Environmental Science and Policy 77 (2017) 1–8

Contents lists available at ScienceDirect

Environmental Science and Policy

journal homepage: www.elsevier.com/locate/envsci

Short communication

Correlating negotiation hotspot issues, Paris climate agreement and the international climate policy regime

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ARTICLE INFO

Keywords:
Adaptation
Ambitious targets
COP
Ghana
Mitigation
Multilateralism

ABSTRACT

The concerns over climate change negotiation, decision texts and links to domestic policy interests of countries to keep warming within an acceptable limit have become the 'hotspot issues' of the United Nations Framework Convention on Climate Change (UNFCCC). Hotspot issues are the human – political economy factors which have evolved over time from negotiation texts or phrases, principles or behaviors with tendencies to influence climate negotiations yet cannot be identified with the scientific literature. Whilst big emitters have been accused as having hegemony over the negotiations, the effects of disunity amongst the parties over domestic policy interests have been overlooked. Hence the article examines the emergence of hotspot issues and how they manifest within the international climate policy regime. The Intended Nationally Determined Contributions (INDCs) of 130 countries submitted before the Paris agreement, were analyzed using the following texts: Adaptation, Mitigation, Co-benefits, Finance, Land use, Food security, Poverty, Resilience, Green growth, Green economy, Sustainable development, Biodiversity, Ecosystem services and Conservation. Of these, 'adaptation' was cited 2780 times, 1956 for 'mitigation' and 32 for 'ecosystem services' in the nature conservation category. Ten phases of the climate policy regime and historical hotspot issues were identified for the period 1980–2030. 'Adaptation' and mitigation appeared more frequently in the INDCs and correlated with each other ($r = 0.56$), as the two correlated further with 'land use' ($0.50 < r < 0.60$), and similarly with sustainable development ($0.40 < r < 0.70$) where 'r' is the Pearson Rank Correlation. Therefore the success of the 'ambitious targets' for mitigation will depend on similar ambitious goals for adaptation, land use and sustainable development. Several differences existed in the correlation of the hotspot issues within the regional geographical blocs (Africa, Asia, Europe, North America, Oceania, South America) and split along the hotspot issues yet Europe mostly oriented towards mitigation and land use, and Oceania on resilience building. These differences provide favorable conditions for increased cooperation and true multilateralism if they are properly diagnosed.

1. Introduction

The many procedural alternatives to the climate change negotiation framework of the United Nations Framework Convention on Climate Change (UNFCCC) had come at significant cost to the UNFCCC (Eckersley, 2012). Disagreements over the negotiations and particularly the texts have contributed to delayed consensus until the Paris climate agreement. The Paris agreement was negotiated as a separate instrument from the Kyoto protocol and the Doha amendment on the second commitment of the Kyoto protocol (UNFCCC, 2015). However, it is not expected that the long-standing and deepened political divides that characterised the global climate agreement for many years would be over soon because new forms of global climate governance are expected to emerge (Lowe, 2015). Thus, the Conference of Parties (COP) will not be devoid of differences between the parties which constituted cross-road challenges as 'hotspot issues' in this article. Yet climate negotiation 'hotspot issues' have marginally received attention in the body of the scientific literature and their interplay with parties' domestic contingencies downplayed. Therefore, 'hotspot issues' are the human – political economy intricacies of COP underlain by negotiation texts or phrases, principles or behaviours that tended to affect the outcomes of the decisions of COP since the inception of the international climate policy regime. Hotspot issues often reflected fragmented, ideological and divisive standpoints and understood from the perspectives of

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http://dx.doi.org/10.1016/j.envsci.2017.07.010
Received 17 September 2016; Received in revised form 1 June 2017; Accepted 14 July 2017

individual parties and regional blocs of the UNFCCC and if understood, will bring true multilateralism to the negotiations. Subsequently, this article analyses the major milestones of climate negotiations based on the INDCs and how texts have transformed the global climate policy regime as proxies for vested domestic policy interests of parties. The hotspot issues have thus created opportunity for new climate policy infrastructure which emphasises strong science in policy formulation not only for setting ambitious targets but also for adaptation strategies (Magnan, 2016). In order to sufficiently attain this height, the compelling links between the global climate policy architecture and domestic policies of individual parties should be compelling. However, domestic policy challenges of less developed regions such as Africa and the global south in general, constitute some of the hotspot issues that will impinge on the success of the Paris climate agreement in those regions. Examples are food insecurity, poverty, biodiversity loss, wealth imbalance, and unsustainable development. It meant that the Paris agreement was political and only partially marked the end of the long-standing disputes in environmental diplomacy, unless the national circumstances of the parties prevailed over the global climate action. Hence, there is the need to match the ambitious targets of the INDCs against the composite national domestic policy interests amidst complex competing needs and implications for adaptation which appeared to have received little attention in the Paris agreement. Therefore hotspot issues are recognisable barriers to climate negotiations, yet enshrined in the principles of multilevel governance in defining the ambitious targets, compliance and concerns over the missing parity between mitigation and adaptation. This means that there is a system that recognises substantive justice within the negotiation infrastructure yet described by Eckersley (2012) as having 'spirited defences' which undermine multilateralism as texts in the INDCs mirrored some of these defences as hotspot issues. Therefore, the overriding assumption for selecting and analysing the number of times hotspot issues appeared in an INDC lies in the interests of the countries and basis for negotiation within the regional geographical blocs comprising Africa, Asia, Europe, North America, Oceania and South America.

2. Nation state authority and climate policy regime

A major constraint of the negotiation infrastructure was that the UNFCCC spread too thin on limited financial and human resources (Muñoz et al., 2009), which provided incentives for powerful nations to influence the negotiation process because they supported the United Nations in other jurisdictions. The post-first commitment period of Kyoto protocol saw developed country parties and powerful international corporations expanded their control over fossil fuel emissions and related infrastructure amidst lack of transparency (Spash, 2016; Buxton, 2016). This lack of accountability underlies the big emitters' power over COP decisions by using bilateralism under the guise of multileralism which undermined the authority of the institutions that tracked and policed the differing interests of all countries (Dimitrov, 2016; Karlsson et al., 2012; Spash, 2016). It meant that weakened nation states which also emitted less GHGs were excluded from most COP decisions yet were unable to walk out and in of the negotiations for lack of authority in the face of multilevel governance which sought to protect the interests of all nations (Rabe, 2007; UNEP, 2006). The several nested lateralism created often by industrialised nations within the negotiations infrastructure undermined less powerful nations, Yet, Hale (2016) argues that multilateralism that thrived on liberalism motivated a shift from a 'global climate deal' to a 'pledge and review' system of the INDCs. One earliest form of power-related hotspot issue in the history of COP was the withdrawal of the USA in 2001 before the Kyoto protocol entered into force. It followed the 1997 Byrd Hagel resolution by the USA Senate which denounced the protocol, based on the text 'differentiated responsibilities' (Rajamani, 2010; Savaresi, 2016). The USA argued that the principles of differentiated responsibilities was not in its domestic interest because it could harm its economy, and now, similar concern has come up again after the return of the USA to the negotiations. The president of the USA for example refused to back the Paris climate agreement at the 2017 G7 Summit in Sicily, Italy following earlier pronouncements in 2016 denouncing the agreement as part of the America first slogan. The particular interest of political economy associated with the USA's concern was the text 'differentiated responsibilities' and 'no obligations' which reflected the hotspot issues. In 2009 at COP15 in Copenhagen, Denmark, minilateralism prevailed and alienated weaker and less powerful nation states which resulted in significant collapse of COP15. Minilateralism is the type of negotiation involving few blocs on the basis of their power and influence. Therefore, Canada's hint of withdrawal from the Kyoto protocol in 2012 towards the end of the first commitment period was a significant hotspot issue, which it claimed a legally binding deal could not guarantee incentive for countries which complied. Canada took advantage of Article 27 of the Protocol allowing parties to withdraw after the third year into the implementation (UNFCCC, 2014b). The Article 27 itself was the hotspot issue of the non-compliance of the emission targets clause which undermined the intentions of the Kyoto Protocol. Japan and Russia had their own issues and only able to commit further to a possible second commitment period if some large emitters such as the USA returned to the negotiation table. Therefore, the politics and power associated with the climate policy regime and links with hotspot issues can be understood within three broad categories with ten identifiable phases of climate negotiations.

2.1. The science-policy transformation phase

The 'foundational period' describes the 1st phase of the international cooperation on global climate change, described as the climate policy regime represented the heightened scientific concerns about global warming in eras preceding the mid-1980s. The depletion of the ozone layer and impacts on human well-being required multi-sectoral understanding within an international context and the cooperation of all nations entered into another phase of the climate policy regime. Thus, the 2nd phase, between 1985 and 1988 which became known as the 'agenda-setting phase' and concluded that climate change was global and required international cooperation that transformed the science into policy issues (Bodansky, 2001). Following the science – policy transformational period was the 3rd phase called the 'pre-negotiation period' that lasted from 1988 to 1990. The 2–3 year period witnessed intense engagement of governments on the threats of global warming which resulted in the 2nd World Climate Conference and the beginning of formal discussions about the convention on climate change with an outcome that synthesised the diversity of scientific knowledge. The result was the release of the first scientific assessment report of the Intergovernmental Panel on Climate Change (IPCC) that warned the world of global warming (IPCC, 1990). The 4th phase from 1991 to 1992 was responding to the policy limitations of the scientific assessment towards the actual mainstreaming of the scientific findings into politics within the international community. The United Nations' attention was fully drawn to the evidence of climate change as global, which prepared the grounds for a global consensus at the UN. Therefore at its 78th plenary meeting in 1991, the United Nations General Assembly adopted a resolution which urged the 'protection of global climate for present and future generations of mankind' (United Nations, 1991). Therefore the 4th phase (the formal intergovernmental negotiations period) paved way for negotiations to prevent dangerous anthropogenic interference with the climate system (Bodansky, 2001), which resulted in the Framework Convention on Climate Change (FCCC). The FCCC later became known as the United Nations Framework Convention on Climate Change (UNFCCC) which opened for signature at the 1992 Earth Summit in Rio de Janeiro, Brazil.