



# LAW MANTRA THINK BEYOND OTHER

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## Climate Change: Paris Climate Agreement from India's perspective\*

### ABSTRACT

The Paris Climate Change Deal is formally known as Conference of Parties (COP21). It is an agreement to combat climate change through mitigating world's greenhouse gases emissions and to control the average rise of world's temperature under 2 degree Celsius. It is world's first comprehensive regime under United Nations Framework Convention on Climate Change (UNFCCC). UNFCCC came into existence after two years of Rio-Earth summit in 1992 on March 21. So, the first question comes to our mind is that why we need this agreement or deal because as we all have heard about global warming which means that average temperature of the Earth is rising due to greenhouse gases which is emitted into the atmosphere through industries, various vehicles, electric power plants. Due to global warming only another problem is rising that is rising of sea water level which is a big reason to be worried which had made various island nations vulnerable to floods. Due to these all serious or rather fatal problems which poses a major threat even to the existence of mankind, the Paris agreement signed in COP21 is historic but this deal is not the first step taken by the world's leader before this in 1997 in Kyoto, Japan KYOTO PROTOCOL was signed by the world's countries to combat the climate change but it was not successful as the world's largest emitters of greenhouse gases namely, USA and China had not ratified the Kyoto Protocol and this makes Paris agreement more historic and significant as these two countries has ratified it in 2016. But after the US's President election, Donald Trump had released a statement to withdraw from Paris agreement and thus continuing the Republican tradition (George W. Bush the President of USA in 2001 had not ratified Kyoto Protocol was also the Republican).

### Introduction

The historic Paris agreement signed in Paris during COP21 within the UNFCCC was the reason of joy for the environment lovers because in this agreement 147 nations out 197 which had taken part in COP21 had ratified the historic agreement signed in Paris. However, the countries which has ratified the agreement are allowed to set the goals for themselves and the developed countries will help the developing countries in providing technology, financial aid etc for

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achieving their goal and this has been the major reason why Donald Trump the US President has withdrawn from the membership of USA from this agreement after it was ratified by the former American President Barack Obama who while ratifying this accord had said that it “ **it is a turning point for our planet**”. The reasons cited by the President Trump and what he exactly said will be discussed later. India contributed world’s total 4% carbon emissions has signed this agreement on the 147<sup>th</sup> birthday of Mahatma Gandhi that is 2<sup>nd</sup> October, 2016, it had become the 62<sup>nd</sup> country to do so and pledged an ambitious goal of reducing 33 to 35% by 2030 of its 2005 level. To show how important this deal is for sustainable development goals of India by citing the data from a world bank report which says following points that if the required steps had not been taken now then:

- Unusual and unprecedented spells of hot weather are expected to occur more frequently and cover much larger areas.
- If this agreement had not been implemented the global average temperature will rise upto 4 degree then the west coast of India and the southern part are projected to shift to new high temperature climatic regimes which significantly alter the agriculture.
- At 4 degree warming, an extremely wet monsoon that currently has a chance of occurring only once in 100 years is projected to occur every 10 years by the end of century.

So, to control the warming up of our planet all the countries will have to cut or mitigate their carbon emissions and in doing so the developed nation which has far more advanced technology and availability of funds will have to help the developing countries in achieving their promised goals. According to this deal the developing nation have to mobilise USD 100 billion per year by the year 2020 and extend this till 2025, then a new and higher goal will be set for after this period. India is planning to stress most on trying to operationalise to the \$100 billion corpus called the Green Climate Fund committed by developed countries but only small part of that has been pledged so far.

While more than 90 nations committed to cutting down emissions and switching to clean energy at the Paris climate change summit last year, the deal could take effect only when a minimum 55 countries covering at least 55% of global emission ratify it which has been achieved on 5 October, 2016. As we had discussed India’s obligation or its intended nationally determined contributions (INDC) that it will reduce its emissions by 33 to 35% of its GDP by the year 2030 from 2005 level. India’s INDC pledge is estimate at a cost of \$2.5 trillion. India’s INDC proposals also includes- sustainable lifestyles for its every citizen, cleaner economic development which means that development with minimum harm to the environment, reducing carbon emission intensity of GDP, increasing the share of non-fossil fuel based electricity thus decreasing the carbon emission by burning coal, enhancing carbon sink that is increasing forest cover and at last proper implementation of the corpus called Green Climate Fund- which is committed by developed countries and which \$100 billion, however only a fraction has been

pledged so far which shows that sincerity and commitment of developed nations to reducing the extend of climate change and countering global warming .

### **US withdrawal: Blow to combating capacity against climate change**

On June 1, 2017 the President of United States of America Donald Trump had said that US will cease all its participation from Paris Agreement on Climate Change citing reason that this agreement is detrimental to US economy and US's citizen jobs and hinders America's industrial development. In his speech President Trump repeats what a candidate Trump had said during his campaigning that was "America First" and said that Paris accord would undermine US economy and weaken American national sovereignty and will put the country at a permanent disadvantage to the other countries of the world. He also mentioned that the same countries asking us to stay in the agreement are the countries that have collectively cost American trillions of dollars through tough trade practices and in many cases tax contributions to our critical military alliance. According to him Paris agreement is very unfair to America at the very highest level for example, country like China the world's highest carbon emitter will be able to increase these emissions by a staggering number of years, 13 and so they can do whatever they want for 13 years but we cannot. Further, speaking about India he said that India can double its coal production till 2020 but not us.

The allegations made by Trump no doubt will sound appealing to his ardent followers, but by analysing his statements anyone can see how his cited reasons are full of flaws for example he said that why we should provide financial aid ti developing nation at the coast of America's economy but as we all know after the Soviet Union collapsed in 1991, USA become the sole superpower of the world and America is considered as world leader, so if you are a leader you have to acquire leadership roles. Secondly he says that countries like China and India are benefitting at the expense of American's citizen money but it always has been convention in every deal like Kyoto Protocol, Montreal Protocol the rich and developed nations always helps the poor and developing nations in achieving this goal through technology giving and financial aid. His another allegation that this agreement is more strict or stern on America than India and China is like "shifting the goals post" because China had started investing billions of dollars in renewable energy sector and India according to some government reports that it will achieve 40% of its cumulative electric power around 350GW installed capacity from non-fossils fuel based energy resources, mainly renewable power. India is set to overtake Japan in Solar Power in 2017 owing to 8.8GW of capacity addition projected in this year and thus becoming world's third largest solar market only behind China and USA. India along with France took the leadership role in International Solar Alliance(ISA) in which more than 120 countries, most of them being sunshine countries which come either completely or partly between Tropic of Cancer and the Tropic

of Capricorn and thus exploiting the geographical advantage of these countries because these countries receive maximum amount of sunlight during a year. This initiative was first proposed by the Prime Minister of India Narendra Modi in a speech in November 2015 in London. ISA headquartered in Gurugram, Haryana with its main focus on solar power utilization and India has pledged a target of installing 100GW by 2022. India also projects that by 2027 renewable sources of energy will cover more than half of the nation energy demand. For 2016-17, India installed 11.3GW of new renewable energy capacity against 11.4GW thermal capacity, this is almost the same amount and also India has decided to remove 13.7GW worth of capacity of thermal energy, thus narrowing the gap between the electricity production through fossils and non-fossils. These steps which are taken by Indian Government had narrowed the Donald Trump's point that India is getting advantage over US. One more absurd point raised by President Trump that America is already giving large financial aid to United Nations why it should give more, this point does not stand because America is the world leader with the largest economy in the world and also second largest carbon emitter, America should also lead this action against climate change because if America achieves its promise of reducing 26 to 28% of its carbon emissions of its 2005 level then America can also influence or pressurize other nation to fulfill their obligation, one more point that Trump says that America is already helping UN, but in all UN peace-keeping operations all over the world the military personnel has the largest percentage of Indian soldiers sent by Indian Government.

Now, after America's withdrawal there is a fear that the future of Paris Agreement will be same as Kyoto protocol because in Kyoto protocol after America's exit many countries following the 'domino effect' dumped the protocol that is why America's exit is a major setback according to global communities. Some experts have said that other countries should come forward and try to bridge the gap created due to America's withdrawal and also while other countries must step up their commitment to cut emissions, they should also put punitive measures, including trade and economic sanctions so that other countries should not follow US. But the best part is, according to recent statement by European Union leaders, Chinese leadership it shows that Trump's decision has unified the world on climate change. This is an opportunity to strengthen the Paris Agreement and also this is the golden opportunity for China, owing to America's exit there a vacuum created which China can fill. US with exiting from this deal has earned its name in the list next to countries like Syria and Nicaragua while Syria has not signed due its civil war or proxy war between Russia and USA and Nicaragua has given a completely different reason that the sanctions in the Paris agreement is not enough to make a difference. Even North Korea signed this agreement back in 2015 which is dictatorship country and in which all the men have same hairstyle as their leader.

No doubt there are many negative impact of US withdrawal but after America's exit the dependence of world on America will decrease which will reduce the status of America

as a world leader and even some American states like Texas, Austin, Chicago owing to America's strong federal structure have signaled their defiance of US President and said they will remain under obligation of Paris agreement. Even the reaction from America's business community had not welcomed this controversial decision from President Trump even CEO of Tesla Elon Musk and Walt Disney CEO Robert Iger said they would leave White House advisory council. Some commenters are saying that this move of Trump is only political because America's complete exit from the Paris accord will take four years from now and after four years the next election for US president will be held and thus he wants to make his political agenda to persuade the voters by repeating its America First policy like he did in this election.

## **Conclusion**

Most of us now agree except the US's Republicans that climate change is real. We are also experiencing its direct impact for example in India there has been a significant change in raining pattern owing to El Nino effect. In India where more than half population is dependent on agriculture and where still the most dependent source of irrigation so, when monsoon fails many farmers who has small land-holding suffers the most because they have very less land to cultivate and most of that used by his family for their consumption that is he has not much surplus produce which he can sell in the market for earning profit. Due to lack of financial inclusion, these poor farmers got stuck into debt-trap of money lenders, who gives the loans to these poor farmers and charged them with exorbitant interest rates.

Climate change is very real and most of the world leaders had realized it and consider it the most lethal or fatal for our environment. Most of the world leader had joined hand and signed the historic Paris agreement in Paris during the COP21 and as a result, a new collective ambition-of "holding the increase in the global average temperature to well below 2 degree Celsius above pre-industrial levels". A major strength of the Paris Agreement is near universal participation and acceptance of responsibility unlike Kyoto Protocol in which China and USA had not ratified it. When all things were going good, on June 1, 2017 Donald Trump has said that America would withdraw from the Paris climate accord citing the reason that this accord is unfair for America. This decision had not well received by the world community and even the various American states and the business community had said that this decision is not only detrimental to world action against climate change but also it will sideline America from world's action against climate change and this decision had made America in the list who had not ratified Paris accord along with Syria and Nicaragua. The success of Paris agreement depends mainly on China, India and European Union and these group and countries had to bridge the gap which is created due to America's exit. This is also a big opportunity for China to fill that leadership vacuum created by America. The Paris agreement under which reducing greenhouse gases emissions is a common but differentiated responsibility that means developed nations like Canada, European Union and also China because

of its vast foreign reserve must bear the major burden of this responsibility. Moreover, according to reports China has been outperforming its climate change targets with statistics indicating that it might actually achieve its target earlier than it had anticipated. China views investment in climate-related action as essential to secure a safe and prosperous future for Chinese citizens. This nation also sees this as a strategic opportunity to develop and supply the technologies of the future. India also is not so behind China, the Indian Government's programme to promote LED lighting is immensely successful, with price reduced to a fifth, making large scale adoption possible.

These changes indicate that our renewable energy capacity would increase eight-fold, and our demand for coal would 800-900 million tonnes in 2030, instead of about 1200 million tones if accelerated action on renewable and energy efficiency did not occur. At last Paris climate accord is much needed effort by the world to combat with climate change, global warming and its immediate effect rising level of sea water which is the major threat to the existence of various island nations making them in the most vulnerable position and these group of island are called SIDS (Small Island Developing States) for example Republic of Kiribati, The Maldives etc. But it suffers a major setback after America's withdrawal which we saw history repeating itself when America had not ratified the Kyoto Protocol which started the domino effect leading to failure to the protocol and now there is very high chances the Paris accord will meet the same fate as Kyoto Protocol but as per the statements given by many world leaders which had given a sign of relief that despite America's exit the world will continue to achieve our pledge and also try to fill the huge void that is created owing to America's President belief and many republicans in USA that climate change is hoax. The reaction from leaders after Trump controversial decision is very praiseworthy and made the various world forum unite to save our planet and now the world's eye is on China and India who has now a very big role to play and also this the huge chance for both of these countries to make the world feel their presence and to show the world that any of the world's action can be successful even without America's support and this would also make the world less dependent on America thus undermining America's status of world power.

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