmental activities more closely with the framework of the diplomatic negotiations. Early in 2018, there is to be a meeting where further themes and the inclusion of sub-national stakeholders will be debated. Outside of the diplomatic circles, a major event to organise subnational activities for climate protection will take place in September 2018 in California: a ‘Global Climate Action Summit’ hosted by Governor Jerry Brown.

## **(6) Outlook**

Bonn fulfilled the obligatory programme to prepare agreement on the set of rules for Katowice, but much more diplomatic work and political leadership will be needed during

2018 before COP24. And even this is really only the precursor to the real work, i.e. to achieve the necessary drastic reduction of global greenhouse emissions as quickly as possible. However, in many countries there is massive resistance to introducing and implementing the necessary restructuring of national economies.

The scope for ambitious decisions at the international level is therefore limited. International policy can seldom take decisions which have not previously been prepared at the national level. But it can play the role of a pacemaker for national discussions by placing the subject on the political agenda again and again, and by compelling national policy to account for its actions. The five-year cycle of stocktaking and subsequent resubmission of NDCs prescribed in the Paris Agreement is meant to fulfil this function.

The formation of pioneer alliances such as the Powering Past Coal Alliance is a further means of advancing the global negotiations that are based on the consensus principle. Other climate clubs should follow, for example for the promotion of renewable energies, for adaptation to climate change or for climate protection financing. Pioneer alliances, in which nations (and sub-national stakeholders) join forces, bring forward new ideas which otherwise would have no chance against the resistance of procrastinating states. The Powering Past Coal Alliance is a loosely knit alliance without a legal basis in international law. For other alliances, such as a genuine decarbonisation alliance, there might be a need for a firmer legal foundation.

The full calendar of climate diplomacy should contribute to keeping climate protection in the news and high on the political agenda. Already in December 2017, the Bonn COP was followed by the One Climate Summit in Paris, a conference on climate financing hosted by the French President Macron. In 2018, the series of events continues with the Talanoa Dialogue, the negotiating rounds of the UNFCCC in Bonn in May, possibly a further round of negotiations in late summer, and COP24 in Katowice at the end of the year. In addition, September 2018 will see the publication of the IPCC special report on the 1.5°C target and the Global Climate Action Summit in California. In 2019, a climate summit is to follow at the level of heads of state and government, hosted in New York by UN Secretary-General António Guterres.

At the moment, process is the most important factor in the implementation of climate policy imperatives. It must be hoped that keeping the theme at the top of the agenda for the years to come will contribute to achieving the urgently needed increase of ambition in nationally determined contributions by the 2020 deadline. In Bonn, old clashes of interest emerged, which were covered for a while by the Paris spirit. For success in Katowice next year, it will be essential for all countries to rediscover the central message of the Paris Agreement: that in the face of the coming storms on a finite planet, all countries are in the same boat.

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