

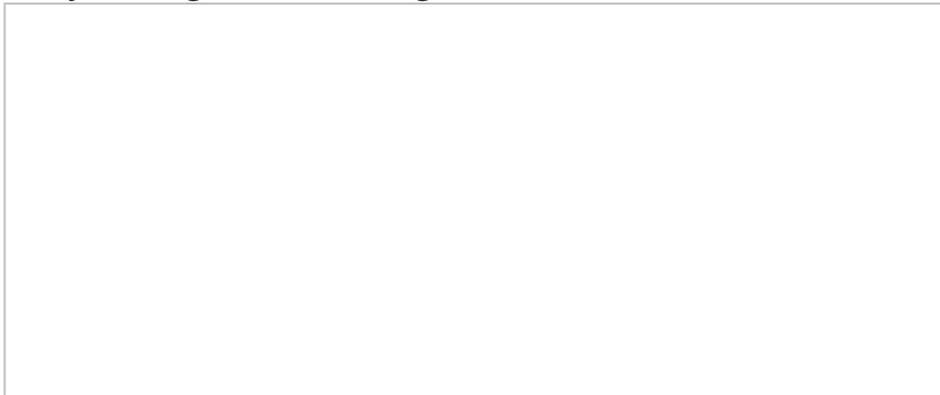


New Rules On The Block

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(The editorial is based on the article “New rules on the block” which appears in Indian Express on 18th November 2018. It analyses some of the results of the Katowice climate negotiations.)

The latest UN climate negotiations finally drew to a close in Katowice, Poland, where climate negotiators finalised a new set of rules to operationalise the 2015 Paris Agreement, as well as a year-long “Talanoa Dialogue”.



In doing so, the international community hopes to send an urgent political signal, given the dire warnings in the recent Intergovernmental Panel on Climate Change’s special report on 1.5°C and the 2018 UNEP Emissions Gap Report, highlighting just how far states are from this temperature goal.

Achievements in Katowice

- **Although deep political divisions toned down the Katowice results, negotiators did indeed deliver the bulk of the rules (in the form of a Rulebook that lists yardsticks to measure GHG of individual nations) to operationalise the Paris Agreement.**
- **It is a significant diplomatic achievement in the current geopolitical context** specially when seen in the context of the US’s announced withdrawal from the Paris Agreement and its hearty embrace of coal, and the newly-elected Brazilian president’s

evasion on the agreement and withdrawal of its offer to host next year's conference.

The Functions that Katowice Rules will Perform

- **First, the Katowice rules seek to instil discipline in a process** governed by “national determination”, which is the first step towards a truly international body (in the lines of UNO, WTO etc) on climate change.
- Under the Paris Agreement, states have complete autonomy on the nature and type of climate actions they choose to take, subject to the expectation that they represent a progression on past actions. However, the Katowice rules now require them to provide detailed information of their actions. If states have absolute economy-wide targets, they need to provide quantifiable information on their reference points for measurements, the gases covered, their planning processes, assumptions and methodological approaches, how they consider their contribution as fair and ambitious, and how it contributes to the objective of the regime.
- **Second, the Katowice rules also bring out the obligations of states identified in the Paris Agreement**, and make them meaningful. For instance, the Paris Agreement contained a general obligation for developed countries to report biennially on their provision and mobilisation of climate finance. The rules identify 15 specific pieces of information that states should submit in these reports, including “projected levels of public financial resources to be provided to developing countries”.
- **Third, the rules operationalise the key processes established by the Paris Agreement — a transparency framework, a “global stocktake” and a compliance regime** — that seek to impose accountability and facilitate implementation.
- The **transparency framework** requires states to report on indicators for measuring progress in achieving their targets, which is significant as the Paris Agreement does not impose a binding obligation on states to achieve their targets. **More broadly, the transparency rules phase in uniform reporting requirements on developed and developing countries in 2024, something India had consistently opposed.**
- **In compliance to the concerns of developing countries, the rules allow developing countries to self-determine the reporting flexibility they need.** Developing countries, with capacity constraints, can choose both how often and in what detail to report. They will also be provided support in addressing these capacity constraints.
- The rules operationalising the **global stocktake** include information from a wide variety of sources, including non-state actors, and on the full spectrum of issues including loss and damage, equity and science, to assess collective progress towards the long-term goals of the agreement. **The rules specify that the results of the global stocktake will simply identify challenges and opportunities in relation to action and support. It will not have an “individual focus” (i.e on any particular country) and will only include “non-policy prescriptive consideration of collective progress” (i.e global progress only).**

- **Finally, the Katowice rules seek to infuse accountability and facilitate implementation.** They permit a compliance committee to consider cases where countries have breached binding procedural obligations. Thus, if a state does not submit a contribution every five years or a developed country does not submit its report on provision of finance, the committee will step in. The committee can also step in if there are significant and persistent inconsistencies in reporting. **However, it can do this only with the consent of the state concerned.**
- The committee is also empowered to assist the defaulting state in identifying and addressing the challenges to implementation. The committee is further authorised to identify systemic challenges in compliance and implementation faced by many parties, with a view to addressing them.

Way Forward

- The Katowice rules - **detailed, complex and science-based strike a fine balance between competing interests** (between companies and governments, for example), create rules for all parties to operationalise **equity** (here: Conformity with rules or standards), and **allow the flow of information within the system.**
- **While the Katowice rules do not touch upon markets for now and the rules in general could have been more robust, the basic rules needed to implement the Paris Agreement are now in place.**
- Moreover, even though countries are not pressured into submitting their stocktake individually, nevertheless, the steady flow of information on the **“ambition gap”** (the ambition to limit global temperature rises to well-below 2° Celsius above pre-industrial levels from the currently agreed 1.5° Celsius - which to scientists is not enough) will generate its own pressure on them.
- **Countries will as such, not be able to escape their individual responsibilities towards climate change mitigation.** Already, the Talanoa Dialogue, the alarming IPCC 1.5°C Report, and the various catastrophic climate events this year, have elicited promises from several countries that they will submit more ambitious actions by 2020.
- **Therefore, now is the time to take the pressure off the international negotiations to set the rules, and begin the arduous process of following them. With new rules in hand, it’s finally time to begin implementing the Paris Agreement and delivering action on the ground.**