

## Chapter 2

# From Kyoto to Paris: An Analysis of the Politics of Multilateralism on Climate Change

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### **ABSTRACT**

*The Earth Summit of 1992 held in Rio de Janeiro awakened the consciousness of the world to the danger of climate change. The establishment of the United Nations Framework Convention on Climate Change provided the platform for parties to negotiate on ways of moving forward. The global acknowledgement of the weightiness of the climate change and the future of the planet galvanized international agreements to this regard. Consequently, a landmark agreement was brokered in 1992 at Kyoto, Japan and 2015 in Paris, France. However, the strong issues of national interest tend to bedevil the implementation that would take the world forward on climate change. The chapter therefore examined multilateralism from the platform of climate change conferences and analyzed the political undertone behind disappointing outcomes even when most of the negotiators realized that the only way to salvage the impending doom is a multilateral binding agreement when nation-state can subsume their narrow interest.*

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## **INTRODUCTION**

Climate change instigated by anthropogenic greenhouse gases has arisen as one of the most significant environmental concerns confronting the international community. For example, greenhouse gases—especially fossil fuel-based carbon dioxide emissions—gather in the atmosphere as an outcome of human activities. These progressive intensifications in greenhouse gas concentrations cause various changes in the climates such as a rise in the world's average temperature (Bohringer, 2003). Since the end of the last century and the beginning of the 21<sup>st</sup> century, its impacts on weather and other natural environmental heritages have become increasingly felt.

As such, climate change is now globally acknowledged as one of the most important challenges facing the world. Its impacts on the society and environment are unprecedented and better imagined than real. Nonetheless, scholars of climate change have recommended that global greenhouse gas emissions must be reduced swiftly to mitigate the impending consequences resulting from an increase in temperature. This, in the actual sense, is the scientific underpinning of this political problem (Shanahan, 2009).

Therefore, the dire need for humanity to find solutions to these problems has created an awareness amongst nations of the world to embrace a collective mechanism or multilateral approach through a platform called the United Nations Framework Convention on Climate Change (UNFCCC) established under the auspices of the United Nations.

The paper therefore examined multilateralism from the platform of climate change conferences and analyzed the political undertone behind disappointing outcomes even when most of the negotiators realized that the only way to salvage the impending doom is a multilateral binding agreement.

## **METHODOLOGY**

The paper relied heavily on secondary sources, especially commentaries and reports arising from the UNFCCC Conference of the Parties (COP) conferences. Books, newspaper reports, conference materials, and materials sourced from the internet were most useful. Data sourced through these were analyzed through the employment of qualitative descriptive analysis with the backdrop of theory of multilateralism.

## **THE CONCEPT OF MULTILATERALISM**

Multilateralism is a concept of international relations that is different from unilateralism, bilateralism or regionalism. It is 'the practice of coordinating national policies in groups of three or more states, through *ad hoc* arrangements or by means of an entrenched institutions' (Keohane, 1990, p.731; Yarbrough and Yarbrough, 1992). To Ruggie (1992, pp.567-568), multilateralism meant 'coordinating relations among three or more states', but 'in accordance with certain principles' that govern dealings between them. These definitions limit it to arrangements involving states. It focuses mainly (albeit not exclusively) on institutions, defined as 'inherited patterns of rules and relationships that can affect beliefs and expectations, and as potential tools for the pursuit of their own objectives' (Keohane, 2000 p. 96; Keohane and Nye, 2000a; 2000b).

But multilateral cooperation occurs between states as well as other concerned global stakeholders to arrive at a solution to common concerns. Multilateralism is voluntary and (more or less) institutionalized cooperation governed by principles and norms, with rules that apply (more or less) equally to all. Inherent in the conceptualization of multilateralism is the concept of diffuse reciprocity which was first discussed by Keohane (1986). It means that state actors expect to achieve gains from multilateralism in the long term and on a variety of issues. In other words, they expect the arrangement to 'yield a rough equivalence of benefits in the aggregate and over time' (Ruggie, 1992 p.571). Multilateralism becomes institutionalized when 'multilateral arrangements with persistent rules' emerge (Keohane, 1990 p. 733).

In modern times, multilateral agreements sprung up mainly to manage relations amongst states based on the principle of state sovereignty. Contrary to this, in the 17th century, multilateral arrangements manage property issues, such as the control of oceans. However, until the 19<sup>th</sup> century multilateral cooperation, was relatively rare. This century witnessed more frequent multilateral cooperation with the signature of several treaties on issues including trade, river transport and public health.

One effect of growing interdependence was to internationalize issues once considered to be strictly national. Most multilateral agreements during the 19th century, however, did not lead to the creation of formal organizations. In contrast to previous forms, the 20<sup>th</sup> century multilateralism brought about the formation of formal multilateral organizations, including a multi-purpose organization with universal membership. A shift from loose, informal agreements to formal organizations inevitably had an impact on the International Order (Ruggie, 1992). Conversely, common standards and regulations were developed to facilitate economic exchanges. The economies of major powers also became increasingly interdependent, thus encouraging the recognition of common interests (Armstrong and Lloyd et. al., 2004).

It is based on this premise that the UNFCCC was created to provide mechanism for stakeholders to formulate a mutual strategic understanding or view on mutual climate change goals and to institute collaborative activities that would offer common solutions to the global problem of climate change. It also provides a platform for negotiation on climate change policies, exchange of opinions on salient issues in climate change debates and development of concrete activities to curb climate change through the carrying out of specific cooperative tasks (Romano, 2010).

The gathering of Kyoto Japan in 1997 fulfilled aspects of these issues in the sense that an agreement considered significant to achieve the objective of the gathering emerged but owing to attitude of state actors in its follow up weakened the contents of the document. Subsequently the inability to achieve progress since 2005 when Russia ratified the protocol to the conference in Copenhagen and Cancun tend to give credence to alternative views of multilateralism. For instance, Martin (1992) acknowledges that multilateralism at times may not be the most effective strategy of promoting international cooperation especially when governments have doubts about the repercussion of 'losing today' without considering the long term mutually beneficial effect. Obviously companionable with a view of multilateralism as an anachronism is one that considers it a 'weapon of the weak' (Kagan, 2002 p.4). Put differently, states that pursue multilateral agreements are those that lack the power, however measured, to enforce solutions to international problems that are of interests to them (Caroline & Peterson 2009).

## **THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE**

The UN climate-change negotiations often take place under the UN Framework Convention on Climate Change (UNFCCC), which is an international treaty formed at the Earth Summit in Rio de Janeiro, Brazil, in 1992 to avert hazardous climate change ensuing from emissions of greenhouse gases. A total of 192 Parties ratified the UNFCCC. It entered into force in 1994. Under the auspices of the Convention, countries consented to protecting the climate system for both the present and future generations according to their 'common but differentiated responsibilities and respective capabilities', meaning that developed countries 'should take the lead in combating climate change and its adverse effects'. Parties also agreed that the degree to which developing countries can meet their treaty obligations is dependent on the extent to which developed countries provide technology and finance. It was also established that 'economic and social development and poverty eradication are the first and overriding priorities of the developing country parties' (Shanahan, 2009).

Therefore, the UNFCCC's stated goal is the "stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system" (UNFCCC, 1992, Article 2).

## **SUSTAINABLE DEVELOPMENT AND CLIMATE CHANGE**

The United Nations Conference on Environment and Development, the earth summit that took place in Rio de Janeiro Brazil was the largest ever international conference and the central aim was to identify the principles of action towards "sustainable development" in the future (Elliot, 1999, p. 4). According to Adam, (1990), the term sustainable development has gained ground beyond the confines of global environmental organization as it has become embraced in the political and academic field. According to Mather and Chapman (1995) the primary output of the Agenda 21 document of UN Conference on Environment and Development was driven at reconciling conservation actions into the 21<sup>st</sup> century. More so, it contained a substantial debate over the meaning and practice of sustainable development.

Literarily, sustainable development refers to maintaining development over time. Turner, (1988 p.12) defines it as follows;

*In principle, such an optimal (sustainable growth) policy would seek to maintain an "acceptable" rate of growth in per-capital real incomes without depleting the national capital asset stock or the natural environment asset stock. Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (World Commission on Environment and Development, 1987 p.43)*

It can be correctly stated that sustainable development is fundamentally about reconciling development and the environmental resources on which the society depends (Elliot, 1999).

The challenges of sustainable development include clearing off the contamination or pollution impacts of the past development. Most times the impacts of pollutions do not occur immediately as is the case of climate change. It accumulates over time. This means that the need for sustainable development in the future is also confirmed by the human cost of patterns and processes of development to date (Elliot, 1999).

## **The Kyoto Japan Conference**

The Kyoto Protocol was negotiated during the third conference of the parties (COP3) to the United Nations Framework Convention of Climate Change. The Conference was held between 1 and 11 December 1997 in Kyoto, Japan. The detailed rules for the implementation of the Protocol called the “Marrakech Accords” were adopted at COP 7 in Marrakech in 2001. The Conference was attended by over 10,000 participants, covering delegates from International Governmental Organizations (IGOs), governments and Non-Governmental Organizations (NGOs) and the press. The conference included high-level section which featured statements from over 125 ministers. After intense informal and formal negotiations spanning week and a half, Parties to the UNFCCC adopted the Kyoto Protocol on 11 December 1997 (IISD, 2007).

The Climate Change Convention provided the institutional framework for international climate policy. Most of the countries that are Parties to the agreement have ratified the Convention. Parties to the Climate Change Convention hold periodic meetings called Conferences of Parties (COP) aimed at promoting and reviewing efforts to contend with global warming.

## **Kyoto Protocol and Issues Arising From It**

In 1997, Parties to the UNFCCC adopted a document tagged Kyoto Protocol which outlines agreements reached at the Conference. This agreement which is meant to be binding on all parties on ratification by a given number of them came into force in 2005 after Russia ratified. Ever since, over 189 countries have ratified the protocol. Apart from the fact that it sets targets for developed countries, it was also legally binding, and created vital international monitoring, reporting and verification instruments to ensure compliance. Developed countries were obliged to limit their emissions to an average of 5.2 per cent below 1990 levels between 2008 and 2012. To ensure this is achieved, the protocol created ‘flexibility mechanisms’ – such as carbon trading and Clean Development Mechanism (CDM), which permits developed countries to achieve their target emission goals by financing emissions reductions in developing countries (Shanahan, 2009; IISD, 1997).

The key characteristics of the Kyoto Protocol is that it established obligatory/mandatory targets for the European community and 37 industrialized countries for reducing greenhouse gas (GHG) emissions, amounting to an average of 5 percent against 1990 levels over the five-year period 2008-2012 (Friends of the Earth, 2009). It necessitates industrialized countries as listed in its Annex B - to reduce their emissions of greenhouse gases, most especially carbon dioxide (CO<sub>2</sub>) from fossil fuel combustion. In specific terms, Annex B countries pledged to reduce their

## *From Kyoto to Paris*

GHG emissions by 5.2% on average below aggregate 1990 emission levels between 2008-2012 their commitment period (UNFCCC, 1997). The agreement will not enter into force until the double-triggers conditions are met: Firstly, the national parliaments of at least 55 Parties to the Convention must ratify the treaty. Secondly, at least 55% of the total 1990  $\text{CO}_2$  emissions must be accounted for by industrialized countries that are amongst the ratifying parties.

Several controversial issues on the implementation of the Convention were outlined at the Kyoto Conference. The issues include credits for carbon sinks, i.e. agricultural soils and forests that store  $\text{CO}_2$ , and the question of restricted versus full tradability of emission rights across Annex B countries. In March 2001, the United States under President George W. Bush unequivocally refused to ratify the Protocol due to the huge cost it would have on the U.S. economy and due to the unacceptability of the exemption of developing countries such as China and India from binding emission targets.

The major difference between the Kyoto Protocol and the UNFCCC is that, while the UNFCCC admonished industrialized countries to steady GHG emissions, the Protocol obligates them to do so (because of its binding power). The recognition of the fact that developed countries are principal contributors to the current high levels of GHG emissions in the atmosphere as the result of over 150 years of industrial actions, the Protocol places a heavier emission reduction burden on them under the principle of “common but differentiated responsibilities.” To date, 189 Parties of the Convention have ratified the Protocol.

The Kyoto Protocol has been hailed by a section of the intellectual community as a milestone in multilateralism. Proponents of the Protocol celebrate it as a landmark in international climate policy and celebrate it as a momentous achievement towards mitigating global warming. However, another point of view sees the approach in terms of its efficacy in the implementation of the agreement, namely setting timetables and targets for emission reductions as seriously defective (King, 2015).

Without any hesitation, the Protocol was a product of over 10 years of negotiations on climate policy. It became the first legally binding universal treaty on climate protection, and entered into force in 2005. The advocates of multilateralism celebrate the protocol as a breakthrough in international climate policy, because:

1. It envisaged considerable emission reductions for the developed world vis-à-vis emissions from their business activities.
2. It established an extensive global instrument for deepening and widening climate protection actions in the future.
3. It constituted the pioneer international environmental agreement that was built on market based mechanisms to determine cost-efficient reactions to the undoubted need for GHG reduction.

4. It designed a burden-sharing scheme set up for the first commitment period which ended in 2012 (Bohringer, 2003).

In the light of the above, proponents stated that despite an effective emission reductions in the initial commitment period, the ratification of Kyoto is important for the further policy process of climate protection. To them, Kyoto Protocol has been able to establish a flexible broad-based universal instrument that offers an appreciated starting point for modeling effective climate policies in the future (Bohringer, 2003).

On another hand, antagonists of the Kyoto Protocol avowed that it was bound to fail due to the flaws in its architecture. They concluded “that the Kyoto Protocol is an impractical policy focused on achieving an unrealistic and inappropriate goal” (McKibbin & Wilcoxon, 2002 p.127). Some of the key points advanced against the Kyoto Protocol goes as follows:

1. “The Kyoto Protocol is defective on both efficiency criteria (spatial and temporal equalization of abatement costs) because it omits a substantial fraction of emissions; (Thus failing the spatial criterion) and has no plans beyond the first period (thus not attending to the temporal dimension)” (Nordhaus, 2001 p.8);
2. “Kyoto does not deter free-riding and non-compliance” (Barrett, 1998 p. 38);
3. “The most fundamental defect of the Kyoto Protocol is that the policy lacks any connection to ultimate economic or environmental policy objective” (Nordhaus, 2001 p.13);
4. “The Kyoto Protocol has an arbitrary allocation of transfers. Moreover, since developing countries are omitted, they are completely overlooked in the transfers” (Nordhaus, 2001 p.9);
5. “The Protocol permit trading [as the principal policy instrument of the Kyoto Protocol] runs the risk of being highly inefficient, given uncertainties in the marginal cost of abating greenhouse gas emissions. This would probably generate large transfers of wealth between countries” (McKibbin & Wilcoxon, 2002 p.26);
6. Opponents to the Protocol have condemned it as a “deeply flawed agreement that manages to be both economically inefficient and politically impractical” (McKibbin & Wilcoxon, 2002 p.107); and
7. “No individual government has an incentive to police the agreement. The Kyoto Protocol can only work if it includes an elaborate and expensive international mechanism for monitoring and enforcement” (McKibbin & Wilcoxon, 2002 p.126).



## ***From Kyoto to Paris***

In fact, years after the demanding negotiations for its implementation, the Protocol has not yet been implemented, even after Russia's ratification made of the number required for it to take effective legal status. The refusal of the United States to ratify the Protocol as well as the full tradability of emission rights granted to the former Eastern Bloc in surplus of its estimated future emissions imply that the Kyoto Protocol is very likely to achieve very little in terms of global emission reductions (Springer, 2002). This evolution seems to affirm the position of the antagonists of the Kyoto Protocol that its central approach of setting timetables and targets for emission reductions is seriously faulty (Bohringer, 2003).

## **COP 15 Copenhagen Climate Change Conferences**

From 7 to 18 December 2009, the fifteenth Conference of the Parties (COP) of UNFCCC took place in Copenhagen. 120 Heads of State and Governments and over 50,000 participants participated making the Conference the utmost profile meeting of any multilateral environmental issue (Sindico, 2010). Before COP 15 international climate change debates have been along two parallel tracks. One was under the Kyoto Protocol and the UNFCCC. The first track was launched in Bali, Indonesia, at COP 13 of the UNFCCC, and countries were to devise ways to achieve "full, effective and sustained implementation of the Convention through long-term cooperative action, up to and beyond 2012." Under the second track, countries have been negotiating ways to enhance further Kyoto Protocol Annex I Parties' obligations (Sindico, 2010). Both tracks were to have ended at COP 15, but it was evident in the meetings preceding to COP15 and COP/MOP5 that this would not be achieved.

*The Copenhagen Accord does not specify targets for GHG emissions reductions for any sector. It states that deep international emissions cuts are needed to hold the increase in global temperature to under two degrees Celsius. The Accord relies on industrialized nations to set their own economy wide emission reduction targets to take effect in 2020 by January 31, 2010. (Copenhagen Accord, 2009)*

The Copenhagen Accord refers to very loose emission reduction essential to prevent a 2.0 degree rise in overall temperatures taking cognizance of the general goal of the UNFCCC. However, any specific cap was not establish. While COP 15 provided for a much more flexible approach as far as it gives each State, both developing and industrialized, the chance to decide its level of climate change mitigation level or goal, the Kyoto Protocol established a general cap baseline and also indicated what level of reductions each Annex I Party had to achieve between 2008 and 2012 commitment period. Thus, the environmental integrity of a regime

based on the Copenhagen Accord would be contingent on whether the compliance with the emissions reductions level provided for would actually reduce an overall rise in temperatures to 2.0 degrees or even better, 1.5 degrees (Sindico, 2011).

The flexibility of the emission ceiling rate became a major weakness of COP 15 because countries of the EU in particular, were aiming at establishing new legally binding international treaty. This is because, a legally binding instrument will have enforceable obligations that are binding upon State Parties as well as a compliance mechanism that address situations of non-compliance. So it can be induced that COP 15 had no enforceable mechanism and lacked a strong compliance system.

Hopes were frustrated and amplified when, after two weeks of negotiations, a fairly small but influential group of countries led by the United States was able to negotiate the Copenhagen Accord (Sindico, 2010).

The compliance mechanism of the Copenhagen Accord has the ability to take actions against countries not complying with their commitments under the Kyoto Protocol while the nonexistence of a compliance structure in COP 15 offers states freedom for compromises. In the Copenhagen Accord “compliance” becomes “measurement, report and verification (MRV)” which seems to be designed in three diverse ways depending on whose mitigation action is considered. First, climate change mitigation action enshrined in pledges from Annex I countries will be “measured, reported and verified (MRV) in accordance with existing guidelines adopted by the Conference of the Parties”. Second, mitigation action assumed by developing countries will be subjected to nationally established MRV. The Copenhagen Accord necessitates mitigation actions to be taken by Non-Annex I Parties vis-à-vis their domestic MRV. Bi-annually, the outcome will be reported through their national communications channels. Lastly, non-Annex I Parties can also choose to implement mitigation acts, which will be supported by international support. In this case, the Copenhagen Accord establishes that the national mitigation actions will be subjected to international MRV in agreement with rules adopted by the COP (Sindico, 2010).

The COP 15 can be said to be a failure in that it did not meet the expectation of the need of a binding mechanism that could replace the Kyoto Protocol or at best supplement it. The Copenhagen agreements were merely taken note of but not adopted.

The Accord also failed to address the major challenges of the Kyoto Protocol which is the failure to ensure that the US, the main emitter of greenhouse gas emissions (the US) ratifies it and the fact that emission reduction obligations was not set for evolving economies such as China, India and Brazil.

As such, the conference was said to be a failure for not achieving binding commitments to lessen global greenhouse gas emission levels adequate to meet the standards identified by about 3,000 prominent global scientists of the United Nations Intergovernmental Panel on Climate Change (IPCC) as measures to prevent calamitous costs such as food disruption, sea level rise leading to massive population

### ***From Kyoto to Paris***

displacement, tropical disease migration, water shortages, and obliteration of biodiversity (Allison & Bindoff et al., 2009).

From an environmental point of view, the Copenhagen Accord was a failure because, even if Parties complied with their pledges, the general rise in average temperatures will not be reduced to 2 degrees. Additionally, the flexibility Copenhagen Accord provided for countries in their climate change mitigation action was too much.

From a legal view point the Copenhagen Accord also fails because the obligations it provided for were voluntary while the MRV system shifted away from the compliance system existing in the Kyoto Protocol.

Finally, in spite of all the uncertainties that one may have on the legal, environmental and political flaws of the Accord, the undeniable fact is that it was the first time in about a decade that emerging developing countries and the US agreed to a framework to mitigate and adapt climate change in the future. The Copenhagen Accord was negotiated principally between the United States and the BASIC countries (Brazil, South Africa, India and China). Put differently, the involvement of key emerging countries of China, India, Brazil and South Africa and the United States, in the negotiation of the final Accord as well as the agreement by Mexico to host the next climate conference were quite significant. This is as a result of the prior decline of the countries in making commitments to greenhouse gas emission reduction for the Kyoto Protocol (Kampert, 2001).

While the convergence of 193 nations at Copenhagen to address the global climate problems were truly unique (Broder, 2009; Fahrenthold, 2009), the Copenhagen Climate Conference and its Accord have been generally regarded as a failure (Darren, 2009; Eilperin & Faiola, 2009; Garman, 2009).

### **COP 16, Cancun, Climate Change Conferences**

The decision of the United States led by George Walker Bush to renege on the Kyoto agreement gave environmentalist hope that COP 16 United Nations Climate Change Conference in Cancun, Mexico, which took place from 29 November to 11 December 2010 would provide the platform to make the US commit to climate change.

Expectations for Cancun were modest, with few anticipating a legally-binding outcome or agreement on each outstanding issue. The key challenge that was faced by the countries of the world was to continue the process of constructing a sound foundation for meaningful, long term global action which was accomplished in Cancun.

Nevertheless, many still hoped that Cancun would produce meaningful progress on some of the key issues. In the lead-up to the conference, several matters were widely identified as areas where a balanced “package” of outcomes could be agreed. These issues included mitigation, adaptation, financing, technology, reducing emissions

from deforestation and forest degradation in developing countries. The conservation, sustainable management of forests and enhancement of forest and its monitoring, reporting and verification (MRV) were also included. Negotiations on these key issues took place throughout the two-week meeting (IISD, 2010).

One of the major decisions resulting from COP 16 is to reduce deforestation and forest degradation through the creation of financial incentives to fund the conservation, sustainable use and enhancement of forest carbon stocks (REDD+). This decision on a REDD+ framework could have positive and/or negative impacts depending its application. There is broad consensus that REDD+ initiatives have the potential to conserve biodiversity and ecosystem services, improve local livelihoods, promote adaptation, and provide incentives to reform forest governance if well designed.

There is also broad recognition of the negative impacts REDD+ implementation could bring. Deleterious consequences might include the infringement of indigenous rights; introduction of invasive tree species (i.e. eucalyptus) to 'grow' CO<sub>2</sub> credits; ongoing degradation of natural forests leading to loss of biodiversity, species extinction and ongoing CO<sub>2</sub> emissions; labour and human rights abuses; destruction of plants relied upon by local communities for medicine and nutrition; loss of customary access to forests; resulting decline in nutrition and human health of forest dependent communities; and the disruption of ecosystems and loss of ecosystem services (Perron-Welch, 2011).

The reality of REDD+ lies in the particularities of each project and whether that project adequately balances environmental, social and economic factors to achieve a sustainable solution supported and enforced by law or voluntary certification. In this vein, it is important to closely monitor the financial underpinnings of this incentive scheme to ensure equitable and ecological outcomes rather than those based on speculation and fraud and lead to ongoing forest death. Thus, good governance is one key to successful implementation at all levels (Perron-Welch, 2011). REDD+ will necessarily be impacted by, and have an impact on, the way that international rules and commitments play out. To achieve the goal of reducing emissions from deforestation and forest degradation, the international community will need to understand the interplay between pre-existing rules and commitments on forests and those made at the Cancun conference (Perron-Welch, 2011).

The delegates in Cancun succeeded in writing and adopting an agreement that assembles pledges of greenhouse gas (GHG) cuts by all of the world's major economies, launches a fund to help the most vulnerable countries, and avoids some political landmines that could have blown up the talks, namely decisions on the (highly uncertain) future of the Kyoto Protocol. At the end only hope was dashed (Duruji & Duruji-Moses, 2016).

## **Assessing the Key Elements of the Cancun Agreements**

In a nut shell, the 32-page Cancun Agreements made provisions for the following issues:

First, the Cancun Agreements provide for emission mitigation targets and actions (submitted under the Copenhagen Accord) for approximately 80 countries-including, importantly, all of the major economies.

The Agreements codify pledges by the world's largest emitters-including China, the United States, the European Union, India, and Brazil-to various targets and actions to reduce emissions by 2020. The distinction between Annex I and non- Annex I countries is blurred even more in the Cancun Agreements than it was in the Copenhagen Accord which does not signifies a step in the right direction. Also, for the first time, countries agreed – under an official UN agreement-to keep temperature increases below a global average of 2 degrees Celsius. This brings these aspirations, as well as the emission pledges of individual countries, into the formal UN process for the first time, essentially by adopting the Copenhagen Accord one year after it was “noted” at COP-15.

Another important aspect of the Accord hinges on the mechanisms for monitoring and verification that were laid out for “international consultation and analysis (ICA)” of developing country mitigation actions. Countries will report their GHG inventories to an independent panel of experts, which will monitor and verify reports of emissions cuts and actions.

Third, the Agreements establish a so-called Green Climate Fund to deliver financing for mitigation and adaptation. The World Bank was named as the interim trustee of the Fund despite the numerous objections from many developing countries, and even created an oversight board whose membership had about half of its members from the donor countries (Stavins, 2010)

More so, the developed countries on the platform of the Agreements agreed to mobilize \$100 billion annually by 2020 to support mitigation and adaptation in developing countries. This fund would target sources from public and private resources (that is, carbon markets and private finance), bilateral and multilateral flows, as well as the Green Climate Fund. However, whether the resources ever grow to the size laid out in Copenhagen and Cancun will depend upon the individual actions of the wealthy nations of the world.

Fourthly, the Agreements advanced initiatives on tropical forest protection or better put, in UN parlance, Reduced Deforestation and Forest Degradation, or REDD+, by taking the next steps toward establishing a program in which the wealthy countries can help prevent deforestation in poor countries by possibly working through market mechanisms. This came despite exhortations from Bolivia and other leftist and left-leaning countries to keep the reach of “global capitalism” out of the policy mix.

Fifth, the Cancun Agreements established a structure to assess the needs and policies for the transfer to developing countries of technologies for clean energy and adaptation to climate *Change*, and a Climate Technology Center and Network (though yet undefined) to construct a global network to match technology suppliers with technology needs.

Also along this line was the fact that the Agreements endorsed an ongoing role for the Clean Development Mechanism (CDM) and other “market based mechanisms;” indicating that carbon capture and storage (CCS) projects should be eligible for carbon credits in the CDM an offer of special recognition for the situations of in Central and Eastern European countries (previously known in UN parlance as “parties undergoing transition to a market economy”) and Turkey, all of which are Annex I countries under the Kyoto Protocol, but decidedly poorer than the other members of that group of industrialized nations.

It embraces parallel processes of multilateral discussions on climate change policies. Also, there was movement forward with specific, narrow agreements, such as on: REDD+ (Reduced Deforestation and Forest Degradation, plus enhancement of forest carbon stocks); finance; and technology. Such movement forward has, in fact, occurred in all three domains in the Cancun Agreements.

In the light of the above discussions, the parties to the Cancun meetings could maintain sensible expectations and thereby develop effective plans. It was able to create a long-term action strategy to address the threat of global climate change. The conference was therefore able to map out for the countries of the world a pathway for an effective plan of action for climatic change challenges humanity currently faces. According to Stavins, (2010) the successes of the Cancun conference enumerated above could be attributed to the following reasons particularly in contrast with the outcome of the Copenhagen conference.

First, the Mexican government through careful and methodical planning over the past year prepared itself well, and displayed tremendous skill in presiding over the talks. Mexican Minister of Foreign Affairs, Patricia Espinosa, the President of COP-16, carefully took note of the objections of Bolivia (and, at times, several other leftist and left-leaning Latin American countries, known collectively as the ALBA states), and then simply ruled that the support of 193 other countries meant that “consensus” had been achieved and the Cancun Agreements had been adopted by the Conference. She therefore explained that “consensus does not mean unanimity”. The diplomatic role and acumen played by the president was widely applauded unlike the chairing of COP-15 in Copenhagen by Danish Prime Minister Lars Lokke Rasmussen, who allowed the objections by a similar same small set of five relatively unimportant countries (Bolivia, Cuba, Nicaragua, Sudan, and Venezuela) to derail those talks, which hence “noted,” but did not adopt the Copenhagen Accord in December, 2009.

## ***From Kyoto to Paris***

The key role played by the Mexican leadership is consistent with the notion of Mexico as one of a small number of “bridging states,” which can play particularly important roles in this process because of their credibility in the two worlds that engage in divisive debates in the United Nations: the developed world and the developing world.

Second, China and the United States set the tone for many other countries by dealing with each other with civility. The tone of negotiations and discussion at COP 16 was braced with civility and respect unlike at Copenhagen where finger pointing by China and the United States dominated deliberation. As Elliot Diringer of the Pew Center on Global Climate Change wrote;

*They may have recognized that the best way to avoid blame was to avoid failure. Beyond this, although the credit must go to both countries, the change from last year in the conduct of the Chinese delegation was striking. It appeared, as Coral Davenport wrote in The National Journal, that the Chinese were on a “charm offensive.” Working in Cancun on behalf of the Harvard Project on Climate Agreements, I can personally vouch for the tremendous increase from previous years in the openness of members of the official Chinese delegation, as well as the many Chinese members of civil society who attended the Cancun meetings. (Stavins, 2010 p.3)*

Third, a worry hovered over the Cancun meetings that an outcome perceived to be failure would lead to the demise of the UN process itself. This was because many nations (especially the developing countries, which made up the vast majority of the 194 countries present in Cancun) very much want the United Nations and the UNFCCC to remain the core of international negotiations on climate change, that implicit threat provided a strong incentive for many countries to make sure that the Cancun talks did not “fail.”

Fourth, the negotiators continued a process for the construction of a sound foundation for meaningful, long term global action. The acceptance of the Cancun Agreements suggests that the international diplomatic community could be said to have recognized that incremental steps in the right direction are better than acrimonious debates over unachievable targets (like as it was in the Copenhagen conference).

According to Narain (2010) the Cancun conference was concluded in a deal in that it endorsed an arrangement that emission reduction commitments of industrialized countries will be decided on the voluntary pledge they make. They will tell us how much they can cut and by when. The US, which has been instrumental in getting the deal at Cancun, is the biggest winner because she is the largest emitter of greenhouse gases and will be free to cut emission at a convenient rate without having much negative impact on her economy if there will be.

The principle of equity in burden sharing prevailed at the conference. Under the Cancun deal, all countries including India and China are now committed to reduce emissions (a plus to COP 15) because of the operation of the principle. The pledge of the parties to the conference was to reduce energy intensity by 20-25 per cent by 2020 which is part of the global deal. At the start of the meeting nobody would have envisaged that the burden of the transition or change could shift to the developing world but the conclusion was of all countries bearing willingly a percentage of GHG control that they are capable of curbing within the ceiling fixed.

## **COP 17 Durban 2010 Climate Conference**

The past two decades have witnessed attempts at global agreements on tackling climate change which have been futile and this includes the problems at the Copenhagen conference and the tussle to save the multilateral climate regime in Cancun (Ares, 2012). Many decisions were postponed until Durban which included the decision on what will succeed the Kyoto protocol. The United Nations Climate Change Conference in Durban, South Africa took place in 2011,

At Durban, the Parties decided “to launch a process to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties.” The Durban platform had a mandate of negotiating a new climate agreement which will be “applicable to all.” COP 17 was resolute on concluding a new agreement by 2015 and enters into force in 2020. Negotiations for a new agreement was characterised by much disagreements over the roles of the developing countries and the industrialised ones. The dispute was on the removal of the distinction and obligation between Annex I (developed countries) and non-Annex I countries (traditionally developing countries) that was instituted in the Framework Convention of 1992. The argument of Annex 1 countries is that the obligation imposed on the industrialised countries by the Convention and the Kyoto Protocol have not existed for less industrialised countries and the distinction was outdated. They argued that the reasons for the distinction was no longer valid because the developing countries are now wealthier than the traditional industrialised countries and their contribution to the global emission has also increased rapidly (Obergassel, Lukas, Mersmann, Ott, and Wuppertal, 2016: 8). The new formula therefore for another legal instrument was a compromise between, the EU and many developing countries on the one hand and on the other hand the US, China and India who insisted that there should be no new commitments for developing countries (Obergassel, Lukas, Mersmann, Ott, and Wuppertal, 2016).

Despite the disagreements, a number of feats were achieved at Durban. One of the achievements of the Durban summit is the decision reached to extend the Kyoto Protocol after the end of its first commitment period in 2012. This allowed for the



## *From Kyoto to Paris*

continuity of the existing tools and mechanisms which are the Clean Development Mechanism, the registries and Joint Implementation until 2017 or 2020.

The Durban platform for Enhanced Action was also established. The Protocol will be prepared by the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP). The new Protocol would be legally binding and applicable to all Parties (Erbach, 2015). The Platform also included a second period of commitment of the Kyoto Protocol which kicked off on January 2013 and would also avoid the gaps in the first commitment period. Russia, USA and Japan however refused to sign up to the second Kyoto Protocol commitment period. New rule on forestry were approved to advance the Protocol's environmental veracity (Euroclima, 2012).

The initiative of the EU and the Alliance of Small Island States (AOSIS) was able to agree on identifying options for closing the "ambition gap" between the objective of ensuring global warming is kept below 2°C and current emissions reduction pledges for 2020. The establishment of new market based mechanisms was another giant stride achieved at COP 17. The new market mechanisms were established to reduce emission and complement the Clean Development Mechanism (CDM) as well as enhance the cost effectiveness of actions. Climate change issues related to agriculture were also discussed with the view of arriving at a policy decision at the end of 2012 (Euroclima, 2012).

COP 17 established a Technology Mechanism to facilitate technology development, transfer adaptation and finance (Erbach, 2015). The conference at Durban established the Technology Executive Committee that had the responsibility of providing analysis, recommendation and linking various institutions related on developing technologies as well as its transfer. The Climate Technology Centre and Network was charged with matching the technological needs of developing countries. An Adaptation Committee will provide parties technical supports; disseminate information; analyse information made available by the Parties and also provide recommendations on adaptation (Oberthur, Antonio, Vina and Morgan, 2015)

A new platform for financing a green climate was established. The new Green Climate Fund was set up as a major medium for promoting low-carbon climate resilient growth through multilateral climate financing (Euroclima, 2012). Other achievements include the formation of a new working group to formulate a new climate design or framework involving all countries by 2015 for implementation by 2020. For the first time, emerging economies especially China was willing to discuss emission reduction goals to be implemented in 2020 (Morel, Bellassen, Deheza, Delbosch and Leguet, 2011).

The Durban Package marks a constellation of international, national and sub-national institutions and actors with expertise capacity and authority to address climate change. The Durban conference therefore marked a breakthrough in international efforts to combat climate change.

## **COP 21 Paris 2015 Climate Conferences and Paris Accord Ratification**

After two decades of global climate efforts, UN Framework Convention on Climate Change, the COP 21 Paris 2015 provided a platform to arrive at a landmark agreement to chart a new course in the global climate change comparable to Kyoto agreement. The outcome in Paris was a four years negotiation rounds which commenced at the 17th Conference of the Parties in Durban 2011. The Agreement eventually ratified on 12 December 2015 by 196 parties to the UN Framework Convention on Climate Change (UNFCCC) was a milestone in international climate policy and multilateral deliberations. The Paris Accord ratification is a multilateral treaty in which both developing and developed countries agreed to take responsibility which will be entrenched in their national context yet geared towards a global goal of holding temperature “well below” 2°C while also pursuing effort to stay below 1.5°C (Climate focus, 2015).

The agreement also represents a landmark in distinguishing between developed and developing countries. It was slightly able to move beyond the 1992 Kyoto agreement which established sternly distinct commitments for the two groups of countries. Paris agreement supplemented the principle of common but differentiated responsibilities with its fundamental obligations for all parties and by its array of procedures used to institute difference between parties (Bodle, Donat and Duwe, 2016).

The Paris Agreement defines a universal, legal framework to ‘strengthen the global response to the threat of climate change’ (Art. 2) (C2ES, 2015). The essential legal obligations are procedural. The Agreement does not specify mitigation actions or the timeline for the achievement of emission levels. Rather it focuses on individual national climate mitigation plans that would be achieved via a transparency framework. That is, for the first time, on the history of climate change diplomacy, each country will develop its own plan for climate change mitigation and then communicate the plan and contribution to the secretariat of the Convention. It give Parties a five-year ‘cycles’, to prepare voluntary ‘nationally determined contributions’ (NDCs), report on implementation of NDCs, justify their contributions and frequently improve the strategy in the light of a universal stocktake. In the light of this, developing countries will continue to get support to pursue their NDCs and in reporting their climate change situations. Consequently, one accomplishment of the Paris Accord is its heavy reliance on the cooperation and determination of national efforts pursued on transparency and regular reports of progress and achievements (Bodle, Donat and Duwe, 2016). It also provided a platform for international review of both the strategies and actual achievements of the NDCs.

## ***From Kyoto to Paris***

The agreement also pays cognisance to the different responsibilities and starting points of countries. Article 2.2 accentuates that the Agreement will be implemented in harmony with the ‘principle of common but differentiated responsibilities and respective capabilities’ which applies ‘in the light of different national circumstances.’ This implies that the fight against climate change will be led by the developed countries, which also will in turn; provide support to the actions taken by the developing countries in this direction.

In spite of the challenges in presenting its legal details, clearly presents political narrative on its objectives and the actions expected of Parties to achieve them. It provides direction on the flow of finance and technology. Like COP 17, developed countries shall provide financial and capacity building support and information on technology transfer to developing countries who will make information available on the support received and more needs (Arts. 9-11).

The Paris Accord also explored the strengths of interdependence, transparency and sincerity amongst nations to drive global emission reduction. Article 13 provides an ‘enhanced transparency framework for action and support’ that will offer a distinct insight of mitigation action. The Paris Agreement was designed to thrive on openness and exchange of information amongst the Parties

However, the setback for the Accord just like Kyoto happened in America where a party that is skeptical of climate change was again elected to replace the one that galvanized the world to reach the agreement

The administration of Donald Trump argues that US compliance with the Paris accord could “cost America as much as 2.7 million lost jobs by 2025, according to the National Economic Research Associates.” Why risk that when the Paris Agreement would lead to only a minuscule reduction in global temperature. Trump further argued that in “14 days of carbon emissions from China alone would wipe out the gains from America’s expected reductions in the year 2030.” Another reason advanced by Trump is that America remaining in the agreement would cost the US economy “close to \$3 trillion in lost GDP and 6.5 million industrial jobs, while households would have \$7,000 less income, and in many cases, much worse than that.” To Donald Trump the US participation would require the US to pay a significant sum about \$3 billion to the Green Climate Fund that was set up by the accord when many of the other countries have not spent anything. And many of them will never pay one dime.

Though most of the reasons cited by the United States president has been rebuffed, the action of the US present a danger to the future implementation of the Paris agreement by parties (Variensky, 2017)

## **IS MULTILATERALISM DEAD?**

A system can be defined a set of components with identifiable attributes, among which patterned relationships persist over a period of time. It is composed of parts or units that are independent, acting individually but interrelated as they all function for the central purpose of the success or the welfare of the system as a whole. The international system is the environment in which international actors (typically states) interact. It is made up of parts that are hierarchical as some are more significant than others, interacting with each other to produce an outcome. In the international political system, these parts are nation-states, international organizations, and several other entities that have power of an international scale.

The enduring features of the international political system are perpetuation of the territorial nation-state, the corresponding support for the principle of sovereignty, reliance on self-help measures (rather than a supranational authority) to achieve national political measures. Derivation of international legal norms and obligations from both custom and formal consent, acceptance of the pursuit of power through preparation for war, structural inequalities through the persistence of various hierarchies - economic, political and resource hierarchies, as well as military asymmetries independence, cooperation, dependence, sanction and underdevelopment are the hallmark of international system (Kegley & Wittkopf, 1999).

Thus the characteristic of the international system defines how actors would act in the face of challenges of common effects like terrorism, climate change and its attendant consequences. Put differently, the features of the international system like interdependence, dependence, cooperation, and sanction have become permanent characteristics of the structure of relations in world politics. States will continue to be confronted by calamities beyond their capacities or on a large scale.

Multilateralism is not dead but is in coma. The pursuit of the national interest of a state is the driving force of a country's foreign policy. Therefore states worry about a division of possible gains that may favour others more than itself. Though the Westphalia state is waning, the worry by state parties of becoming dependent on others and losing their autonomy still reinforce resistance to multilateralism.

The world faces old and new security challenges that are more complex for a single state to handle. This has placed a demand on the principle of cooperation and interdependence on the various actors in the international system. International cooperation is ever more necessary in meeting these challenges however; many are unilaterally acting to cut emissions in ways that are consistent with the development priorities of their individual states (Smith, 2009). In his Nobel lecture, President Obama acknowledged the importance of multilateralism when he stated that the world must come together to confront climate change: "There is little scientific

## *From Kyoto to Paris*

dispute that if we do nothing, we will face more drought, more famine, more mass displacement – all of which will fuel more conflict for decades” (Obama, 2009).

In spite of the general belief that the world need to act in a concerted manner to tackle climate change some of the issues articulated below (some are mentioned above) still militate against the collective combating of climate change. First are the uncertainties on the cost and benefit of GHG abatement that render decision-making in climate policy very difficult. Second, there are only weak economic and political mechanisms to enforce cooperative behavior between sovereign countries (Bohringer, 2003). The third point is the lack of a supranational authority that could coerce countries into the implementation of globally efficient climate policies. The main challenge to climate policy is thus to shape international agreements that create incentives for sovereign states to enter cooperation (Bohringer, 2003).

Countries that benefit less from cooperation would definitely not comply because it is an investment in an unproductive or unprofitable business (Botteon & Carraro, 1993).

The fourth major challenge of achieving multilateral objective on climate change is that countries especially the developing ones fear goal of the collective bodies. There remains a fear that the global environmental goals are being set according to the agenda of countries in the global industrialized north, particularly the United States that on two different occasions constituted a wedge to solving global problems using multilateral platform.

## **CONCLUSION**

Fundamentally, the creation of international institutions by states is to create a means of achieving collective objectives that cannot be achieved individually. As such, the preservation of the already disappearing global environment demands some devolution of sovereign powers under a recognized multilateral institution.

Though countless negotiations after the breakthrough in Kyoto left many disillusioned on the capacity of multilateral institution to build a global consensus and facilitate nation-state commitment on implementation, the triumph of environmental activists and state parties in Paris 2015 and the subsequent ratification of the agreement is still dependent on the vagaries of political outcome in the US. However, the action of the Trump administration to pull US out of the agreement, can only be a temporary setback. This is apt given the unison of the rest of the world to forge ahead with the Paris accord even without the United States.

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