Paris-compatible climate governance

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OUTLINE

International
  State negotiations and policy frameworks

Non-state
  Action

National
  Governance trends and case studies

Future
  Challenges and opportunities
United Nations Climate Change Conferences
Venue for global climate change response

For the past two decades the UNFCCC has organized annual meetings where national governments come together to find common solutions to address climate change.

Types of participants

The conferences attract thousands of delegates, including representatives from national governments, UN organizations, non-governmental organizations and the media.

Paris 2015 Summit: 40000 participants, including 25000 official delegates and 3000 journalists
To date the Paris Agreement has been:
- signed by 195 Parties and
- ratified or otherwise joined by 176 Parties
- representing 88% of global emissions
Types of mitigation target communicated in the intended nationally determined contributions

- Reduction relative to BAU
- Absolute emission target
- Policies and actions
- Intensity
- Peak target
- Other
Emission gap between the Paris NDC and the scenarios compatible with 2 and 1.5 C targets

Peaking of emissions: Progress based on commitments as at 2018

Number of countries that have peaked:
- By 1990: 19
- By 2000: 33
- By 2010: 49
- By 2020: 53
- By 2030: 57

Percentage of global emissions covered by these countries:
- By 1990: 21%
- By 2000: 18%
- By 2010: 36%
- By 2020: 40%
- By 2030: 60%

Non-state action: NAZCA Platform as at the end of 2018

Source: https://climateaction.unfccc.int/
### The Global Risks Landscape 2016

<table>
<thead>
<tr>
<th>Top 10 risks in terms of Likelihood</th>
<th>Top 10 risks in terms of Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong> Large-scale involuntary migration</td>
<td><strong>1</strong> Failure of climate-change mitigation and adaptation</td>
</tr>
<tr>
<td><strong>2</strong> Extreme weather events</td>
<td><strong>2</strong> Weapons of mass destruction</td>
</tr>
<tr>
<td><strong>3</strong> Failure of climate-change mitigation and adaptation</td>
<td><strong>3</strong> Water crises</td>
</tr>
<tr>
<td><strong>4</strong> Interstate conflict</td>
<td><strong>4</strong> Large-scale involuntary migration</td>
</tr>
<tr>
<td><strong>5</strong> Natural catastrophes</td>
<td><strong>5</strong> Energy price shock</td>
</tr>
<tr>
<td><strong>6</strong> Failure of national governance</td>
<td><strong>6</strong> Biodiversity loss and ecosystem collapse</td>
</tr>
<tr>
<td><strong>7</strong> Unemployment or underemployment</td>
<td><strong>7</strong> Fiscal crises</td>
</tr>
<tr>
<td><strong>8</strong> Data fraud or theft</td>
<td><strong>8</strong> Spread of infectious diseases</td>
</tr>
<tr>
<td><strong>9</strong> Water crises</td>
<td><strong>9</strong> Asset bubble</td>
</tr>
<tr>
<td><strong>10</strong> Illicit trade</td>
<td><strong>10</strong> Profound social instability</td>
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</tbody>
</table>

State versus non-action: Filling the emission reduction gap?

19 GtCO2e per year by 2030 (range 15–23 GtCO2e):
Potential reduction if international non-state initiatives were scaled up to their full potential

0.45 GtCO2e (range 0.2–0.7 GtCO2e) per year by 2030:
From the pledged commitments so far by individual non-state actors

Versus

Up to 1.85 GtCO2e per year (range 1.5–2.2 GtCO2e):
From full unconditional NDC implementation

What is the future of governance in the post-Paris world?

**Multi level state-centric**

- International
- National/State
- Subnational/local
- Regions, cities, non-state actors

**Polycentric**

- Supranational institutions
- Nation-state
- Subnational governments
- Transnational networks
- Place-based partnerships
- Civil society

?
National governance
Climate change laws and executive policies in 1997

Climate change laws and executive policies in 2018

Climate-related legislative and executive acts over time

Annual Legislative Action to 2016

Only handful of laws and policies passed since the Paris Agreement reference it or NDCs

Examples of framework laws on climate change, low carbon and climate resilient transitions

<table>
<thead>
<tr>
<th>Law</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>UK Climate Change Act</td>
<td>2008</td>
</tr>
<tr>
<td>Mexico &quot;General Law on Climate Change&quot;</td>
<td>2012 and Decree of 2018</td>
</tr>
<tr>
<td>Honduras &quot;Decree no. 297-2013 (Law on Climate Change)&quot;</td>
<td>2014</td>
</tr>
<tr>
<td>Malta “Climate Action Act”</td>
<td>2015</td>
</tr>
<tr>
<td>Mexico &quot;Energy Transition Law&quot;</td>
<td>2015</td>
</tr>
<tr>
<td>France “Energy Transition Law”</td>
<td>2015</td>
</tr>
<tr>
<td>Ireland Climate Action and Low Carbon Development Act</td>
<td>2015</td>
</tr>
<tr>
<td>Finland Climate Change Act</td>
<td>2016</td>
</tr>
<tr>
<td>Kenya Climate Change Act</td>
<td>2016</td>
</tr>
<tr>
<td>Ecuador &quot;Organic Code on the Environment&quot;</td>
<td>2017</td>
</tr>
<tr>
<td>Paraguay &quot;National Law on Climate Change no. 5875&quot;</td>
<td>2017</td>
</tr>
<tr>
<td>Sweden “Climate Change Act”</td>
<td>2017</td>
</tr>
<tr>
<td>Norway “Climate Change Act”</td>
<td>2017</td>
</tr>
<tr>
<td>Peru &quot;Framework Law no 30754 on Climate Change&quot;</td>
<td>2018</td>
</tr>
</tbody>
</table>
Why is it necessary to put a climate change framework into law?

“Vote blue go green”
David Cameron
September 2005

“We’ve got to get rid of all the green crap”
David Cameron
November 2013
Case study: UK Climate Change Act

Scientifically informed, long-term, whole-economy approach to policymaking

Carbon budgets

What and how?
- Sequence of 5-year targets
- Recommended by Committee on Climate Change (CCC)
- Debated and legislated by Parliament
- Set 12 years ahead

Outcomes
- Basis for concrete policy
- Long-term target translated into near-term actions
- Flexibility built in
- Progressive, ratcheted emissions cuts

Continual adaptation planning

What and how?
5-year cycles of adaptation programmes and risk assessments
Scrutinised by CCC

Outcomes
Introduced climate change risk into public and private sector decision-making
Prepares for the now unavoidable impacts

Year 1
Year 5
Year 10
Year 15
Year 20

<table>
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<th>Independent advisory body</th>
<th>What and how?</th>
<th>Outcomes</th>
</tr>
</thead>
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<tr>
<td></td>
<td>Committee on Climate Change: experts and secretariat</td>
<td>Independent, objective analysis</td>
</tr>
<tr>
<td></td>
<td>Recommends carbon budgets</td>
<td>Long-term consistency in approach across government</td>
</tr>
<tr>
<td></td>
<td>Monitors progress on emissions reduction and climate resilience</td>
<td>Transparency and legitimacy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>More informed decision-making</td>
</tr>
</tbody>
</table>

Number of times parliamentarians mention the CCC

- December 2008 to May 2018: the CCC referenced 5 times more than the IPCC
- Opposition politicians mentioned the CCC more often

Mentions of Climate Change Committee (CCC) and Adaptation Sub-Committee (ASC)

Total mentions in the debates on bills (left)  
Share of sittings where the CCC or ASC was mentioned (right)

Note: Series indexed to start at 100 in 1990. In 2016 UK GDP was £1.9 tn and greenhouse gas emissions were 466 m tonnes of carbon dioxide equivalent. Source: CCC (2017a).

CUT THE NATIONAL ENERGY USAGE

2012

-20%

2030

At least -50%

2050

INCREASE RENEWABLE ENERGY

France’s Energy Transition Law of 2015

by 2030

32% of energy consumption

by 2030

40% of electricity production

GHG EMISSION TARGETS

1990

-40%

2030

-70%

2050

Net Zero Emissions

REDUCE LANDFILLED WASTE

-50% by 2050

CARBON TAX

1 TON CO2

2015

14.5 €

2020

56 €

2030

100 €

- **Mexico’s General Law On Climate Change**

  - Emission reduction targets to 2030 and 2050
  - Emission Peak and GDP Intensity Targets
  - Clean Energy Targets
  - National Climate Change System
  - Independent Advisory Body (C3)
  - Policy instruments
  - Climate Change Fund
  - Transparency Framework

Mexico’s General Law on Climate Change 2012

PEAKING GHG EMISSION BY YEAR

LONG TERM GHG EMISSION REDUCTION TARGET

2000

2050

?-50%

Net Zero Emissions

GHG EMISSION REDUCTION

unconditional -22%

IN 2030

below business as usual -36%

with support

BLACK CARBON EMISSION REDUCTION

unconditional -51%

IN 2030

below business as usual -70%

with support

REDUCTION OF CARBON INTENSITY OF GDP IN 2013 - 2030

-36%

SECTORAL GHG EMISSION TARGETS

Mexico’s climate change law

**Strengths**

- Lays core elements of institutional system
- Protects the long-term policy objectives
- Facilitated more active participation of states and cities
- Improves the debates and puts climate on the agenda
- Enabled adoption of the Energy Transition Law

**Weaknesses**

- Unclear or vague mandates
- Insufficient sectoral and vertical coordination
- Weak monitoring and enforcement
- Unclear objective and ambiguities in the law
- Lack of budgets and effective financial mechanisms
Clear mandate

Government's accountability
- mandated to respond to input

Allocated predictable funding

**KEY FACTORS OF SUCCESS OF THE INDEPENDENT CLIMATE CHANGE ADVISORY BODIES**

High level of technical expertise

Independence from the Government
- financial and administrative

Parliamentary oversight

Barriers and opportunities for climate governance in South Africa

- Strengthen high-level commitment and set clear mandates
- Align climate policy with development planning
- Strengthening delivery and implementation mechanisms
- Strategic approach to allocating financial resources
- New ways to communicate and engage

- Policy alignment, coherence and coordination
- Policy complexity and continuity over time
- Limited staff capacity and financial resources
- Limited information
- Mistrust and issues with public–private engagement

Designing a Climate Change Law

- Emission reduction targets for 2030 and 2050
- Ratchet of ambition or carbon budgets
- Net zero target
- Independent Advisory Body
- Mandates for the key agencies and statutory timelines
- Parliamentary oversight
- Stakeholder engagement mechanism
- The role of devolved governments
- Policy instruments or mandate to develop them
- Risk assessment and adaptation planning
- Sectoral targets
- Monitoring and review of progress
- Predictable funding to implement the law
- Risk disclosure for investors and asset managers

Functions and mandates in the implementation of a climate law

**MITIGATION**

**INDEPENDENT ADVISORY BODY**
- Advises on long-term target
- Proposes the level of medium-term targets or carbon budgets

**GOVERNMENT**
- Recommends emission targets to the Parliament

**PARLIAMENT**
- Adopts emission targets

**DEVOLVED ADMINISTRATIONS**
- Set their own emission targets to contribute to the national one

**SETTING TARGETS**
- Advises on policy options on mitigation
- Proposes policies for meeting emission targets

**POLICY PLANNING**
- Considers proposals for meeting carbon budgets

**IMPLEMENTATION**
- Implements the plan to meet the emission targets

**MONITORING AND ACCOUNTABILITY**
- Responds to the assessment of progress
- Reports to Parliament on annual status of emissions

- Scrutinises the progress reports on meeting emission targets and the Government’s response

- Scrutinise the progress reports on meeting emission targets

### Functions and mandates in the implementation of a climate law

<table>
<thead>
<tr>
<th>ADAPTATION</th>
<th>INDEPENDENT ADVISORY BODY</th>
<th>GOVERNMENT</th>
<th>PARLIAMENT</th>
<th>DEVOLVED ADMINISTRATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>SETTING TARGETS</td>
<td>Advises on adaptation targets</td>
<td>Recommends adaptation targets</td>
<td>Adopts adaptation targets</td>
<td>Set their own adaptation targets to contribute to the national one</td>
</tr>
<tr>
<td>POLICY PLANNING</td>
<td>- Advises the government on risk assessment</td>
<td>- Conducts climate risk assessment every 5 years</td>
<td>- Considers climate risks assessment</td>
<td>Create their own policies in areas of devolved competence</td>
</tr>
<tr>
<td></td>
<td>- Assesses the national adaptation programme</td>
<td>- Develops national adaptation programme</td>
<td>- Considers national adaptation programme</td>
<td></td>
</tr>
<tr>
<td>IMPLEMENTATION</td>
<td>Implements the adaptation programme</td>
<td></td>
<td></td>
<td>Implement their policies to contribute to the adaptation programme</td>
</tr>
<tr>
<td>MONITORING AND ACCOUNTABILITY</td>
<td>Prepares progress report on adaptation</td>
<td>Responds to progress report on adaptation</td>
<td>Scrutinises the ASC report and government’s response to it</td>
<td>Report on impacts of climate change</td>
</tr>
</tbody>
</table>

Discussion:

- **What will motivate countries to do more**, given that Paris does not impose legally binding targets and does not have an enforcement mechanism?

- **What are the levers** that can use to induce a political transformation towards greater ambition and enhanced implementation?
“we’re the first generation to feel the impact of climate change, and the last generation that can do something about it”

Jay Inslee
For more information see:

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