

## **COP 23, Bonn, Germany & Implementation of the Paris Agreement: Equity-CBDR, Emissions Reductions & A Level Playing Field**

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### **Disclosure Statement**

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The next [UN Climate Change Conference](#) will convene in Bonn, Germany, from 6-17 November 2017. Presided over by the Government of Fiji, it will *focus on implementation of the Paris Agreement* on climate change, which entered into force on 4 November 2016.

This will include the development of **guidelines** on how the Paris Agreement's provisions can be implemented across a wide range of issues such as emission reductions.

*The principle of CBDR has been described as “one of the **most contentious aspects of the regime** since its inception”.*

Information conflicts over inequality and competitive advantage have arisen as a consequence.

But, a *far greater omission* has been the *failure to consider equity and CBDR, together*, under Paris Article 2.2, as cornerstones for achieving *equitable shared responsibility*.

Article 2.2 requires the **implementation of the Paris Agreement** “to *reflect equity and the principle of common but different responsibilities and respective capabilities, in the light of different national circumstances*”.

The application of these two obligations under the Paris Agreement has become problematic:

*The challenge for developing guidelines under the Paris Agreement for emission reduction targets in NDCs is for the responsibility to be equitably shared between all countries?*

This problem has polarised opinion causing *information conflicts over fairness<sup>1</sup> and inequality*; as well as calls for the need for a *level playing field*.

These information conflicts will persist if the meaning applied to the Article 2.2 obligations for equity and CBDR are open to different interpretations.

*It is important to recognize that the application of Article 2.2 will be problematic if a **guideline** fails to give effect to the linkage between equity and CBDR; and, instead, applies CBDR and equity as alternatives.*

The reason for this is that under Article 2.2 of the Paris Agreement, 'equity' and '**CBDR**' are joined by the *coordinating conjunction "and"*—which adds 'equity' to 'CBDR'.

The challenge for developing a **guideline** - that links equity and CBDR under the Paris Agreement - is not only lead to an outcome for a global environment where all countries enjoy the same degree of environmental protection; but also, one that facilitates equitable outcomes through shared responsibility and by ensuring a *level playing field*.

Achieving such a *guideline* that leads to a *level playing field* for the historical responsibility for cumulative CO<sub>2</sub> emissions requires the effectiveness and equality of efforts to reduce global temperature rise to be evaluated.

The global temperature rise arising from CO<sub>2</sub> emissions from fossil fuel use and LULUCF must be estimated for a defined *baseline period* e.g. a research study posted by [NASA \(2017\)](#) reported that the planet's average surface temperature has increased by about 1.1°C from the late 19<sup>th</sup> century to 2016.

The baseline period must be reached by *consensus agreement* by Parties that have ratified the Paris Agreement. The timeline for complying with the baseline period temperature goal should be determined at COP 23.

The assessment of Historic Responsibility for CO<sub>2</sub> emissions would include GHG emission reductions in both the **1<sup>st</sup>** [*reduction of 5% 1990 levels, 2008-12*] and **2<sup>nd</sup>** [*at least 18% reduction of 1990 levels, 2013-20*] **Kyoto Commitment Periods** – as well as NDCs beyond Paris.

*Industrialized countries that had binding CO<sub>2</sub> emissions commitments imposed on them under Kyoto would have their contributions, commencing in 2008, evaluated together with their NDC emission reduction targets beyond Paris.*

*All other countries would only have their commitments in their NDC emission targets beyond Paris evaluated.*

Each country's efforts to reduce CO<sub>2</sub> emissions over the baseline period would be evaluated, individually, to determine *the extent it offsets their actual contribution to historic global temperature rise*<sup>2</sup>.

A relative comparison of the percentage reduction in global temperature rise achieved by each country, over the same baseline period, enables conclusions to be made whether each individual contribution was *equitable* ("fairness").

A level playing field would be created  
where the outcome achieved by all Parties was effective:

Where global temperature rise  
over the baseline period had been offset  
by implementing shared contributions  
that reflected equity.

The ***advantages of such a guideline***, to implement the temperature goals of the Paris Agreement, are:

- i. CBDR responsibility is shared by all "developed" and "developing" countries – but only to the extent to *offset each country's actual contribution to historic global temperature rise* over the baseline period;
- ii. The guideline enables a relative comparison of the percentage reduction in global temperature achieved by all countries, through their individual commitments made over the same baseline period, to be evaluated;
- iii. The guideline ensures *clarity and transparency* in terms of compliance with the Paris Article 2.2 obligation, "*implementation to reflect equity*".

- iv. *Shared responsibility* complies with Paris Article 2.2 by giving effect to the linkage between equity and CBDR;
- v. Achieving a level playing field for the baseline period would result, at the very least, offsetting 1°C of the planet's average surface temperature increase;
- vi. Countries that should take the lead to undertake economy-wide absolute emission reduction targets would be based, objectively, on their rankings for contributing to global temperature rise<sup>3</sup>; and
- vii. **Guidelines to address global temperature rise arising from cumulative CO<sub>2</sub> emissions have two dimensions in time *Historical Responsibility* and *Current/Future Responsibility*. Only the *Historical Responsibility* is discussed here - notwithstanding both dimensions in time share common elements.**

## End Notes

<sup>1</sup> The [plain](#) and [legal](#) meanings of 'equity' are similar: "fairness", "justice".

<sup>2</sup> For example: Contribution to global temperature change for the top 20 ranked countries from fossil fuel and land-use CO<sub>2</sub> emissions & non-GHG emissions, 1800-2005: [Matthews et al., 2014](#): -

1. USA 0.151°C; 2. PR China 0.063°C; 3. Russian Federation 0.059°C; 4. Brazil 0.049°C;  
 5. India 0.047°C; 6. Germany 0.033°C; 7. UK 0.032°C 8. France 0.016°C;  
 9. Indonesia 0.015°C; 10. Canada 0.013°C; 11. Japan 0.013°C; 12. Mexico 0.010°C;  
 13. Thailand 0.009°C; 14. Columbia 0.009°C 15. Argentina 0.009°C; 16. Poland 0.007°C;  
 17. Nigeria 0.007°C; 18. Venezuela 0.007°C; 19. Australia 0.006°C;  
 20. Netherlands 0.006°C.

<sup>3</sup> For example, in 2016, the top 10 countries, based on their *global contributions of CO<sub>2</sub> emissions*, were:

1. PR China (28.2%); 2. USA (16%); 3. India (6.2%); 4. Russia (4.5%); 5. Japan (3.7%);  
 6. Germany (2.2%); 7. Korea (1.7%); 8. Iran (1.7%); 9. Canada (1.7%);  
 10. Saudi Arabia (1.5%).