Midnight in Paris, and the Morning After

The appeal of Paris, the City of Light and Love, is enormous. Up to 40,000 people came here to claim their fair share of the Paris Agreement. But the story of Paris is not only a story of love and light. In recent weeks, Paris has also shown its resilience in the face of terror. ECO wishes to remember the lives lost in Paris, Beirut, and countless other tragedies.

We need to lift the veil of romantic mystery surrounding the draft Paris Agreement and the package of decisions. On this morning after, ministers have to look each other in the eye over breakfast, in the bright light of day, and remember they are now in this relationship for the long haul. The text presented on Wednesday afternoon by French Foreign Minister Fabius, based on the work of the ADP and after four days of consultations among governments at the total exclusion of civil society, resembles a weak pre-nuptial prepared by lawyers, not a strong declaration of love. It starkly lays out important choices that need to be made today!

We urge all to accept the science: staying below 1.5°C is critical to avoid the high risks for people and nature associated with any higher warming. ECO says: support option 3 in Article 2 and set a collective long term goal of full decarbonisation by 2050 (Art. 3.1 option 2). The existing INDCs are not enough to avoid dangerous warming. Good intentions need to be matched by concrete actions and commitments. Simply asking for ambitious climate action is not enough. Finance needs to be mobilised and provided, not bracketed. ECO supports Article 6.4 option 2. Firm commitments of [more than] 100 billion [US$] beyond 2020 are what enables those least responsible to deliver on the promise of INDCs.

In the absence of absolute targets and compliance, country pledges need objective international review. Such a review should be on the basis of equity as well as responsibilities and capabilities. How this important review, which is urgently needed to ensure the ambition gap is closed, became merely a facilitative dialogue in 2018/2019, cannot be explained. We urge you to return to the table with a real mechanism to increase ambition on all fronts—mitigation, adaptation and means of implementation—by 2018. Doing that can create the basis for a transparent MRV system that all countries trust. Trust that is currently lacking. Another close look at the implementation of pre-2020 commitments will also help build trust. Without enhanced action before 2020, the door to a 1.5°C pathway will close.

The largest bulk of emissions from international shipping and aviation was entirely omitted from the text, but wasn’t forgotten by ECO. As these emissions are outside the purview of the INDCs and growing rapidly, a failure to address them could undermine other efforts. Address bunker emissions in the Paris agreement.

Ensure resilience can be achieved in the Paris Outcome through strong provisions on adaptation. Don’t confuse loss and damage with adaptation. All elements of Article 5 need your support—displacement, permanent and irreversible damage and financ—without fighting the non-existent bogeyman of compensation (which no Party has put on the table here).

Finally, we should protect people by ensuring human rights, including the rights of indigenous peoples and gender equality, and protect the integrity of ecosystems. Climate technologies need to be of the highest social and environmental integrity. Doing so will encourage far more than [50] [60] countries to ratify the Paris Agreement. It can thus enter into force and facilitate early action, which is essential to avoid dangerous warming.

Dear lovers, the time for playing games is over. After four years of talks, these stark choices are all that remain. The warm words and sincere pledges by heads of state need to be turned into legally binding commitments. Dear Ministers, your people—children and grandchildren, farmers, workers, nature lovers, faith leaders and so many more—ask you to at least give all of us a chance to survive.

Fluctuat nec mergitur
“Elle est agitée par les vagues, et ne sombre pas”

“She is tossed by the waves, but does not sink”

Holiday Plans Until 2023/24?

ECO was excited to see emerging convergence among Parties on five-year cycles in the new text. But ECO has one simple, but very important, question: when does it start? We are not on track to stay below even 2°C. We also know that without increasing the ambition of INDCs before implementation in 2020, the 1.5°C door will rapidly close.

We need a review of INDCs in 2018 and a re-submission pre-2020. Yet paragraphs 24 and 25 set the date for submitting or updating INDCs at 2020 or 2021. These paragraphs only do half the job. Those with 2030 targets are invited to ‘confirm or update’ them, but those with 2025 targets seem to be off the hook. Their 2020-25 efforts get no mention and instead they are invited to put forward a new (2030) target.

The first round of review would have to happen before 2020, so we can update insufficient INDCs that currently lock us into a 3°C pathway. The current weak ‘facilitative dialogue’ in the decision text has to be strengthened. To allow for this first round in 2018, we should also look back and assess how well developed countries have implemented their pre-2020 commitments through a process of accelerated implementation. If we want to make the 5-year cycle more effective, it should consider not only INDCs but also means of implementation.

Another important question: does the stocktake influence individual countries’ targets? From that perspective, we are very sad to see ‘ex ante’ review disappear from the text. ECO hopes that delegates are not planning too long a holiday. You all deserve nice holidays after this hectic conference. But get the world back on track first.
However the chips finally fall, the viability of the Paris Agreement will critically depend on its ambition mechanisms. The need for this is agreed. Unfortunately, agreement in principle is not enough. To stay below the 1.5°C limit, at least two additional and very specific things will be needed. The first is equity assessment of individual national pledges. The second is a post-Paris, pre-2020 ‘political moment’ in which the Parties can finish building out the core mechanisms of the Paris Agreement.

Such a political moment is almost in the cards, though a few words need to be added to the facilitative dialogue paragraph (para 20) to empower the dialogue to inform the review of not only future but also current INDCs. Moreover, all the important words “and equity” should be added here, just as they appear in the global stocktake article (albeit still bracketed). Also, the scope of this dialogue should be expanded to reach beyond mitigation. This dialogue could take place in 2018 or earlier, so let’s just call this moment ‘2018’ for now.

What must happen between now and 2018?
First, developed countries must continue to deepen their contributions, upping their pre-2020 ambitions and meeting the $100 billion goal. Second, the conditional pledges in the first round of INDCs need to be addressed. In particular, developing countries, especially those with inadequate capacities, must be supported as they seek to clarify their conditional INDCs. Critically, conditional INDCs must be ‘matched’ with the support that’s needed to animate them. This, more than anything else, would increase trust in the process and provide the incentives that low-capacity countries need to confidently commit themselves to ambitious zero-carbon transition plans.

A Fashionable Trend
ECO noticed that a small but potentially mighty paragraph that would scale back international public financial support for high-carbon fossil fuels has taken a beating. Prior to being discussed behind closed doors yesterday, Article 6, paragraph 7 aimed to ensure international public finance was not used to fuel (pun intended) the very problem this entire agreement is trying to solve: the climate crisis. In the new text just released, it is clear that what is now Article 6, paragraph 4, option 3, fell victim to Parties pandering to the interests of big oil, coal and gas.

This text is not about dictating domestic development choices; it is the no-brainer that says that all-too-scarce international public financing should be used to solve the problem, not make it worse. Countries have just a couple of days left to make sure that big polluters don’t leave their dirty fingerprints all over this deal. It is high time to follow the advice on the stylish scarves that many seem to be sporting and #StopFundingFossils.

Facilitate the Facility
If you wonder why vulnerable developing countries have demanded a Climate Change Displacement Coordination Facility (‘Facility’), the 22.5 million people displaced annually by weather related disasters since 2008 are happy to remind you. The Facility, as a placeholder for adequate institutional arrangements, could begin with a focus on closing knowledge gaps by collecting, sharing and managing relevant information on displacement. It could then expand its work to build Parties’ own capacities to address displacement, facilitate voluntary migration, and encourage participatory and dignified planned relocation as a last resort. The Facility could also provide a space to convene and collaborate between UN agencies, as well as international and regional organizations, governmental initiatives and civil society concerned with climate-related displacement and migration.

Some remain concerned that this facility would be duplicating activities of other UN agencies, such as the UN Refugee Agency and the International Organization for Migration. However, these agencies strongly advocate that this is not a duplication at all. They call for the creation of a Facility to reinforce and sustain their work.

As highlighted by the the Nansen Initiative Protection Agenda, endorsed by 110 Governments this past October in Geneva, there remain many gaps. These include legal protection, institutional arrangements and knowledge and data collection. States should remember their past commitments to address this issue, and create this Facility as a convening space to catalyse action and fill these noted gaps.

UN Human Rights Day
Sixty-seven years ago today, the international community convened in Paris to sign the Universal Declaration of Human Rights. This historic document, and the treaties that grew out of it, set forth the minimum rights essential for a life of dignity for all people, including children, indigenous peoples, workers, the promotion of gender equality and the guarantee of food security around the world. The ministers and secretaries assembled here must fulfill this legacy. Let today be the day countries act to protect and promote the human rights impacts of climate change and climate responses.

Climate change is the human rights challenge of the 21st century. Integrating human rights into climate action helps protect the rights of those affected by its severe impacts. To date, a group of countries led by Mexico, Chile, Costa Rica, the Philippines and Peru is paving the way on these issues here. Civil society calls upon ministers to act now to protect those most vulnerable and least responsible for the effects of climate change.

How to secure the protection of rights in the agreement
1. Include cross-cutting references to human rights in the operative text of the agreement.
2. Spell out all elements of the solidarity package: rights of indigenous peoples, gender equality and the full and equal participation of women, intergenerational equity, a just transition of the workforce that creates decent work and quality jobs, ecosystem integrity and resilience, and food security.