The Process and Impact of Global Climate Governance: A Case Study of the Paris Climate Agreement

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Abstract. Global climate governance is a global public good, which has received more and more attention in recent years. Climate governance has three characteristics: multi-level, political and lagging. The paper examines the development process of global climate governance and its existing defects, and analyses the impact of the Paris Agreement on global climate governance. Since the entry into force of the 1992 United Nations Framework Convention on Climate Change, several legal documents have been issued in phases, of which the Paris Agreement is the first major achievement of international climate governance. Although the Paris Agreement adopts the obvious weakness of the model in which the member nations determine their own contribution, it is also a very useful attempt. The effectiveness of the Paris Agreement still depends on the independent contributions of various countries. Therefore, in climate governance, it is necessary to lead countries to actively fulfil their obligations.

1. Introduction
Since the industrial revolution, in the process of economic and social development and modernization, the negative externalities brought about by development have become more prominent, and the challenges posed by global problems have become more severe. On the issue of climate, due to the burning of large amounts of fossil fuels and the deforestation of the forest, global greenhouse gas emissions continue to increase, the greenhouse effect is gradually breaking the natural balance of the climate system, and extreme climate events occur frequently, giving human life, the survival of animals and plants, and the Earth’s ecosystem a disastrous impact. Faced with various global issues, "global climate governance" came into being, not only as an academic concept, but also as an international practice, which gradually gained the attention and participation of various national and non-state actors.

The climate system is a global public good. It is non-competitive and non-exclusive. Climate pollution will also bring negative externalities beyond the territory of sovereign countries, making global climate governance more difficult. Although global climate governance is a highly regarded issue in global governance, its governance process is still slow and tortuous, which reflects the three characteristics of climate governance: the multi-level nature of climate governance, the political nature of climate governance, and the lagging of climate governance.

The current global climate governance is characterized by fragmentation and multi-centralization. In addition to the main track of the United Nations Framework Convention on Climate Change, some countries have chosen to separate themselves from this framework and organize initiatives separately.
For example, the United States has launched the International Partnership for Hydrogen Economy, the Renewable Energy and Energy Efficiency Partnership (REEEP), and the Asia-Pacific Partnership on Clean Development and Climate. At the same time, existing international organizations such as G7 and G20 have also begun to focus on climate change issues. But it is undeniable that the United Nations-led "Paris Agreement" plays a leading role in global climate governance issues.

2. The development process of global climate governance

Since the entry into force of the 1992 United Nations Framework Convention on Climate Change (hereinafter referred to as the "Convention"), a number of international conferences on climate governance have been held, and several legal documents with phased significance have been issued, but three of them best represent the development of the global climate governance landscape.

The United Nations Framework Convention on Climate Change was adopted at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil in 1992. It is the world's first international conventions concerning comprehensive control of greenhouse gas emissions such as carbon dioxide, in order to respond to global climate warming and the adverse effects brought by global warming on human economic and social development, which have laid the legal foundation for international cooperation to deal with climate change. To reduce greenhouse gas emissions and mitigate climate change, the Convention proposes five basic principles, the most influential of which are the common but differentiated principles. The "common" is that each country should start from the fields of science, technology, society, and culture, and deal with greenhouse gas emissions in an indirect, non-emission-reducing manner to address greenhouse gas emissions; the "difference" is that the Annex I countries (Developed countries and countries with economies in transition) must effectively implement emission reduction actions to reduce greenhouse gas emissions to 1990 levels and provide technical and financial assistance to non-Annex I countries (most developing countries). The latter is not included in the list of mandatory emission reductions, and economic and social development and poverty eradication are the top priorities of these countries. The "Convention" is the first major achievement of international climate governance, and is by far the most influential international legal document in the field of global environmental governance, but it only establishes greenhouse gas emission reduction targets in general, and does not determine specific emission reduction targets. Therefore, the national obligations under the Convention are not legally binding.

Since 1995, parties to the Convention will convene a Conference of the Parties (COP) every year to assess progress in addressing climate change. At the Third Conference of the Parties to the United Nations Framework Convention on Climate Change in 1997, the "Kyoto Protocol" was adopted, which established specific and legally binding greenhouse gas emission reduction obligations for Annex I countries. Therefore, the "Kyoto Protocol" is also the world's first legally binding international environmental agreement. The "Kyoto Protocol" has made great innovations in the implementation methods of the contracting parties, stipulating that developed countries can realize their emission reduction commitments through joint implementation, clean development mechanisms and emissions trading. The "Kyoto Protocol" still adheres to the principle of common but differentiated, so it is dissatisfied by some developed countries such as the United States, believes that the greenhouse gas emissions of developing countries such as China and India cannot be ignored, and strongly urges developing countries to "voluntarily reduce emissions." In 2001, the United States directly announced its withdrawal from the "Kyoto Protocol." In 2005, the "Kyoto Protocol" finally entered into force. Overall, the "Kyoto Protocol" is a product of compromise between countries, and its entry into force process can be described as difficult.

On November 29, 2015, the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change issued the legally binding Paris Agreement, which entered into force on April 22, 2016. This is the third milestone document to combat climate change, and it has formed a global climate governance pattern after 2020.

It can be seen that the process of climate governance has not been smooth sailing, and even once reached an impasse; climate negotiations are also a product of compromise, and are often even
interfered by major powers. This reflects to a certain extent the defects of the UN governance platform. First, the organizational inertia of the relevant UN agencies, overlapping jurisdictions, responsibility deficits, and inadequate decision-making affect the actual results of various tasks. On the issue of climate governance, on the one hand, the United Nations did "too much in the short term and too little in the long term", and there is a mismatch between goals and means; on the other hand, the system design of the United Nations is also flawed, which lacks a coherent and institutionalized structure for complex situations in diagnosing problems, tracking environmental trends, prioritizing issues, budgeting for rational decision-making, and delivering effective results, which increases the difficulty and complexity of global climate governance. [1] Second, the United Nations framework seeks to include as many countries as possible in the framework of common governance, but there is no way to avoid the plight of collective action, so there are phenomena such as "participation in deficit" and "free ride" on climate governance. Third, the guiding principles and specific implementation methods of climate governance under the previous UN framework have not been widely recognized. Some countries are reluctant to accept legally binding emission reduction obligations and international conventions, but prefer voluntary and loose agreements. The process of entry into force of the Paris Agreement is relatively smooth, indicating that it can better balance the different interests of various countries, and it is more flexible and practical. However, it is still unknown to what extent it can succeed.

3. Impact of the Paris Agreement on global climate governance

In 2011, the 17th Conference of the Parties in Durban, South Africa, prepared for the negotiation of the Paris Agreement. Some scholars believe that the "Durban Platform" has paved the way for developed countries to exert pressure on developing countries, further blurring the distinction between developing and developed countries in global emission reduction actions, and global governance has gradually shifted to a model of autonomous emission reduction that includes all parties to the Convention. [2]

The traditional common but differentiated principle defined in the Convention and the Kyoto Protocol is to distinguish developed countries from developing countries and undertake different obligations. This distinction is clear and operable, but it has caused dissatisfaction of the developed countries. The Paris Agreement actually abandoned this classification, and did not form a new classification. Instead, it magnified the particularity of each country, which magnified the national autonomy. The new "common" principle requires all parties to undertake emission reduction obligations, which not only responds to the requirements of developed countries such as the United States, but also reflects the fairness of responsibility, so that developing countries are also included in the ranks of mandatory emission reduction reductions; The new principle of "differentiation" has created a "bottom-up" and independent contribution model that is different from the "Kyoto Protocol". The decision-making power of emission reduction indicators is handed over to the contracting countries, which weakens the mandatory character and also reduces the conflicts between emission reduction obligations and the economic developments; the "Paris Agreement" has also established a "only advance and not retreat" ratchet locking mechanism. The next nationally determined contributions of each party will gradually increase based on the current nationally determined contributions of the parties according to different national conditions, and reflect its greatest strength, as well as its common but differentiated responsibilities and respective capabilities. It can be seen that the process of Intended Nationally Determined Contributions (INDCs) is a representative way to promote the construction of a global climate governance system in a "bottom-up" manner. It is also the core hot issues of the international climate system in the current negotiation around the Paris Agreement and after 2020. [3]In addition, in the "Paris Agreement", Parties are required to ensure and communicate efforts in six dimensions including mitigation, adaptation, funding, technology development and transfer, capacity building, action and support transparency, and request ad hoc working groups to develop models, procedures and guidelines for the above dimensions to ensure the completion of the INDCs under the premise that the characteristics and information coverage of INDCs in all countries
are consistent. The agreement also establishes a global summary mechanism every five years to ensure that the efforts of INDCs in the above six dimensions continue to increase over time.

The "Paris Agreement" did not choose to directly address the dilemma of global climate governance cooperation and policies like the "Kyoto Protocol". Instead, it used a more roundabout method to avoid the existing dilemma, and replaced "Command" and "Simplify" with "caution" and "fuzziness". [4] The establishment of this kind of "pledge and review" system is at the expense of the ambiguity of the obligations of the parties and the expansion of independent decision-making power, but will weaken the scope and intensity of the action.

The nature and characteristics of the climate change issue, the shortcomings of the UN framework, and the previous difficulties in negotiating climate issues have led to new changes in the guiding principles, implementation models, and supporting mechanisms of the Paris Agreement. This change actually formed a "Domestic-driven" [5] Global climate governance. Domestically-driven climate governance essentially disperses the decision-making power of the global response to climate change to the national governments of various countries. In addition to the national governments, many market players and social entities will participate in specific policy formulation and implementation. There are two effects of this form of governance.

First, making the effect of climate governance fundamentally depends on domestic politics. When many countries are submitting independent contributions, since the international mechanism has not been internalized into domestic policies, and the domestic stakeholders are still unclear about their own benefits and costs, negotiators may use various factors to temporarily exclude domestic resistance. However, at the stage of implementing independent contributions, all stakeholders, especially the energy and economic sectors related to emission reduction within a country, will actually feel their own gains and losses and adjust their positions accordingly. This will bring uncertainty to the implementation of self-contributions, and then affect the overall implementation effect of domestic-driven climate governance. [5] In addition, a country’s emission reduction targets have to be dispersed among various grass-roots governance bodies. In fact, within a country, it is prone to face the plight of collective action.

Second, making climate governance more and more “intergovernmental way”. Stanley Hoffman proposed “intergovernmentalism” from the perspective of realism when studying European integration, arguing that although EU members are willing to cooperate more closely in “low politics” fields such as agriculture and trade, but they are stubborn in terms of the important sovereignty-control of foreign policy, national security and the use of force (the "high politics" field). They are also reluctant to relax control in important aspects of the economy in exchange for certain material benefits. [6] The climate problem is not a simple low-political issue, and the climate governance mechanism also cannot require the state to surrender some sovereignty. The entry into force of the Paris Agreement only needs to meet the double majority condition that at least 55 parties have ratified the agreement and the greenhouse gas emissions of these countries accounted for more than 55% of the global total, rather than the condition of unanimous adoption, which is also because unanimous adoption is unrealistic. It is reasonable to adopt an intergovernmental approach for decision-making, because for the issue itself, it is not easy to reach a high consensus. However, the previous climate negotiations attempted to transcend intergovernmentalism during the negotiation and implementation of the agreement, coordinate the positions and actions of countries, and form fixed norms and closer international cooperation. The Paris Agreement is just the opposite. It recognizes the dominance of sovereign states in climate governance, and only puts forward the requirements of "separating the door" to the country, which has greatly reduced the impact of non-state actions at the international level such as supranational institutions and international organizations in the system and in this process.

4. Summary
The current global governance is generally a compound structure composed of state-centered governance and supra-state-centered governance. The relationship between the two is not an equivalence of power, but an asymmetrical relationship of power. The state-centered governance is
dominant in global governance, while supra-state-centered governance is in a peripheral and subordinate position. [7] In the field of climate governance, the sovereign state system also dominates. The power of actors such as supranational institutions, international organizations, and non-governmental organizations is not mature enough, and even tends to be more marginalized. However, different governance structures will be formed on different topics. There is no evidence that the higher the participation of non-state actors, the better the governance effectiveness and the higher the degree of democracy.

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