



Understanding the Paris Agreement

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The Paris Agreement is an agreement within the United Nations Framework Convention on Climate Change that calls upon member nations to design, plan, finance, and report on their countries' efforts to mitigate greenhouse gas emissions. 196 countries had representatives participate in negotiations about the Agreement's language, which primarily aims to limit the increase in average global temperature to reduce the risks and effects of climate change.

Because media coverage of the Agreement is often confusing, this brief offers a succinct summary of the Agreement's history and important implications.

The Creation and History of the Paris Agreement

Climate change —caused by human actions such as burning fossil fuels— has a long, well-documented list of impacts including sea level rise, more intense and frequent extreme weather events, crop failure, disease outbreaks, and a host of other societal problems triggered by those factors. In addition to efforts to reduce the cause of climate change —climate change mitigation—there have also been many efforts, both in the United States and across the world, to plan for and respond to climate change impacts which is referred to as climate change adaptation.

In 1992, the United States was the first industrialized country to ratify the United Nations Framework Convention on Climate Change. President George H.W. Bush affirmed his administration's leadership stating, "I am confident the United States will continue to lead the world in taking economically sensible actions to reduce the threat of climate change." Yet, just a few years later, when the Clinton Administration brought home the Kyoto Protocol, the Senate responded by passing the Byrd-Hagel Resolution, which stated that the Senate would not ratify a protocol that required the United States make greenhouse gas emission reductions without requiring the same of their developing country counterparts, specifically, China and India. In his tenure, President George W. Bush never requested that the Senate revisit the Kyoto Protocol. As a result, the United States sat on the sidelines of the world's first major attempt to deal with climate change.

In 2009, negotiators met in Copenhagen to agree on the next phase of international action on climate change once the Kyoto Protocol ends. This meeting is largely considered a failure, but the impasses that occurred ultimately informed work on the basis of the Paris Agreement. Over the next six years, the administration of President Barack Obama played an instrumental role in crafting the Paris Agreement in both substantive and political ways.

The name itself —the Paris Agreement— was selected, in large part, because of U.S. efforts. There is no difference between a treaty and an agreement in international law; however, U.S. domestic law says that treaties are ratified by the Senate while executive agreements are approved by the President. Thus, calling it "the Paris Agreement" (as opposed to Paris Accord, Paris Climate Accord, Paris Treaty, or Paris Protocol) allowed the Obama Administration to confidently commit the United States to the path the Agreement laid out without concern that the Senate would reject it.

On the last day of the 21st annual Conference of the Parties to the United Nations Framework Convention on Climate Change, the language of the Paris Agreement was adopted and named after the city where the delegates were meeting. The delegates painstakingly designed the Agreement line-by-line not only to curb global greenhouse gas emissions, but also to address climate impacts via adaptation efforts. 55 or more countries that collectively accounted for at least 55 percent of the world's greenhouse gas emissions were required to ratify the Paris Agreement before *it entered into force* —or became international law. This was expected to take until 2020; however, the Agreement was ratified with unprecedented speed, and entered into

force on November 4, 2016 —less than a year after its language was proposed.

The United States' Current Relationship with the Paris Agreement

The United States ratified the Paris Agreement through the executive agreement mechanism on September 3, 2016. However, ten months later, President Trump announced that, “the United States will withdraw from the Paris Climate Accord.” Not only did Trump’s statement incorrectly identify the Agreement, but the announcement also sparked numerous inaccurate news stories which stated that the United States has already left the Paris Agreement.

The Agreement specifically outlines that no country can leave the Agreement for the first three years after the Agreement entered into force (November 2016-November 2019). After this time, a country is required, under international law, to give one year’s notice before it can leave. According to a State Department communication in August 2017, the Trump Administration has alerted the United Nations of U.S. intent to leave the Paris Agreement as soon as the Agreement allows, November 2020. In the intervening years, the United States remains in the Paris Agreement. In fact, U.S. representatives to the United Nations Framework Convention on Climate Change continued to engage in the process of planning how the world will achieve the goals set forth under the Paris Agreement.

The Paris Agreement states that countries will individually set and meet specific targets for emissions reductions —called Nationally Determined Contributions. This bottom-up approach requires universal, but not uniform commitments, which diverges from past efforts that have centered on uniform emissions reduction commitment from industrialized countries and no emissions reduction commitment from developing countries.

Though the United States has not left the Paris Agreement and continues to actively participate in the United Nations meetings —the United States does have the ability to render its Nationally Determined Contributions useless. U.S. contributions were based almost entirely on the Clean Power Plan, which the Trump Administration and its Environmental Protection Agency have **rolled back**. To be specific about the United States’ current relationship to the Paris Agreement, *politically* the U.S. federal government is not committed to the Paris Agreement, *legally and officially*, however, the United States is still very much a part of it.

While federal actions have moved away from commitments to the Agreement, 347 colleges and universities, 280 cities and counties, and 2,161 businesses and investors **as of January 2019**, have reaffirmed the U.S. commitments to the Agreement. The **We Are Still In coalition**, in coordination with **America’s Pledge** led by United Nations Special Envoy Michael Bloomberg and California Governor Jerry Brown, alerted the United Nations Conference that they intended to submit a pledge on behalf of U.S. cities, states, companies, and institutions that have agreed to meet the U.S. commitments —in both emissions reductions and monetary contributions. This shift from the national level to the state and local level is unprecedented. It remains to be seen how the coalition will be able to maneuver within the United Nations’ country-centered process.

Most importantly, it must be understood that the United States is still in the Paris Agreement and has an obligation to meet or exceed the **United States’ Paris Agreement goal** for the international community, not to mention for its own citizens, communities, and companies that are already feeling the effects of climate change. As demonstrated by the We Are Still In coalition, greenhouse gas emissions reduction commitments can, and must, be made across sectors and scales, and decisions makers in both the public and private sectors can and should make this a priority.