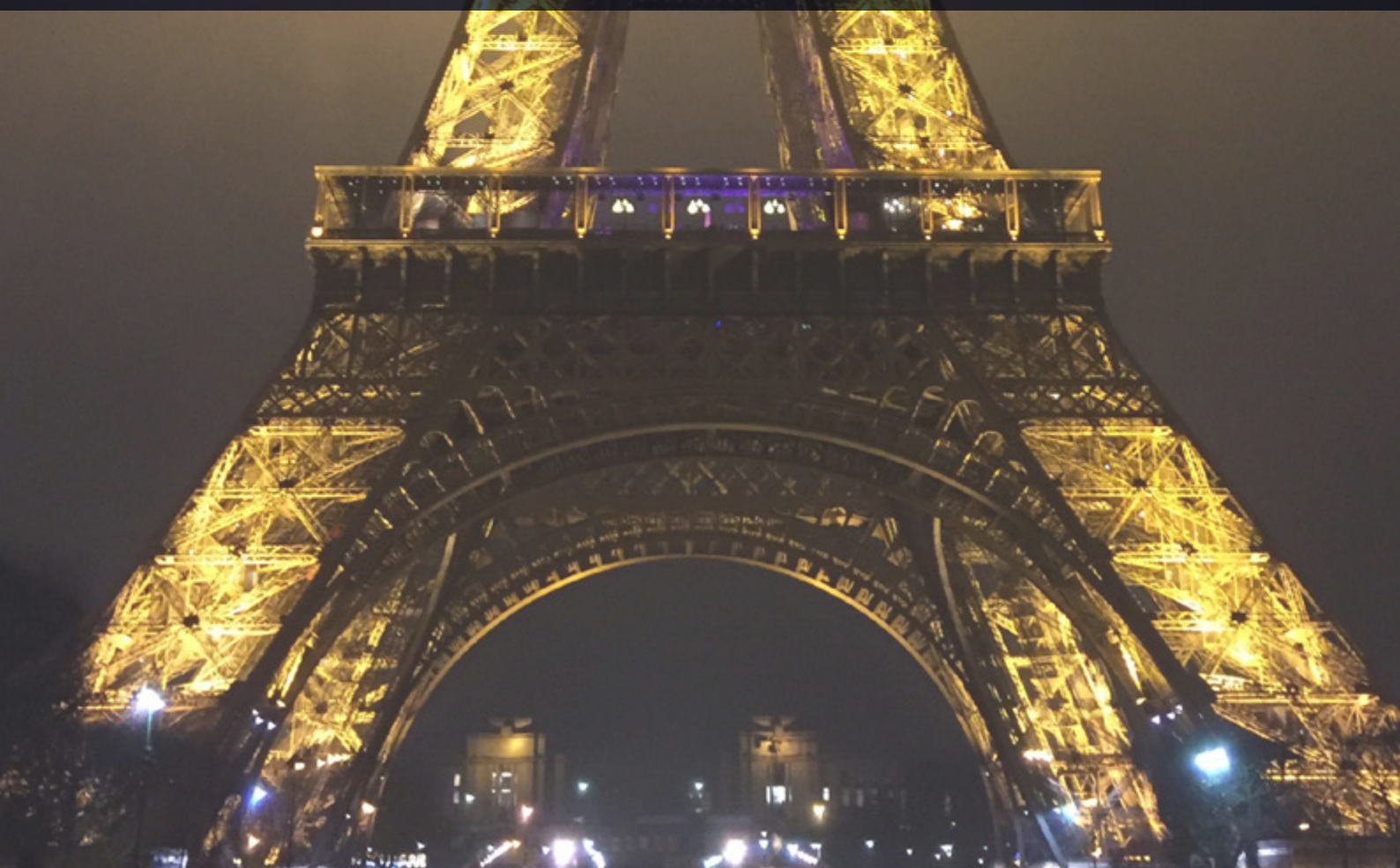


# **Paris Agreement: how it happened and what next**

**With a special focus on  
the role of non-state actors**





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# Summary & Introduction

The Paris Conference of the Parties (COP) to the United Nations Framework Climate Convention on Climate Change (UNFCCC) – which took place in December 2015 – could have been the last stand of the UN climate system. An effective new climate change regime needed to be devised to replace the Kyoto Protocol system, which had to a large extent ground to a halt. Memories of the last time the world had expected, but failed to reach a dramatic new outcome from climate negotiations – in Copenhagen in 2009 – were still painful. Discussions about the possible activities of “clubs” of nations or other stakeholders were happening in part for fear that the global system could not be resurrected.

Yet the Copenhagen summit, which had been dubbed by many a “failure”, had in fact contained the seeds of a new approach, which helped to achieve success in Paris. This approach reduced the divide between developed and developing countries’ activities, and relied on nationally-determined action rather than targets set top-down.

There was still much to do when the French COP Presidency began to take over from their Peruvian predecessors at the end of 2014. But the outcome of COP 21 in Paris was a remarkable achievement in the end. After decades of negotiations, countries were able to put aside some of their differences.

The Agreement puts in place a framework in which all countries, or “Parties” – both developed and developing – have to put forward Nationally Determined Contributions (NDCs).

But the question of implementation remains as a major task ahead. The pledges made by countries in the run up to the Paris conference – the so-called Intended Nationally Determined Contributions (INDCs) – do not add up to sufficient emission reductions to keep the world from warming more than 2 degrees C above preindustrial temperatures, let alone 1.5 C. Civil society estimates the ambition gap with regards to the reduction goal and pledged action by the parties to be by around 11-15 GtCO<sub>2</sub>e for 2025.<sup>1</sup>

The Paris Agreement will come into force when at least 55 Parties covering at least 55% of emissions have ratified it. Entry into force will not happen until 2018-2020<sup>2</sup>, committing countries to action by 2025 or 2030. This leads to a risk that emission reductions will not happen fast enough, as scientists say much more rapid action to reduce emissions is needed.

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1 *Climate Action Tracker, Emissions Gap*. Available online at: <http://climateactiontracker.org/global/173/CAT-Emissions-Gaps.html>; See also Oxfam: [https://www.oxfam.org/sites/www.oxfam.org/files/file\\_attachments/ib-civil-society-review-climate-indcs-191015-en\\_2.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/ib-civil-society-review-climate-indcs-191015-en_2.pdf)

2 *The possibility of an entry into force in 2018 rather than 2020 was opened up by Christiana Figueres at a speech in London in April 2016*: <http://www.bloomberg.com/news/articles/2016-04-11/paris-climate-deal-seen-taking-effect-two-years-ahead-of-plan?>

The text skilfully negotiated in Paris also leaves potential frustrations and pitfalls ranging from lack of confidence in the availability of funding, to lack of clarity in the key transparency provisions, to arguably weak outcomes on forests and international transport.

All of these could hamper, delay or derail the necessary “ratcheting up” of ambition and national contributions.

## Non-state action

Over the years preceding the Paris summit, growing worries about climate change had produced expressions of concern and commitment to action from many non-state bodies, from groups of international cities to global industry associations and investors.

The Lima COP in 2014 had created an important framework for this. So Paris began with, and was given momentum by, an unprecedented confirmation to government negotiators and ministers that there was enthusiasm and determination from new powerful clubs and other such groups across the world.

The influence of these groups over the actual negotiations may have been relatively limited. Yet climate change success will now require moving beyond the sole focus on nation-state targets and timetables and must emphasise a broader base of action on a more bottom-up basis.

Cities in particular are responsible for 75% of global greenhouse gas emissions. According to the United Nations,<sup>3</sup> 54% of the world population currently live in urban areas and this is set to increase to 66% by 2050. How this urbanisation will be managed is key, particularly whether it will be based on high carbon or low carbon infrastructure, and whether cities will be built to be resilient to climate change.

The growing leadership of cities, as well as states, regions, businesses, investors and civil society organizations is evident in global networks such as the Non-State Actor Zone for Climate Action (NAZCA) and the C40 network of cities, previously chaired by Michael Bloomberg.

Perhaps lesser known but equally crucial initiatives include the Covenant of Mayors – which as announced at COP21 will now be expanded beyond Europe, with new offices planned in Latin America and Africa. And CB27, a network of Brazilian capital cities, which is set to be replicated in 2016 throughout Latin America and the Caribbean.

The fact that these groupings combine cities from developed and developing countries, is also seen by many observers as a key benefit of working on climate change action below national government level. Additionally non-state actors can often act faster than governments, and are better able to interact with each other. The path forward from Paris must offer opportunities for these cities, businesses and other non-state actors to help determine national levels of ambition and to deliver them.

Exactly how this can be done and accounted for is still not clear; an important task for analysts and negotiators alike must now be to identify practical pathways for revised NDCs to take account of what cities, regions, businesses and other non-state actors can contribute, and that their contributions are properly measured and reflected in the new system.

This report is organised into four parts: an overview of the Paris Agreement and the new global climate system it has introduced; a reflection from of an engaged city-state – Singapore, on how the Paris outcome was achieved and what now has to be done; a description of the new world of international non-state groupings with key examples of groups of world cities; and a reflection on city-based action by a major city in the developing world – Rio de Janeiro.

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<sup>3</sup> *World Urbanization Prospects: The 2014 Revision, United Nations.*





# Chapter 1

## Analysis of the Paris Agreement

Over the past few years, the remaining global budget for greenhouse gas emissions has become clearer. More prudential calculations of the pathway to a maximum of 2 degrees above pre-industrial levels have made the budget smaller, and the time needed to generate massive changes to energy and other systems longer.<sup>4</sup> And time keeps ticking away.

Hence the huge amount of expectations placed on the Paris COP21 in November/December 2015. The binding emissions reduction targets of 37 industrialized countries under the Kyoto Protocol had expired at the end of 2012. A second commitment period – the Doha Amendment agreed at COP18 in 2012 – had failed to enter into force due to a lack of ratifications. Up until Paris, it was difficult to imagine that Parties would be able to conclude an effective global multilateral agreement to deal with climate change.

The absence of effective operation targets and failures to meet national commitments by countries involved showed the Kyoto enforcement system to be lacking.

A new agreement with legal force was needed, but defining its form and avoiding the Kyoto pitfalls would be extremely delicate.

Without such an agreement providing a major new step forward, confidence from public and private sectors alike in the ability of the UN system to address climate change could have entered a terminal decline. And the last time the cycle of negotiations brought up a COP where a radical step forward was needed was Copenhagen, which has gone down in history as a serious setback.

In fact, that history was too simplistic. For all the disagreements and ill-tempered exchanges, Copenhagen produced an outcome in which the outline of a very major shift could be seen: from top-down internationally-enforced mitigation targets to a system of ‘variable geometry’, where each Party made the efforts and contributions they considered appropriate to their circumstances, and where developed country financial contributions became targets equal in importance to their domestic reductions.

The subsequent COPs – Cancun, Durban, Doha, Warsaw, Lima – gave the world time to get used to the idea that a top-down architecture was not feasible, leading to the gradual emergence of a groundswell of efforts from non-state

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<sup>4</sup> Intergovernmental Panel on Climate Change (IPCC) 5th Assessment Report



actors and seeding of a bottom-up architecture to facilitate implementation of pledges rather than prescribing them. The idea that there were many different pathways to contribute to mitigation and adaptation, and that Parties must choose those which they considered nationally appropriate, began to be seen as a necessary part of the foundation of a new system.

This encroached on the traditional division in the UNFCCC system between developed and developing countries. It is unfair to see the Kyoto regime as one under which developed countries had obligations to cut current emissions and make amends for past ones, while developing countries could continue development and do nothing else. Yet Kyoto had split the world into two simple categories which made less and less sense as economies grew. Over the COPs, starting with Copenhagen, the touchstone phrase of “Common But Differentiated Responsibilities” (CBDR)<sup>5</sup> began to appear less frequently in the texts and to be regarded as less of a fundamental requirement, even though of course this is still controversial with some countries.

This was not a straightforward process, and the movement occurred in fits and starts, with steps forward and backward. But it became clear that there was broad sympathy for some sort of change: developed and developing countries needed to be differentiated, but in a graduated system, not a single divide.

However it was one thing to recognise this need, and quite another to find words politically acceptable to all sides in order to incorporate it into a new legal agreement.

It was also clear that one of the key concepts of the Kyoto system – the mechanisms allowing trading of emissions reductions to achieve national targets at lower cost – was reaching the end of the line. Few countries were interested in purchasing, or letting their businesses purchase, emissions reductions that were not under their control and did not happen on their territory. The Clean Development Mechanism, like Joint Implementation and the trading of Assigned Amounts Units, had become less attractive to the private sector for simple lack of demand and unfavourable economic circumstances. Attempts within the negotiations to develop and evolve those Kyoto concepts or create new approaches, were stuck.

Over the period since Copenhagen, new issues had arisen which had been partially assimilated into the UNFCCC system but were of sufficient importance to justify specific coverage in a new document encapsulating the post-Kyoto approach.

Among the most difficult was “Loss and Damage”, bringing a hint of the notion – controversial for some countries – of obligatory compensation for impacts of past emissions. Another was the encouragement to non-state actors. The main focus for the latter was the groups or international coalitions of cities and regions that had formed over the last few years, often wishing to be more proactive than their national governments. But non-State actors also included businesses and others who wanted to make public their concern about climate change and their willingness to support action.

As confidence in the ability of the UNFCCC system to come up with an effective continuation or successor to Kyoto declined, these non-State actors, often crossing international borders, began to be spoken of as ‘clubs’, ‘networks’ or like-minded organisations. These ‘clubs’ or ‘networks’ would be prepared to make commitments without waiting for the UN. And the bottom-up approach that many remained convinced was the only practical way forward seemed likely to find some sort of outlet outside the UNFCCC.

## The Negotiations

An immense amount of effort was put into the preparation of the Paris COP by the incoming French Presidency, acting in close concert with the Peruvian Presidency of the COP20. The process of largely bilateral inter-sessional diplomacy had perhaps never been so intense. Within the negotiations, much responsibility fell on the shoulders of the Co-Chairs of the Ad Hoc Working Group on the Durban Platform (ADP), and the group of legal and linguistic experts. These had the hard task of formulating draft provisions accurately and consistently, while ensuring coherence between various articles of draft agreement text, across articles and also among all the six official language versions of the final text.

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<sup>5</sup> A definition of CBDR is available here: <http://www.britannica.com/topic/common-but-differentiated-responsibilities>

The slow progress of ADP texts over 2015 made some commentators doubt that the gaps between the Parties could be bridged in the time remaining before and at Paris. The fact that a 37-page text from the Lima COP had become 86 pages long (for a variety of reasons) at the end of the Geneva inter-sessionals, reduced optimism. But the draft documents available by the start of Paris were sufficiently developed to allow hope that a skilful Presidency could get a good outcome.

In fact the main task of creating a post-Kyoto system was not intrinsically hard, given the work of the previous COPs. It also helped that there was growing acceptance – more reluctant in some Parties than others – that the task now was to find a framework for pre-existing but very diverse national contributions rather than create another global target and enforcement regime.

The main problem was to find a broad structure for inevitably highly detailed later work on assessing national contributions and increasing their ambition. But the system had to avoid infringements of national sovereignty while offering a focus for assistance to, and peer pressure on, Parties who were seen to be doing less than they could.

However, there were many potential traps along the way, created by issues that could not be ignored but had the potential to raise the temperature, reduce trust, and increase the distance between the Parties. The highly contested issue of Loss and Damage appeared to have been temporarily neutered, as the Warsaw International Mechanism created to take it forward was not scheduled to produce a report until the year after Paris.

Many observers felt that finance would be the stumbling block of the negotiations, with different views being expressed about the chances of achieving the US\$100 billion per year promise made originally in Copenhagen. Next, it was accepted that the degree of focus on adaptation should match that on mitigation, a long-standing concern of developing countries. Finding the right approach without raising hard questions on losses, finance and response measures would not be easy.

It was also clear that the UNFCCC was expected to state the overall global target for emissions reduction more precisely, and that the desires of many vulnerable island and other states for a temperature target of +1.5 degrees Celsius had to be respected, even if that target looked extremely challenging at this stage.

Finally, the roles of carbon pricing and the private sector were very important to some, but red flags to others.

Ever since the Durban COP17 Decision that the aim of the next series of COPs would be an “outcome with legal force”, careful attention had been given to the question of how to make the required legally binding elements compatible with the United States’ unique difficulties in bringing an international agreement round, rather than through, Congress. As on previous occasions, the wording of the obligations was key and highly delicate.

This made the discovery during the final hours in Paris of an un-agreed “shall” instead of a “should”, the reason for which is still not clear, highly embarrassing. That the matter was corrected and apologies accepted is a testament to the degree of confidence in the COP Presidency that the Parties had by that time developed, and in their collective political will to emerge from Paris with an agreement.

Slow but important changes over the years to UNFCCC negotiating groups and alliances meant that the key dynamics at COP21 in Paris were considerably more fluid and unpredictable than the blocs of several years ago.

The developing countries still acted together as G77/China. But within that group, the positions of the highly-vulnerable Alliance of Small Island States (AOSIS), the African Group, the Like-Minded Developing Countries (LMDC) and the hard-line Alianza Bolivariana para los Pueblos de Nuestra América (ALBA)<sup>6</sup> were highly vocal and influential on many topics. Unexpected alliances also developed, such as the joint European Union/Brazilian proposal on new mechanisms. The French Presidency, UNFCCC Secretariat and other key facilitators had to find the right format for the negotiations that acknowledged the importance of these and many other groups of Parties.

They had to avoid the perception – largely responsible for a breakdown in trust at Copenhagen – of exclusive inner circles and hidden texts, and yet find realistic channels for communication and progress.

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<sup>6</sup> A description of negotiating groups can be found on the COP21 website: <http://www.cop21.gouv.fr/en/whats-the-use-of-the-country-coalitions/>

The French Presidency and the Secretariat managed the process with great skill, convening ministers as “Comité de Paris”, making particular use of the “Indaba” format for later-stage private but trusted Ministerial discussions, and mastering the use of quick electronic communication of texts to all, including NGOs and other observers.

But none of this would have worked if it had not been built on a foundation of painstaking diplomatic contacts during the 12 months leading up to the COP’s start.<sup>7</sup>

## The Outcome

The final text of the Paris Agreement is a document that, at least in form and comprehensiveness, is a worthy successor to the Kyoto Protocol. It starts with new and challenging aims not just in terms of limits to temperature rise to 2 or even 1.5 degrees, but also in the peaking of emissions. It bases the achievement of that aim on Nationally Determined Contributions (NDCs), sets up a framework for collective examination and to increase ambition for such contributions, and emphasises the special circumstances and derogations of developing countries without re-establishing the old Annex I/Non-Annex I division.

The Agreement also recognises the importance of Adaptation, Technological development and Capacity-Building, with new machinery established or sketched out for each. It offers interestingly-worded encouragement to cooperation between Parties, including by a new mechanism.

Many Parties would have been disappointed by the comparatively weak outcomes on Forests, Loss and Damage, Finance and Compliance, and by the absence of references to international transport and agriculture. But enough was done to avoid major rifts.

The Agreement is accompanied by a long but clear set of Decisions that are logically constructed to start the process of putting the agreed outcomes into effect.

Those Decisions include many references to the important inputs that can be made by non-Parties, thus reflecting the huge upsurge of interest by cities, regions, businesses and other stakeholders wanting to see progress on climate change and ready to do what they can. Of course, the actual weight of non state actors in the negotiation process remained very limited.

Many negotiators, such as China, did not show much openness towards them. Certainly more traditional state-to-state diplomatic initiatives, such as the joint plans for climate protection presented jointly by the US and China a year before Paris, had more impact for most stakeholders.

Yet the demonstrable enthusiasm and eagerness to participate shown by non state actors is going to be necessary to make national contributions both ambitious and deliverable.

The amount of work that now has to be done by the UNFCCC bodies is extremely daunting, particularly with the change in Executive Secretary during 2016. There are very many clever ambiguities in the text that could unravel hard-won political will when detailed negotiations starts in earnest.

But the principal task of Paris was always to take the understanding – first achieved at Copenhagen – that the next phase of global action on climate would be built on voluntary national contributions, and turn that into an architecture for a new system. And to launch that system on its way with maximum momentum and goodwill. The French Presidency, the UNFCCC secretariat, and the efforts of all the Parties have achieved that.

## Challenges and Next Steps

The problem of global climate change has generally been seen by economists and political theorists as an enormously daunting example of a combination of the ‘tragedy of the commons’, the ‘prisoner’s dilemma’, and conventional time-discounting.

In a world without effective international compliance and enforcement regimes, why should national governments take costly action now that would produce outcomes only far in the future, and benefit others, particularly free-riders?

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<sup>7</sup> For one country’s prospective as a key negotiator, a developing country leader and a city in its own right, see Box 1 - a contribution by Melissa Low from the Singapore delegation.

Recent climate economics has put the emphasis on demonstrating that the necessary action would be less costly than supposed, and even that there could be conventional competitiveness and other economic benefits for countries that take the lead. It is however clear that there are many political and business stakeholders who are not yet fully convinced.

Kyoto tried to create a durable international regime of targets and enforcement, but for all the achievements of the first commitment period, it failed in its larger purpose. Many stakeholders, particularly but not exclusively in the US, had said that a top-down system could not work, and the world would have to revert to a bottom-up system of peer-reviewed voluntary contributions, managed by specific clubs or groupings of countries or managed by a very different UN system.

Part of the concern about the architecture coming out of Paris comes from the recollection that voluntarism was the essence of the UN Climate Change Convention in 1992. The recognition that this was not producing necessary results led to the targets and formal regimes of the Kyoto Protocol. Global concerns about climate change have certainly increased since 1992, though it is not clear whether that will be enough to overcome the difficulties with voluntarism.

Countries whose will to take action was sapped by the Convention and Protocol's differentiation between the obligations of developed and developing countries can now see in the Paris Agreement a much more graduated set of differences, though much still depends on direct transfers of substantial sums of money from developed to developing countries.

In addition, almost all NDCs from significant emitting countries need to be made more ambitious in order to bridge the gap. This is recognised in the Paris Decision text itself. Making the transparency and stocktaking provisions of the Paris Agreement work, in the sense of providing the basis for peer review and revisions, is therefore essential. It also has to work comparatively quickly: the 2018-2020 start of the Agreement, the current absence of agreement on common NDC timeframes, and the five-year periodicity of its Global Stocktakes, all against the background of the current rate of consumption of the remaining carbon budget for a 2 degree target, mean that there is no time for slow progress in the NDCs.

The Facilitative Dialogue of 2018, the arrangements for technical expert review of information necessary to track Parties' progress, and perhaps the operation of the facilitative compliance mechanism of the Agreement, will be among the most important parts of the transparency regime. The way that the regime will work in practice, and how it will avoid a host of obvious pitfalls is currently far from clear.

A major part of the transparency regime is devoted to identifying, measuring and reporting (biennially) on the amount of financial and other support that developed countries are obliged to provide to developing countries. In addition many developing country NDCs specify mitigation actions or levels of ambition that would be possible if – and only if – financial support from other Parties is made available to them. No additional global financial targets or benchmarks for developed country contributions were added to the Copenhagen \$100bn per annum by 2020, progress towards which currently appears to be slow.

The admissibility of private investment in the totals, long a source of dispute, has been strengthened by text references to a “wide variety of sources” for developed country finance.

However the common-sense expectation must be that to achieve increased levels of ambition many developing countries will need substantial help in the form of direct transfers. This will not be easy against a background of growing pressure on public finances in most parts of the world. It also increases the need to maximise the contribution of private sector funding for low-carbon investment, particularly in the developing world.

Importantly, there are many encouraging signs of greater penetration of renewable energy technologies, and ambitious plans to boost these technologies globally, including in key developing countries. And the Paris COP21 was marked by an unprecedented level of interest, formal statements and apparent commitment to low carbon investment from a variety of businesses and investors.

However the nature of the trigger for further action was vague in many of these statements and contributions. And while a clear but by no means universal call for a global carbon price was a common feature, it was much less clear what that meant and how it would be delivered.

The final Paris text featured only the lightest of references to pricing, and it concentrates them on national pricing schemes as a possible mitigation tool for NDCs rather than a global system relevant to a globalised economy.

There needs to be a firm and widespread belief among company and investor strategists that increasing costs of, and constraints on, greenhouse gas emissions will come soon enough to legitimately affect commercial decisions; and these costs will occur widely enough to be unavoidable.

The international agreement and the feel-good factor in the Paris outcome will certainly have helped that process, but the voluntarism of the system and continuing vagueness about targets and timetables has left some in the private sector sceptical.

In the immediate aftermath of the Paris Agreement fossil fuel stocks were dented, while renewable energy company stocks were lifted.<sup>8</sup> However, slower-moving investment decisions will only be genuinely be altered with stronger signals on the implementation of the Paris Agreement.

## What Happens Next?

This major new Agreement will have to be followed by substantial quantities of detailed work. This will involve negotiations where the scope for ambiguous outcomes is less than in the main document. However the extent and number of pieces of work that the UNFCCC secretariat will now have to manage is enormous. It has been calculated that progress is expected by the Marrakesh COP22 at the end of this year on more than 50 tracks.

And it has become part of the normal expectations of UNFCCC negotiations that steps forward tend to be followed by partial retreats, as some of the outcomes that were disappointing for Parties or negotiating groups are tested, interpreted and fought over again, even resulting in changes deviating from the original spirit of the agreement.

These complex and detailed negotiation tracks, with many technical inputs, procedural issues and meetings across the globe, are much more difficult for non-Parties to follow and concentrate on than the spotlight drama of a Ministerial COP.

It will be a particular problem for non-state organisations such as groups of cities, regions and businesses to find a means of sustaining their vital input before and during the Paris COP, despite the warm words and references in the Decision text.

But perhaps their focus, like that of other observers, should now shift to the Parties themselves. Paris has created a bottom-up system focused on contributions made by Parties, resting on the premise that their initial contributions (INDCs) were a good start, but need to go much further. The multilateral assessment of revised contributions and inputs to global stocktakes will be an extremely important part of the new system. But it all starts with the Parties themselves, their ability to assess domestic political will and business opinion, and their willingness to develop, quantify and go further than their first efforts.

For international groups of non-state organisations, the specific references in the Paris text to inter-Party cooperation in achieving emissions reductions should offer a channel for absorbing cross-border actions into what remains a primarily Party-led system. Exactly how this can be done and accounted for is still not clear. But the expectation is that means will have to be found, and revised NDCs should take account of what non-Parties can contribute. Cities, regions, businesses and other non-Party groupings will have to play a major part in ensuring that their contributions can be properly measured and reflected in the system.

National governments may be sceptical about what sub-national tiers of government and associations of private companies can achieve towards the achievement of international objectives, and indeed about their authority to act internationally. However the increasingly loud voices from the groups that have formed across the world, and the need for all possible sources of ideas and commitment to be harnessed if mitigation ambition is to be raised, mean that Parties should listen, cooperate and assimilate.

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<sup>8</sup> <http://www.reuters.com/article/us-climatechange-summit-stocks-idUSKBN0TX22A20151214>



# PATHWAYS FROM PARIS: VIEWPOINT FROM SINGAPORE

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As a small low-lying city-state with an open economy, Singapore is particularly vulnerable to the consequence of climate change. Singapore has been an active player in the international climate change negotiations since ratifying the UNFCCC in 1997 and acceded to the Kyoto Protocol in 2006. In 2014, Singapore ratified the Doha Amendment to the Kyoto Protocol. In February 2016, officials announced that Singapore would sign the Paris Agreement at the high-level signing ceremony in New York on 22 April 2016.

## SINGAPORE'S ROLE IN COP21

In the lead up to Paris and at COP21, Singapore's officials were given leadership roles. Widely seen as a constructive player in the global negotiations on climate change, Singapore has never taken this role for granted but has always strived to stay ahead of the curve in meeting its obligations under the UNFCCC.

As a non-Annex I country, Singapore is one of the first few countries to be undergoing to International Consultation and Analysis (ICA) process, having been third to submit its Biennial Update Report in December 2014. In this way, Singapore is doing its part to enhance the transparency of reported information such as those on domestic measuring, reporting and verification (MRV) arrangements. In its NDC, Singapore pledged to reduce its emissions intensity by 36% from 2005 levels by 2030, and stabilise its emissions with the aim of peaking around 2030.

Singapore's role in COP21 was one focused on facilitating outcomes and bridging differences in opinions. Ambassador Kwok Fook Seng, Singapore's Chief Negotiator for Climate Change from the Ministry of Foreign Affairs was enlisted alongside ten other leading negotiators to chair facilitative groups by the ADP Co-Chairs.

He co-facilitated both Mitigation and Transparency of Action and Support groups with Ambassador Franz Perrez from Switzerland and they were tasked with streamlining the text and steering difficult negotiations so as to achieve clarity in the options that would be taken forward from June 2015 to the Paris COP21 that December. In Paris during COP21, Ambassador Kwok concentrated on Transparency of Action and Support and conducted several spin-off groups and informal informals to find solutions and clean the Article 13 text on Transparency of Action and Support.

Dr. Vivian Balakrishnan, Singapore's first Foreign Minister to have held the Environment and Water Resources portfolio, also played a key role in the Paris COP21 negotiations and worked closely with the COP Presidency as one of the ministers in the Comité de Paris. Together with H.E. Ms. Izabella Monica Vieira Teixeira, Minister of the Environment of Brazil, Dr Balakrishnan led negotiations on the cross-cutting issue of differentiation, in particular with regard to mitigation, finance, transparency.

This was no small feat as one of just 20 selected ministers chosen to bridge differences on issues that require resolution. Furthermore, ministers were tasked to do so in an open, transparent and inclusive manner and asked to present to the Comité de Paris an outcome each day in order to show incremental progress. Many of these meetings went into overnight marathon negotiations and included various formats of meeting with Parties, including bilateral meetings with Parties or groups of Parties to find solutions to provide initial drafting guidance to the Comité de Paris.

## THE NEW TRANSPARENCY REGIME: IMPLICATIONS FOR SINGAPORE

On transparency, there is to be a first collective and global stocktake of INDCs in 2023 and every five years henceforth unless decided otherwise. The global stocktake shall inform countries in updating and enhancing their actions and support and international cooperation.

The submission of INDCs 9-12 months in advance indicates some form of review to facilitate clarity, transparency and understanding of INDCs. However, paragraph 25 in the Decision text (1/CP.22) continues to use ambiguous language around what countries should communicate as part of their INDCs. Thus, further clarity is needed on how such a review would take place if countries are allowed to submit information as they wish, leading to comparability issues between countries' NDCs.

COP22 convening in Marrakech, Morocco from 7-18 November 2016 will be important as it aims to adopt various common modalities, procedures and guidelines on NDCs, as well as transparency of action and support.

### MEETING OUR CLIMATE TARGETS

While most people are looking at INDCs for achievement by 2030, many forget that Singapore also has a Copenhagen/Cancun pledge for 2020. With a legally binding agreement achieved in Paris, Singapore will have to achieve its conditional pledge of reducing our emissions by 16% below business-as-usual levels by 2020 (declared in 2009). Indeed, Singapore will have to ramp up efforts if it is to achieve its 2030 target and to peak emissions around 2030, including introducing new and more efficient technologies to reduce energy consumption.

The government will also need to further regulate industry by reviewing existing legislation such as the Energy Conservation Act (2013) to incorporate more companies, enhance their reporting requirements or require them to fulfil their energy-efficiency improvement plans that they submit to the National Environment Agency (NEA). This will be needed to meet 2020 and 2030 targets.

### LOOKING TO MARRAKESH

The Paris Agreement has catered for many things being sought by countries in recent years. Now comes the time to put that stage behind us, and focus squarely on the implementation phase. There is still work to be done in developing and fine-tuning some technical and procedural steps. Singapore will work with all partners to complete these tasks expeditiously. The Agreement must be ratified, and the successive cycles of climate action can only get underway when it enters into force. Singapore will continue to support the global effort to make this happen.





# Chapter 2

## Initiatives spearheaded by non-state and subnational actors around the world

Given the risk that existing country commitments may not lead to fast enough action to stop dangerous climate change, initiatives by non-state actors could become important as a way to accelerate action. COP21 in fact broke records of participation and engagement of non-Party stakeholders. It showed an important evolution in terms of participation of subnational and local authorities, private sector and civil society organisations in the UNFCCC process. It was also the culmination of a long process of engagement of subnational and other non-state entities.

Initiatives such as the Lima Paris Action Agenda (LPAA), the Non State Actor Zone for Climate Action (NAZCA) and C40 have achieved wide recognition. However, the breadth and depth of this trend can be illustrated by looking in depth at two less well-known but also influential groupings.

These demonstrate that cities and regions are becoming more committed to their responsibilities as agents of sustainable development: the Covenant of Mayors and Brazil's CB27. They are explained in more detail below.

The fact that these groupings combine cities from developed and developing countries is also seen by many observers as a key benefit of working on climate change action below nation-state level.

### The Lima-Paris Action Agenda

The LPAA is a joint initiative by the Peruvian and French COP presidencies, the UNFCCC Secretariat and the Executive Officer of the UN Secretary-General of the United Nations. The initiative aims to mobilise solid global action towards low carbon and resilient societies. It wants to provide better support to existing initiatives and to gain new partners for action, providing a platform that gives visibility of actions, commitments and results that have been undertaken before and after the COP21.

The LPAA engages state and non-state actors – national and subnational governments, international organisations, businesses, CSOs, academic institutions – to take climate action as individual entities or in cooperative partnerships.

In total, around 180 countries, including states, non-state actors, sub-nationals and businesses, are participating in 11,000 projects of LPAA initiatives.

To accomplish its goal, the UNFCCC Secretariat established the NAZCA, which has operated since 2014 next to the LPAA as model platform to present actions which companies, cities, subnational regions and investors have taken to address climate change.

By now, and with the results of the Paris Agreement, LPAA has definitely become a major force driving climate action, with many progresses since its initiatives have been launched. Its objective to give visibility to the commitments and partnerships of cities, regions, businesses and civil society organisations which reduce GHG emissions and build stronger resilience against climate change, has been successful.

Unfortunately the outstanding active participation of non-Party stakeholders in Paris was not translated into the text of the Paris Agreement, as the document mentions non-party stakeholders only in the preamble.

However, the Decision 1/CP.21 adopting the Paris Agreement does a better job in acknowledging the role of non-state actors in future climate action efforts.<sup>9</sup> This supports and provides continuity to the results achieved through alliances and partnerships channelled by the LPAA and concrete tools like the NAZCA platform.

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9 Article 117 “[w]elcomes the efforts of non-Party stakeholders to scale up their climate actions”, and article 118 [e]ncourages Parties to work closely with non-Party stakeholders to catalyse efforts to strengthen mitigation and adaptation action”. Moreover, section V of the decision is dedicated exclusively to the engagement of non-party stakeholders. Article 133 is relevant because it lists those non-Party stakeholders that should be engaged in climate action: civil society, the private sector, financial institutions, cities and subnational authorities. Article 134 “invites” non-Party stakeholders to further scale up their mitigation and resilience-building efforts.

In addition, the text recognises the role of non-Party stakeholders in “providing incentives for emission reduction activities, including tools such as domestic policies and carbon pricing” (art. 136). This is important because one of weakest characteristics of the Paris Agreement is its vagueness and the doubts it raises in terms of implementation. Carbon pricing schemes are one of the concrete tools for effective mitigation, which require further development worldwide.

Another progress for the LPAA is reflected in article 2(c) of the Annex to the Paris Agreement, where Parties express their wish to make finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.” In fact, one of the remarkable messages from the COP 21 is precisely the recognition that the goals set by the Paris Agreement cannot be met only by the Parties. Non-Party stakeholders have to be engaged in all aspects of its implementation: financing, execution and accountability.

## C40

C40 is a network of more than 80 of the world’s biggest cities, including London, Tokyo, New York and Mumbai, focused on tackling climate change. Its network facilitates dialogue, cooperation, and information exchange amongst city officials so that cities’ climate actions to reduce GHGs and climate risks are bolder, more impactful, and implemented faster with fewer resources. Its aim is to connect city staff across more than 50 countries, 20 time zones and 26 languages, to accelerate local action with major global impact.

C40 published in March 2016 a series of Good Practice Guides offering 100 practical examples of climate solutions that its member cities have successfully adopted, including urban solutions from Singapore, Copenhagen, Hong Kong and many others.<sup>10</sup>

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10 <http://www.eco-business.com/news/c40-launches-guides-for-cities-to-tackle-climate-change/>

# The Covenant of Mayors

In the wake of the adoption of the EU Climate and Energy Package in 2008, the European Commission launched the Covenant of Mayors. From its inception, one basic but important feature of the project is that members sign up on a voluntary basis, commit to mitigation goals set by the EU and accept external monitoring.

The project was a bigger success than expected, considering its bottom-up character. After a consultation process in 2015, the project has been growing rapidly. In October 2015, the Covenant of Mayors for Climate & Energy was launched. Over 6,400 signatory cities pledged support to the EU's 2030 mitigation goals (at least 40% greenhouse gas reduction).

Moreover, in accordance with a "shared vision for 2050", they agreed to strengthen their efforts in adaptation and in securing sustainable and affordable energy.<sup>11</sup>

The project shows that local political leaders are becoming increasingly aware of their role in guaranteeing sustainable and resilient infrastructure to their citizens and that this requires a real effort to mitigate and adapt beyond national legislation. Moreover, it demonstrates the interest of cities in receiving technical support, sharing lessons with other cities and establishing broader partnerships.

At COP21 in Paris, it was announced that the Covenant of Mayors will now be expanded beyond Europe. New offices will be opened in Latin America and Africa to support cities in developing countries.

With a focus on supporting the development of smart cities on other continents, it will make financial resources available for feasibility studies and technical cooperation with cities in developing countries.<sup>12</sup>

# CB27

Emerging economies like China, India and Brazil are key players in climate action. They belong to the world's biggest polluters and they face major challenges to reconcile development goals and sustainability engagement in climate action.

Given that population growth, a high rate of urbanisation and often lack of financial resources on federal budgets, local authorities in these countries have to be integrated in a global strategy to achieve long-term sustainable development. Finding ways to ensure the subnational and non-state contributions are incentivised and recognised must be a major post-Paris focus.

In 2012, inspired by the example of C40 and in the context of preparations for the Rio+20 Climate Conference, the first meeting of the CB27<sup>13</sup> was held in Rio de Janeiro. Brazil has 26 capital-cities and 1 Federal District – Brasília – that have more than one million inhabitants. The CB27 is exclusively financed and assisted by the Konrad Adenauer-Stiftung for the organisation and promotion of events.

However, cities also face financial and jurisdictional challenges. City officials in charge of environmental portfolios complain about the cost of elaboration of greenhouse gas emission inventories according to internationally recognised and accepted standards and about the lack of collaboration from federal authorities in providing them with financial support.

Initiatives like CB27 allow for regular exchange of experiences and technical support amongst representatives of Brazilian capital cities that can be tapped on to assist city officials. The presence of these networks also shows the commitment of cities governed by different political parties and ideologies to the climate agenda. Indeed, initiatives involving subnational authorities are a reality with the potential of achieving concrete results.

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11 <http://www.covenantofmayors.eu/The-Covenant-of-Mayors-for-Climate.html>

12 According to information announced at the flagship event on cities and regions "The Globalisation of the Covenant of Mayors" (side event on 8 December 2015 at the COP 21), 60 million EUR will be made available in 2016.

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13 For more on CB27, see Box 2 – a contribution by Nelson Moreira Franco of the City of Rio de Janeiro.

## Paris Pledge for Action

The French COP 21 Presidency also made specific efforts not only to include resolutions on non-Party stakeholders in the final text adopted in Paris, but also to keep the momentum and reiterate the support of non-state actors to the commitments agreed upon in Paris by means of concrete initiatives.

On 16 December 2015, the Paris Pledge for Action was launched as a collective effort from “cities, regions, business, investors, civil society groups, trade unions and other signatories, coming from every sector of society and every corner of the world”<sup>14</sup> to support the Paris Agreement and its commitment to limiting global warming to under 2 degrees Celsius.

The pledge stresses that the international community cannot wait until the Paris Agreement’s entry into force in 2020 to act and that combined mitigation efforts need to start now.

This pledge can be seen as fruit of the LPAA efforts to engage the private sector for climate action. This inclusive initiative gathers more than 400 international businesses, 150 cities and regions, and 120 investors managing €10 trillion in assets, which are willing to boost the implementation of the Paris Agreement.

Given numerous initiatives spearheaded by non-Party stakeholders launched before and after Paris, the pledge aims to build a bridge between the UNFCCC process and non-state actors. It is an important move that gives continuity and consolidates the work initiated by the LPAA, showing that a consensus exists about the necessity of including non-Party stakeholders in the efforts to implement the Paris Agreement.

Key initiatives contain over 7000 community initiatives which operationally commit to reduce emissions significantly. Other initiatives focus on energy efficiency, which includes electrical appliances, urban districts and industrial, transport and fuel facilities.<sup>15</sup>

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14 <http://www.parispledgeforaction.org/wp-content/uploads/2015/08/Paris-Pledge-for-Action-English.pdf>

15 <http://www.un.org/sustainabledevelopment/blog/2015/12/lima-paris-action-agenda-matures-into-major-force-driving-climate-action/>

An additional key area of progress involves the resilience of water resources. Under the Paris Pact on Water and Climate Change Adaptation hundreds of public and private stakeholders follow recommendations of actions in water management adaptation to climate change.<sup>16</sup>

## Business and Climate Action

In the context of highly ambitious participation of subnational actors - nearly 7000 individual climate commitments being presented on NAZCA platform - the private sector emerges as driving force for climate change besides cities’ initiatives.

More than 2000 international companies have made climate action commitments, around 600 of them being amongst the largest companies of the globe, representing a total value of € 17,5 billion.<sup>17</sup>

The private sector has played an important role in the run up to Paris, asking governments during the negotiations to establish predictable regulatory regimes, to forward carbon pricing and to adopt policies which would facilitate the transition to a low-carbon industry.

With climate-related investments of around €217 billion, the private sector has also now become an important source for climate finance.<sup>18</sup> It becomes more and more evident that this sector is crucial for action against climate change, for the implementation of the Paris Agreement and the transformation towards a global decarbonised and climate-resilient system.

The LPAA managed to involve the private sector by increasing awareness by including and combining private sector activities with national and international efforts to adapt to climate change, and by engaging to develop products and services which can help to reduce the costs and effects of climate change.

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16 <https://sustainabledevelopment.un.org/partnership/?p=9546>

17 <http://www.un.org/sustainabledevelopment/blog/2015/12/lima-paris-action-agenda-matures-into-major-force-driving-climate-action/>

18 <http://climatepolicyinitiative.org/wp-content/uploads/2015/11/Global-Landscape-of-Climate-Finance-2015.pdf>

The business sector itself has also been involved in other initiatives.

The initiative We Mean Business for example unites businesses from around the world to engage in the transformation of the world economy system into a “green economy system”. 371 companies and 183 investors with assets of € 18,5 trillion have taken action to reduce GHG in more than 900 commitments.

Carbon Disclosure Project (CDP) brings together shareholders and major corporations to disclose greenhouse gas emissions. It holds information from 5500 companies which represent almost 60% of global market capitalisation. With its ability to track progress commitments by companies, investors and cities, it functions as counterpart to the UNFCCC NAZCA platform.<sup>19</sup>

The combined efforts of 159 international railway companies and 23 Civil Society Organisations, which formed the “Low-Carbon Sustainable Rail Transport Challenge”, initiative are a very successful example of this.

They committed to collectively reduce average global emissions from train operations by 50% by 2030 and 75% by 2050 based on 1990 levels. To achieve these targets railway companies throughout the world have been taking action through electrification of existing lines, decarbonisation of electricity supply, improving load factors, procurement of more efficient rolling stock, energy management systems and efficient driving.<sup>20</sup>

Many of these companies are also engaged in individual actions, such as Deutsche Bahn AG (DB) or the French railway company SNCF. The French company additionally committed to reduce CO2 emissions by 20% between 2014 and 2025. Its German equivalent is committed to reduce CO2 emissions intensity across its value chain by 20% per transport metric from 2006 to 2020 through increased energy efficiency and renewable energy purchases.<sup>21</sup> DB also wants to eliminate CO2 emissions from railway services in Germany by 2050.

The LPAA as instrument to boost the engagement of the private sector can be seen as success story to be continued in the coming years. Business is vitally engaged in climate action and welcomes the Paris Agreement for “establishing a clear long-term goal” with regards to GHG emissions and a decoupling of prosperity and development from fossil fuel use.<sup>22</sup>



Photo: Kibae Park/  
Sipa Press

19 <http://blog.cdp.net/the-paris-agreement-a-new-compass-for-business/>

20 <http://www.un.org/climatechange/summit/wp-content/uploads/sites/2/2014/07/TRANSPORT-Action-Plan-UIC.pdf>

21 [http://climateaction.unfccc.int/company/deutsche-bahn-ag-\(db\)](http://climateaction.unfccc.int/company/deutsche-bahn-ag-(db))



# COP21 – THE IMPORTANCE OF CITIES IN THE GLOBAL RESPONSE TO CLIMATE CHANGE

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As a general rule, a crisis indicates both a threat and an opportunity. We must therefore seize such a moment to encourage debate, increase awareness and promote action about sustainability challenges within global society. This is an opportunity to review existing patterns of development that are unable to address the full extent of global imbalances such as pockets of poverty, biodiversity loss, the rapid expansion of cities and the climate crisis.

It is indisputable that COP 21 brought about concrete results and represented sustainable progress. It also highlighted both the risks that an increase in global temperatures represents for the future of humanity and the role that human activities play in the process of global warming. Some important issues, however, were excluded from the final text, such as the importance of pricing carbon to ensure the development of a low carbon economy, the danger associated with the continued use of fossil fuels (the great villains of climate change) and the power of the oil industry. Also absent from the text was the need for a paradigm change with regard to intensive agriculture, reliant on chemical inputs and pesticides and the positive role that organic farming can play in terms of food security.

But blaming governments, business or individuals will not help: we all share responsibility for the planet's resources. To care about the environment makes society technologically richer. To care is a sign of intelligence and it is important for the advancement of knowledge. The debate on climate change should be based on scientific research and facts rather than on words only. Science only progresses through questioning, testing and verification.

The UN advocates the importance of sustainable urban development, in which cities are compact, well connected, inclusive, and where spatial, social and environmental issues are well integrated. Today, no one disputes the importance of cities, which generate 80% of global production and account for over 70% of global greenhouse gas emissions, in the global response to climate change. It is indisputable that the sustainability of the planet will be determined by what happens in cities.

## **CB27 – A BRAZILIAN INITIATIVE TO FIGHT CLIMATE CHANGE**

It is within this context that in 2012, at the UN Conference on Sustainable Development Rio+20, the Environment Department of the City Hall of Rio de Janeiro, created CB27, a forum that brings together the environmental departments of all the state capitals of Brazil. With crucial support from the Konrad Adenauer Foundation in Brazil (KAS), this forum aims to disseminate concepts and practices of sustainability, in particular those that help reduce GHG emissions, such as preparing climate policy plans at the local level and completing inventories of GHG. It also helps implement sustainability projects in areas such as waste management, energy efficiency and urban mobility.

Forum CB27 already plays an important role and can be replicated on other continents. In 2014, at COP20 in Lima (Peru), the cities of Rio de Janeiro, Mexico and Bogota, together with Conservation International Brazil, presented a proposal to create a Climate and Sustainability Forum involving the capitals of Latin America and the Caribbean along the lines of the Brazilian CB27. We intend to create the Climate and Sustainability Forum in 2016, and in so doing contribute to reducing emissions in our continent, encouraging similar initiatives in other cities and continents.

## RIO DE JANEIRO'S SUSTAINABILITY INITIATIVES

Today, the city of Rio de Janeiro is considered a reference in the Latin American and Caribbean continent in relation to progress in combating climate change.

In the last six years, the city of Rio de Janeiro created a range of mechanisms aimed at giving more flexibility to the efforts undertaken by the reduction of greenhouse gases emissions in the city. These include the creation of a Climate Change and Sustainable Development Law that establishes greenhouse gas reduction goals: 16% in 2016 and 20% in 2020, compared to emissions produced in 2005; establishment of a regulatory framework on climate change, composed of a wide range of laws, decrees and resolutions, aiming to reduce greenhouse gases in the city; creation of the Carioca Forum on Climate Change in 2011, chaired by the Mayor of Rio de Janeiro.

In addition, the city of Rio de Janeiro is setting a "City Energy Balance" responsible for mapping the city energy chain. The project aims to reduce greenhouse gases generated by the energy sector, responsible for more than 75% of the city emissions. It is putting in place an "Operations Center" responsible for monitoring and evaluating events and activities that can neutralise the increase in GHG emissions.

The city of Rio de Janeiro - whose Mayor is the current Chairman of C40 Cities - has been implementing several sustainable projects to reduce greenhouses gases. These include: setting up a monitoring and registration system for greenhouse gases with support from the World Bank; preparation of its third emissions inventory using the Global Protocol for Community methodology; preparation of its Climate Vulnerability Map and the implementation of the largest network of cycle paths in Latin America and the Caribbean – 420 km long. The city is also preparing its adaptation and resilience plans.

Rio's sustainable schools project - which aims to increase awareness amongst students, teachers and local communities about the importance of climate change and sustainable development - was selected and presented in the Cities and Regions Pavillion at COP21, Paris.





# Conclusion

The Paris COP achieved its remarkable outcome as a result of many factors. But not least among them was the mutually-reinforcing presence and activities of an unprecedented number and weight of non-state actors, in the form of international groupings of cities, regions and businesses.

While their actual weight in the negotiation process was limited, they gave confidence to ministers and negotiators that what they were aiming for was strongly supported by representatives of key political constituencies – and a reminder that they could not be allowed to fail.

The LPAA created a home within a UNFCCC system that previously had had difficulty in finding a role for non-Party actors. And the Paris decisions have ensured that this special place will expand and become more important.

But the Paris system is still a Party-driven one, perhaps even more dependent on the actions of national governments than earlier UNFCCC phases. It is far from clear how the activities of non-state actors – particularly international groupings – will be incorporated in the national commitments and the transparency arrangements at the heart of the Paris Agreement.

The references to international cooperation are very welcome, but how such cooperation will work is still all to play for. Translating the supportive statements and general tenor of the Paris Decisions into a clear role that allows the energy of these stakeholders to help drive the system is now perhaps the most vital task in the post-Paris workstreams.

This will require work and energy from the international city, business and regional groupings who made their mark on the backdrop and conduct of the Paris negotiations. They will need to keep up the pressure during the less glamorous and more complicated phases of work that will now be conducted by or under the auspices of the UNFCCC institutions.

Busy Mayors and CEOs will need to keep their focus on climate at both national and international levels, without the stimulus of the limelight of Paris. Fortunately the hooks that have been created in the UNFCCC system, the track record of success by many of the business and sub-national government groupings, and the sheer energy and number of initiatives and actors should give confidence that the work will be done.

Ongoing negotiations should put pressure on the Parties to implement the activities of non-state actors in their national commitments and the transparency arrangements. Non-state actors offer a great potential to boost climate action, since they – especially when it comes to businesses – have just started to compete with each other to create a future green economy.

At least in part of the developed world we already have a significant competition between big companies who are searching for ways to label themselves as “green”. Additionally the big advantage of non-state actors is the ability to act faster than state-actors, which means they are able to more easily interact with each other and to adapt and mitigate more promptly and concretely in selected projects.

One of the crucial post-Paris tasks will be careful and intelligent analysis of how best, in the new system, to ensure this happens.

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