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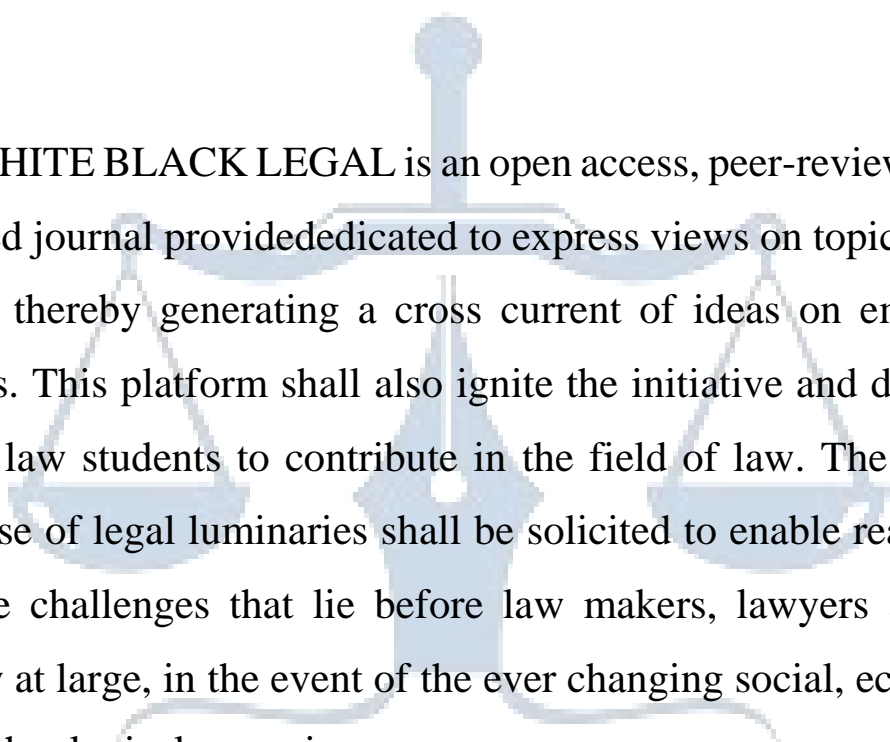


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With this thought, we hereby present to you

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# **CONNECTING THE GAPS IN GLOBAL CLIMATE ACTION: AN ANALYTICAL EXAMINATION OF CONNECTIVITY ACROSS COP SUMMITS**

AUTHORED BY - DR. NEWAL CHAUDHARY<sup>1</sup>

## ***Abstract:***

*Climate change presents an unparalleled global challenge, necessitating coordinated international efforts. The annual Conferences of Parties (COPs) under the United Nations Framework Convention on Climate Change (UNFCCC) serve as a critical multilateral platform for climate negotiations among nations. This presentation offers a comprehensive analysis of over 25 years of global climate summits, beginning with COP1 in 1995 and culminating in the anticipated COP28 in 2023. It delves into the inception of the UNFCCC in 1995 and the negotiation of the Kyoto Protocol during COP3 in 1997, which imposed mandatory emission reduction targets on developed countries. Key milestones are explored, including the Bali Action Plan, the challenging Copenhagen and Cancun summits, and the groundbreaking Paris Agreement at COP21 in 2015, which unified nations under a shared commitment to combat climate change. The Paris Agreement introduced mechanisms to limit global warming through binding nationally determined contributions (NDCs), transparency frameworks, and regular enhancement of collective ambition. The presentation evaluates progress and challenges in implementation, referencing the latest data and outcomes from COP26. It also examines the alignment of COP decisions with Sustainable Development Goals (SDGs), highlighting specific implications for India and Nepal. Looking ahead to COP27 and COP28, the discussion emphasizes upcoming policy priorities and negotiation dynamics. Finally, the analysis underscores the importance of equity and differentiated responsibilities to achieve climate justice, advocating for urgent and ambitious actions to realize the vision of the Paris Agreement.*

*Keywords: COP, NDC, Developed, Global, Climate.*

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## I. Introductions:

An extraordinary challenge demands extraordinary global collaboration. Climate change, defined as long-term shifts in temperatures and weather patterns, represents an existential threat to human civilization. Its impacts are already evident worldwide, with rising temperatures, extreme weather events, disrupted ecosystems, and endangered species. At the heart of this crisis lies the accumulation of heat-trapping greenhouse gases in the Earth's atmosphere, driven by over a century of extensive fossil fuel consumption since the Industrial Revolution to fuel modern energy demands. The consequences of climate change are profound, threatening both communities and ecosystems globally. These include more frequent and severe weather events like heatwaves, floods, and tropical cyclones, leading to loss of life, displacement, and enormous economic costs. Additional challenges range from rising sea levels submerging coastal regions to droughts crippling agricultural production and outbreaks of infectious diseases. No nation, whether developed or developing, is spared, as climate change transcends borders. Addressing this urgent planetary crisis requires unprecedented international cooperation. A collective global effort is essential to transition away from polluting fossil fuels, provide financial and technological support for emissions reductions, and implement strategies for climate mitigation and adaptation. Such collaboration is vital to avert catastrophic and irreversible warming of the planet. For over 25 years, the annual United Nations climate change conferences—known as the Conferences of Parties (COPs)—have served as a crucial multilateral platform for nations to coordinate a unified response to the climate crisis. These gatherings remain central to fostering the international cooperation needed to combat this existential threat. It all started with the first **“COP1” summit held in Berlin, Germany in 1995<sup>2</sup>** which led to creation of the seminal United Nations Framework Convention on Climate Change (UNFCCC) itself of which almost all countries are signatories. The early COPs focused on voluntary emissions reductions given reluctance and debates over binding caps or commitments. It took until COP3 two years later in **1997 at Kyoto, Japan** for concrete mandated caps to be imposed on developed nation's only, not emerging economies, through the pioneering Kyoto Protocol. Although flawed by exclusions and later withdrawals, Kyoto was still a milestone first step on a long climate negotiation pathway. Tumult followed during subsequent COPs when attempts to bring major developing world carbon emitters like China and India into a broader successor's regime to Kyoto post-2012 faced stiff resistance, ultimately

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<sup>2</sup> United Nations Framework Convention on Climate Change (UNFCCC), 'Berlin Climate Change Conference - March 1995' <https://unfccc.int/conference/berlin-climate-change-conference-march-1995/> accessed 15 February 2024



resulting in failure at Copenhagen during COP15 in 2009. But slowly clarity, cooperation and willingness to find common ground and acceptable compromises started taking shape, culminating eventually in the breakthrough Paris Agreement universal accord between almost all countries inked at **COP21 in Paris in December 2015**<sup>3</sup>. The Paris pact contains far-reaching and accelerating provisions designed to substantially limit average global temperature rise caused by climate change to ideally no more than 1.5 degrees Celsius in the coming decades. This paper examines in closer detail this landmark global consensus platform in the form of the Paris Agreement, tracing the 25+ year negotiation journey since Berlin 1995 that made it possible. Progress and gaps since Paris are analyzed, linkage with Sustainable Development Goals explored, and country-specific perspectives provided including for vulnerable developing nations like India and Nepal. Recommendations center on equity and differentiated but shared responsibilities through urgent climate justice and solidarity between the Global North and South to fulfill temperature goals that climate science proves is imperative for planetary health. The aim is predicting whether the promise of Paris can indeed be achieved via implementation developments headed into the forthcoming COP27 in Egypt and COP28 in the UAE.

## II. Methodology:

This study adopts a doctrinal research methodology, which is primarily focused on analyzing and interpreting existing legal principles, case laws, statutory provisions, and international treaties related to climate change. The doctrinal method involves a detailed examination of primary sources, including the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, the Paris Agreement, and the decisions and outcomes of the annual Conferences of Parties (COPs). Secondary sources, such as academic journals, books, and reports from international organizations like the Intergovernmental Panel on Climate Change (IPCC), are also reviewed to provide contextual understanding and critical perspectives.

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<sup>3</sup> United Nations Framework Convention on Climate Change (UNFCCC), 'COP 21' [<https://unfccc.int/event/cop-21/>] accessed 15 February 2024

### III. Paris Agreement - Fulfilling Climate Justice through Multilateral Ambition:

The existential threat of climate change demanded a unified global response. Culminating 25+ years of multilateral negotiations under the annual United Nations Climate Change Conferences (COPs), this manifested in the landmark Paris Agreement adopted at the COP21 summit in Paris in December 2015. Signed by almost all nations, the Paris Agreement marked unprecedented consensus on collective action to limit the grave impacts of runaway climate change.

#### Key Elements and Provisions:

##### Mitigation for Emission Cuts:

The Paris Agreement sets out binding commitments from nations worldwide to substantially reduce national net **carbon emissions**<sup>4</sup>, through both policies and technological shifts aimed at **decarbonization**<sup>5</sup> of energy, transport, infrastructure and food production sectors. Centered on voluntary pledges or Nationally Determined Contributions (NDCs) submitted every five years with increasing levels of ambition, the Agreement relies on bottom-up national plans rather than globally legislated cuts. This flexible, pragmatic model helped overcome previous roadblocks during past COPs to mandatory top-down emissions targets that emerging economies like China and India had resisted. Current NDCs however are still inadequate to meet temperature goals. As of 2022, combined pledged cuts limit warming to 2.4 degree Celsius by 2100<sup>6</sup> as compared to pre-industrial levels whereas Paris Agreement's central aim is keeping it under 1.5 degree Celsius, and at the most 2 degree Celsius. This NDC ambition gap remains the Agreement's foremost flaw and area needing urgent enhancement.

##### Adaptation for Resilience

The Agreement also includes strong provisions on adaptation even while mitigation remains its principal long-term focus given the root driver. Adaptation refers assistance needed by developing countries already facing climate change effects for disaster risk reduction and

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<sup>4</sup> Carbon emissions refer to the release of carbon compounds, primarily carbon dioxide (CO<sub>2</sub>), into the atmosphere. These emissions can occur naturally, such as through volcanic eruptions or respiration, but human activities are the leading source of carbon emissions today.

<sup>5</sup> Decarbonization refers to the process of significantly reducing or eliminating carbon dioxide (CO<sub>2</sub>) and other greenhouse gas (GHG) emissions from the atmosphere.

<sup>6</sup> Climate Action Tracker, 'Temperatures' (climateactiontracker.org)  
<https://climateactiontracker.org/global/temperatures/> accessed 15 February 2024

building resilience. Historically adaptation financing had lagged mitigation in climate summits. Paris attempted reversing this through mandates like global adaptation goals, placing adaptation on equal footing via inclusion together with mitigation in NDCs which had previously only covered latter, and significantly increasing flows earmarked as adaptation finance for communities battling climate damage. Still adaptation support continues lagging behind mitigation flows due to structural deficiencies within climate financing architectures and lack of credible data. Adaptation provisions hence require ongoing strengthening for climate justice.

### Climate Finance Transfers

Flow of climate finance from developed to developing nations is pivotal given lower income countries have done least to cause the climate crisis but face maximally risks. Under Paris the target by 2020 was mobilizing \$100 billion annually from public and private sources globally<sup>7</sup> but remains unmet so far. The Glasgow Pact at COP26 in late 2021 urged developed countries to fully deliver on the \$100 billion goal urgently by 2023<sup>8</sup>. Climate financing received however is still often not transparent nor credible when accounting for repackaged existing aid. Truly new, accessible and trackable climate finance transfers remain crucial for equity under Paris.

### Paris Goals and Guiding Principles

The chief long-term temperature goal contained in Paris is restricting global warming rise to well below 2 degree Celsius above pre-industrial era levels, aiming further for only 1.5 degree Celsius rise given grave threats posed by 2 degree heating. The 1.5 degree ceiling on planetary warming was core demand by vulnerable Small Island Developing States facing literal extinction from sea-level rise triggered as polar ice caps melt<sup>9</sup>. The **Paris pact**<sup>10</sup> also enshrined equity as central guiding tenet in both implementing and continuously assessing the accord. Historical responsibility must be honored given developed nations have overwhelmingly caused climate change from over a century of unabated carbon emissions since industrialization

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<sup>7</sup> Organisation for Economic Co-operation and Development (OECD) 'Climate Finance and the USD 100 Billion Goal' (OECD, Climate Change) <https://www.oecd.org/climate-change/finance-usd-100-billion-goal/> accessed 15 February 2024

<sup>8</sup> World Resources Institute (WRI), 'COP26: Key Outcomes From the UN Climate Talks in Glasgow' (World Resources Institute, 19 November 2021) <https://www.wri.org/insights/cop26-key-outcomes-un-climate-talks-glasgow> accessed 15 February 2024

<sup>9</sup> The New York Times, 'Have We Crossed a Dangerous Warming Threshold? Here's What to Know' (The New York Times, 2024-02-08) <https://www.nytimes.com/2024/02/08/climate/global-warming-dangerous-threshold.html> accessed 15 February 2024

<sup>10</sup> Paris Pact" can refer to the international climate change agreement aiming to limit global warming

but developing countries now face the devastating results. Both responsibility and respective capacity are anchored as key equity principles within implementation.

### Expected Outcomes

Scientific projections show current Paris pledges limiting temperature rise to 2.4 degrees only whereas 1.5 degrees is planetary red line<sup>11</sup>. Urgently enhancing NDC ambitions and accelerated emissions cuts this decade is vital to come closer to Paris goals and avert irreversible, catastrophic climate disruptions. Economic impacts show transition risks from phasing out fossil fuels and impacts on workers must be handled justly but clean energy shift also offers enormous opportunities with renewable energy jobs booming. Managing this energy transition in socially inclusive ways is imperative. Societal outcomes when done properly can foster greater climate justice through public mobilization, bringing marginalized voices to decision-making tables. Treaties alone rarely succeed so ongoing mass civic pressures globally which sparked Paris deal itself remain integral to hopes of achieving its promises.

### **India and Nepal: Climate Vulnerabilities and Equity Implications**

#### *Climate Exposure for India and Nepal:*

India and Nepal face acute climate change threats. The Hindu Kush Himalaya (HHK) region containing the Himalayan mountain range and transboundary Indo-Gangetic plains spanning the two South Asian neighbors is ecologically fragile, densely populated, socioeconomically underdeveloped and exceptionally vulnerable. Impacts projected in coming decades compass alarming glacier and snow cover losses, increased variability of monsoons and extreme precipitation, frequent destructive floods and droughts, changes in soil moisture and runoff vital for agriculture. These will gravely jeopardize water access for hundreds of millions in the region while also increasing disasters, fragility and migration.

#### *Equity and Responsibility Elements:*

Crucially India and Nepal have among lowest per capita carbon emissions globally, including just one-third the world average in India's case. Historical culpability of climate crisis therefore does not lie here. That onus sits squarely on industrialized high-emitters in the Global North. Yet these vulnerable developing countries are at highest risk levels to devastating fallouts.

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<sup>11</sup> IPCC, 'Summary for Policymakers' (IPCC, 2024-02-18) <https://www.ipcc.ch/sr15/> accessed 15 February 2024

Equity under principles enshrined within Paris demands significant transfers both in mitigation finance to shift energy trajectories and adaptation support to secure communities as climate chaos intensifies in the South Asian region in coming years. Without such cooperation, marking sharp increase in flows compared to the \$34 billion received in South Asia combined 2019-2020 levels per OECD data<sup>12</sup>, hopes for climate justice under Paris will fail leaving countries India and Nepal to fend for themselves even while Northern nations primarily responsible for the unfolding crisis do too little to curb their own emissions, let alone assist victims. The promise behind Paris was transforming a looming climate catastrophe into opportunity for greater equity, development justice and environmental cooperation benefiting humanity as a whole. But its lifetime will be defined by action, or inaction. From enhancing mitigation ambitions and adaptation investments to ensuring credible finance transfers, accelerated efforts this decade led by developed countries which grew rich while polluting the atmosphere are imperative ethical obligations without which 1.5 degree goal under Paris cannot be fulfilled. Timing is everything too in the climate equation. The 2020s are decisive in shaping climate trajectory given locked-in impacts due already from historical emissions. Action delayed will melt away Paris hopes like glaciers receding higher each year, presenting grave intergenerational injustice for today's children especially across vulnerable global south communities from India to Small Islands who contributed least for the climate mess but face highest damages. At its core, Paris is about this very climate justice. Its litmus test remains fulfilling promises through equitable responsibility sharing and adequate support transfers that respect different national realities so developing nations also prosper in a zero-carbon future instead of becoming its first victims. Only cooperative, urgent worldwide ambition this decade infused with ethical obligations across the classic development divide can secure legitimate Paris aims centered on securing future generations their right to dignified survival on a common planet dangerously warming. The world's choices in the 2020s and this year's COP27 summit will judge if Paris was real hope or mere rhetoric unable to bend global emissions curves in time enough to halt climate unraveling<sup>13</sup>. What is decided holds lasting consequences for billions vulnerable across India, Nepal and beyond awaiting true climate solidarity matching the scale of the emergency at hand.

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<sup>12</sup> OECD, 'Finance USD 100 billion goal' (OECD) <https://www.oecd.org/climate-change/finance-usd-100-billion-goal/> accessed 15 February 2024

<sup>13</sup> 'COP26 ends with agreement but falls short on climate action' (UN Environment Programme ) <https://www.unep.org/news-and-stories/story/cop26-ends-agreement-falls-short-climate-action> accessed 15 February 2024

## **IV. Tracing the History of climate Negotiations- From Berlin Mandates to Fulfilling Paris Promises:**

The annual United Nations climate change summits known as Conference of Parties (COP) provide pivotal global forums for collective action against an unfolding climate crisis. Initiating with COP1 in Berlin back in 1995 which gave birth to UNFCCC itself, these conferences have traced a 25+ year journey aimed at driving multilateral cooperation to curb emissions and assist vulnerable nations already facing climate impacts even while global political dynamics surrounding differential responsibilities and levels of action remain complex and often vexing.

### **a. COP1 - The Berlin Mandate (1995)**

#### *Historical Origins:*

Prior to initiation of the Conference of Parties (COP) process, growing scientific consensus had started coalescing in late 1980s over concerning data on observed atmosphere and ocean warming tied to humanity's profligate greenhouse emissions release since the industrial revolution. Calls amplified for coordinated global action. This resulted eventually in negotiations for an overarching climate treaty. Adopted in 1992, the UN Framework Convention for Climate Change (UNFCCC) laid down initial principles like equity and common but differentiated responsibility. Its core aim was voluntary stabilization of emissions but without any mandated caps or reduction targets. But by then advanced modeling already indicated voluntary measures were inadequate given the magnitude of the problem. Data showed business-as-usual trajectories could catalyze over 2 degrees Celsius planetary heating by 2050 spurring dangerous climate disruptions.

#### *First COP in Berlin & Achievements*

Hence the first annual COP summit held in 1995 in Berlin, Germany was always destined as inflexion point from where accelerated efforts were vital. The Berlin discussions ultimately produced a decision called the "Berlin Mandate". It signaled acceptance amongst nations that binding quantified emissions limitation objectives within specified timeframes were required for developed nations who had overwhelmingly caused the climate problem from over a century of industrial greenhouse releases since 1850s. The Berlin Mandate thus set stage for negotiating stronger provisions during subsequent conference outcomes.

## **b. Why COP2 was Necessary?**

But concrete steps on legally mandated emission cuts for nations only materialized two years later during COP3 in 1997 in Kyoto through the pioneering but flawed Kyoto Protocol. The intermediary COP2 summit in Geneva in 1996 could not resolve intricate issues like developing countries not wanting historic emitters alone deciding future consumption space given implications for their own growth. These unsettled equity debates necessitated further talks. COP2 however kept momentum through Geneva Ministerial Declaration asserting will for legally binding targets and sustaining global climate response urgency in the interim year before Kyoto.

### *COP2 Outcomes:*

Held again in Geneva, Switzerland after Berlin kickstarter, COP2 achievements included:

- Affirming political will for legally binding emissions reduction agreements to be finalized next year at COP3
- Requesting the IPCC to produce comprehensive report assessing scientific understanding of climate change ahead of COP3
- Calling on all countries to prepare initial communications about their domestic circumstances, greenhouse gas inventories, mitigation steps and constraints which became basis for differentiation principles
- Urging countries who had not already joined UNFCCC itself to now become Parties via ratification
- Geneva Ministerial Declaration issued outside formal COP process recognizing need for precautionary measures and different national capabilities

### *COP2 Reflections:*

In retrospect while COP2 lacked flagship outcomes of Berlin's urgency or Kyoto's targets that followed, its role keeping negotiations ongoing by sustaining momentum and information flows should not be understated. This was vital bridging period.

## **c. COP3 - The Kyoto Protocol (1997):**

Birth of a Breakthrough Treaty - Key Elements

Held in Kyoto, Japan in late 1997, COP3 represented seminal moment when conceptual climate change acknowledgment culminated into concrete legally binding emission reductions for

developed nations.

The path breaking Kyoto Protocol's key pillars binding developed signatories included:

- Mandatory cuts - Average 5% against 1990 levels over 5 years from 2008-2012
- Differentiated cuts equating "common but differentiated responsibilities" enshrined in UNFCCC earlier
- Innovative market mechanisms for flexibility & efficiency - Carbon Trading, CDM, Joint Implementation
- Reporting & Review compliance mechanisms

Divisive Debates Resolved:

Contentious issues like the United States demanding developing nations also adopt some binding targets almost derailed the talks. But skillful diplomacy by conference chair Raul Estrada leading the Argentine delegation brokered compromises allowing differentiated responsibilities between North and South. Per capita fairness and historic emissions arguments justified relaxed provisions for poorer nations. China and India's influence as emerging forces however secured headroom allowing future unchecked emissions, sowing seeds for later discord once both started rising fast up carbon charts from early 2000s as manufacturing and construction powerhouses.

### **Why Kyoto Protocol Mattered?**

For all its flaws and exclusions, Kyoto still represented epochal breakthrough after years of debates over responsibilities, capabilities and policy consequences. It transformed abstract climate risks into acknowledged fact-based reality demanding serious mitigation. Codifying targeted emission cuts in international treaty signaled arrival of climate change as definitive intergovernmental priority. Even watered down 5% developed world reduction from base year levels was start acknowledging the stakes involved.

*Post-Kyoto Problems Emerge:*

Kyoto's clean development mechanism (CDM) designed for joint collaborative emissions mitigation projects between North and South saw huge demand as carbon trading blossomed into a booming global market within few years facilitating cost-effective cleaner industrial growth in emerging economies despite worries by activists over accounting loopholes on actual



additional mitigation. But troubles surfaced as Canada withdrew from the Protocol in 2011 while large swathes of the US Congress refused ratifying citing exclusion of Chinese and Indian emissions. When in 2001 President George W Bush confirmed the US was withdrawing cooperation citing unfair economic burdens, it initiated fateful cascade ultimately leading to 2015 when Canada, Russia, Japan and New Zealand too exited Kyoto ignominiously. A global climate policy rift had erupted requiring fresh ideas under a successor pact - setting stage for over 15 torturous years of inconclusive wrangling till Paris salvation.

**d. COP4 (Buenos Aires, 1998)**

The 1998 Buenos Aires meet put meat on bones of previous milestones via the Buenos Aires Plan of Action centered on aiding Kyoto Protocol ratification through enhanced reporting systems, building capacity in vulnerable developing nations and attempting progress on tricky topics like reducing emissions from deforestation not addressed earlier. Rules for compliance procedures and flexibility mechanisms saw elaboration while adaptation funding mechanisms were initiated even if lacking detail. But Buenos Aires built bridges for next year's finalization.

**e. COP5 (Bonn, 1999)**

By the time COP5 arrived at German city of Bonn in late 1999, the Kyoto Protocol stood tantalizingly close to implementation if pending technical complexities could get untangled across multiple workstreams. Intensive negotiations over two weeks achieved breakthrough on quantitative emission targets for states, flexibility via carbon trading options, forest conservation accounting and compliance enforceability. The heavy lifting completed the Bonn Agreements, laying foundation for entry into force within few years.

**f. COP6 (The Hague, 2000)**

If Buenos Aires and Bonn progressed technicalities, The Hague meet in 2000 was envisioned as possible crowning moment for operationalizing Kyoto itself. But unresolved wrangles over developing nations taking on binding targets, extent of forest and land use carbon credits allowed and penalties for non-compliance saw talks dramatically collapse in disarray - delaying Protocol ratification by years.

**g. COP6 Phase II (Bonn, 2001)**

When COP6 resumed next year back in Bonn, intensive diplomacy stitched back together the complex architecture across disputed issues like carbon sinks, compliance penalties, funding

channels etc. This political deal unlocked gridlock allowing countries confidence now to proceed ratifying Kyoto itself. The rescues Act at Bonn laid basis for Marrakesh Accords.

**h. COP7 (Marrakesh, 2001)**

As countries lined up to ratify the Protocol after US withdrawal, the Marrakesh summit in late 2001 completed essential rulebook frameworks needed for practical implementation focusing on accounting procedures that would underpin credible market mechanisms enabling global carbon trading regimes. Adaptation funding saw headway by formalizing the Adaptation Fund.

**i. COP8 (New Delhi, 2002)**

India hosted next COP summit in 2002 at New Delhi which via the Delhi Declaration stressed cooperation between developing and industrialized states highlighting technology innovation and transfer for sustainable development as win-win for mitigation and poverty reduction. Calls amplified for countries yet to ratify Kyoto to now proceed urgently.

**j. COP9 (Milan, 2003)**

The 2003 Milan talks delivered key accord on thorny issue of accounting methods for land use changes and forestry emissions which had derailed past talks while providing vital exemptions for certain unavoidable agricultural emission activities especially crucial for developing country farms. Reporting and review guidelines also got enshrined building trust.

**k. COP10 (Buenos Aires, 2004)**

When COP returned to Argentina, efforts on driving actual projects under Kyoto flexibility mechanisms dominated agenda alongside debuting idea of emissions credit exchanges between states to incentivize quicker reductions. Demonstrating multipronged pragmatism, Buenos Aires also initiated Dialogue on long-term action inviting inputs.

**l. COP11 (Montreal, 2005)**

Coming soon after Kyoto enforcement in early 2005 with Russia's decision tipping ratification threshold, Montreal discussions focused on implementation via the Montreal Action Plan ranging from boosting compliance, reporting standards and capping excess country credit withdrawals that could undermine real emissions progress. The stage was now set for full-fledged climate cooperation.

**m. COP12 (Nairobi, 2006)**

Two Nairobi outcomes - 5 year program to compile scientific adaptation research for policy decisions and concrete steps initiating operations of the pivotal Adaptation Fund supporting climate vulnerable communities marked hopes operationalizing support structures. But post-2012 ambition divides remained unsettled. Bali Roadmap next year then charted course for post-Kyoto future.

**n. COP13-16: Bali to Copenhagen Crash (2007-09):**

**Bali Roadmap**

With the Kyoto Protocol's first commitment phase ending in 2012, COP13 held in the Indonesian island of Bali in 2007 became venue for debate on post-Kyoto architecture for climate mitigation until 2020 and beyond. After extensive negotiations, Bali culminated in adoption of "Bali Road Map" - a key blueprint for establishing successor to Kyoto Protocol via a novel "Ad Hoc Working Group" which was tasked to deliver an ambitious climate protection treaty by 2009. Momentum seemed high as world leaders also initiated 13 fresh multilateral funds and partnerships fostering technology cooperation on clean energy, reducing deforestation and helping vulnerable countries adapt to climate impacts aside from the core Bali Action Plan focused on mitigation via binding future emission pathways.

*Towards a Global Deal – Copenhagen COP15:*

As epic climate summit in Copenhagen approached under great expectations in 2009 which aimed sealing the long-awaited post-Kyoto vision as outlined in Bali, unprecedented political energy got injected by newly elected US President Barack Obama supporting legislation for the first time to cap American emissions which were left out by Kyoto. The stage seemed set for a historic worldwide climate accord hailed as perhaps most significant diplomatic event since the UN formation itself post World War 2. Desperate small island states demanded delivery of a 1.5-degree firm ceiling on global warming which they already faced existential risk from rising seas.

*Copenhagen Drama & Breakdown:*

But as Copenhagen talks progressed, it turned into diplomatic train wreck eroding goodwill. Sudden issuance of a backdoor draft prompted angry allegations by poorer nations of exclusion who protested along with youth and civil society observers kept out of guarded halls. Inside the complex forums, major disagreements flared often along classic North-South fissures on

legal nature of emission pledges, how strict to peg temperature rise caps, binding verification needs and critically on fast-growing giants China and India resisting taking on reduction mandates like OECD countries. US legislation was also stalled back home over domestic political wrangles on social and economic costs further weakening its negotiating levers.

### *Flawed Copenhagen Accord*

When talks collapsed painfully in rancour and chaos without major agreement barring a hastily improvised “Accord” orchestrated via backchannels directly between Obama and BASIC country leaders, it left the multilateral consensus gambit in tatters. The weak Accord despite proclaiming temperature caps and financing figures utterly failed matching urgency or ambition needed. It crucially proved a non-starter legally owing to opposition led by Venezuela and Sudan over process violations.

### *Cancun Agreements Salvage Some Ground*

Next year in 2010, COP16 at Cancun, Mexico produced another watered down stopgap package named Cancun Agreements which mostly assembled pieces from the controversial Accord while deferring legally binding cuts for a later day. But progress on novel concepts like loss and damage recognition and anchoring equity via core review principles helped rebuild some multilateral traction. The stage was now set for another 5 years of tremulous negotiations until Paris finally delivered a workable framework acceptable enough to all fractious parties.

### **o. COP21 Paris Agreement (2015):**

#### **Paris Pact Breakthrough**

Culminating 24 long and fractious years since UNFCCC itself first entered into force, the landmark Paris Agreement in 2015 succeeding the expired Kyoto Protocol was enshrined with elation and applause by world leaders as a new dawn for climate ambition and cooperation. The Paris Agreement's unprecedented diplomatic accomplishment lay in getting practically every country into a common cause based on voluntary emission pledges through anchored transparency without the earlier model of top-down mandated targets for select advanced economies. This flexible pragmatic framework manufactured consensus by sacrificing legal bindingness.

#### *Salient Architectural Features:*

Its main instruments and signatories' obligations include:

- Submitting voluntary vows called Nationally Determined Contributions (NDCs) every 5 years with progressively higher ambition - Almost 190 NDCs representing 96% global emissions are submitted already with new iterations due again in 2025 focusing on 2030 outcomes
- Binding all parties to reporting and accountability systems tracking progress on NDCs which gets independently verified with technical expert reviews
- Requiring successive NDCs consistent with individual capacities and equity while reflecting highest possible ambition towards a common temperature goal
- Reaffirming USD 100 billion annual climate finance support from developed nations for developing countries from 2020 targeting adaptation necessities like disaster funds which saw new pledges
- Loss and Damage recognition as a separate pillar for assisting most vulnerable nations incurring irreparable climate harms

### *Evolving Ratcheting Mechanism*

Central to Paris weaving a pragmatic balance between voluntary yet progressive emission cut vows and monitoring systems forcing enhancement is its hybrid “ratcheting mechanism” demanding continual updation of ambitions on a 5-year stocktake cycle known as global stocktakes. These periodic peer reviews of collective progress made towards the overarching temperature goals would apply pressure on countries to match rhetoric with real deeds. The stocktake innovation rewarded transparency over punitive policing given prior regimes faltered confronting defiance. It signaled philosophical embrace that climate battles would be won slowly but surely through cooperation not coercion.

### *Remaining Gaps - Insufficient Ambitions, Inadequate Finance:*

Yet while the Paris Agreement won acclaim for flexible unity, its inherent limitations were visible from Day One when even full implementation of the initial round of NDCs submitted only limited global warming to 2.5-3 Degree Celsius instead of ideal 1.5 or maximum 2 degree target set. Most NDCs fell critically short matching science-recommended emission cuts for 2 degree pathway necessitating immediate strengthening. Developed nations also failed supplying \$100 billion yearly support from 2020 triggering equity disputes. Clear means for boosting adaptation finance remained absent. So while Paris saved multilateralism from climate abyss through unanimous diplomatic consent, its lifetime success still lies with nations

actually enhancing mitigation efforts and financial help each cycle till warming curves biologically flatten. Without which Paris would remain more triumph of optimistic rhetoric and less substantive salvation.

**p. COP26 Glasgow Pact (2021):**

*Six Years from Paris:*

By the time UK hosted the COP26 summit at Scottish port city of Glasgow in late 2021 delayed by a pandemic year, global emissions had kept rising worryingly since Paris adding further risks of overshooting low warming targets. G20 alone almost utterly failed enhancing NDCs. But pressure also mounted to finally deliver concrete targets and plans bridging gaps on finance and adaptation adding teeth to barebone Paris architecture as the pact entered critical implementation phase in its 6-year lifecycle prompted by impact worsening eight of the warmest years recorded occurred in the last decade.

*Uneven Pledges & Outcomes:*

Uneven achievements at Glasgow included new pledges towards stronger 2030 NDCs albeit still not enough for 1.5 degree goal keeping vulnerable nations unsatisfied. Rich countries continued delaying financial disbursements owing developing peers over \$75 billion just for the interim 2020-2025 period in flagrant breach of agreements stoking bitterness while delivery systems for channelizing newly launched adaptation funding itself remained unclear or weak<sup>14</sup>. Some headway on complex issues like finalizing rulebooks for new carbon market systems under Article 6 which promotes international cooperation did bring partial relief though critics highlighted troubling accounting loopholes and offramping risks over claimed mitigation outcomes.

*Verdicts Remain Split*

Reviews remained split on COP26 outcomes with optimists cheering expanded climate coalition reaching 90% global emissions coverage finally while critics slammed egregious gap remaining between urgent mitigation needs and actual response failing those already facing climate firestorms after 25 talks starting from Berlin 1995 having achieved little emission bend so far while global 2030 trajectory still remained daunting if Paris goals were to be fulfilled at

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<sup>14</sup> The Guardian, 'Rich nations failing to meet climate aid pledges' (The Guardian, 20 February 2009) <https://www.theguardian.com/environment/2009/feb/20/climate-funds-developing-nations> accessed 15 February 2024

all.

**q. COP27 Sharm El Sheikh 2022**

Eyes on Global South

As climate justice calls gain momentum from developing countries, next summit at Egyptian coastal city of Sharm El Sheikh is already billed to test Northern nations willingness for transferring funds and technologies enabling low carbon growth across still industrializing Global South where per capita emissions often remain far lower but size of populations imply aggregate volumes are rising. Real progress on long-delayed demands like measurable tracking of \$100 billion 12 year old support commitments and funneling new adaptation monies to Africa and Asia-Pacific will determine if Glasgow was genuine turning point or further betrayal. Egypt's diplomatic heft would be leveraged for the South but a shifting climate risk reality might compel even recalcitrant polluting economies to offer some concessions to protect planetary futures. Now over quarter century since Berlin kickstarted global climate journey, COP27 carries burden of proving pledges match consequences for the vulnerable watching global emissions continuing rising year on year while struggling already to cope with a disrupting climate.

**r. COP28 (2023):**

Final Summit of Critical Decade:

By 2023 when UAE welcomes near 200 delegations to slick futuristic Masdar City aiming to showcase oil-exporting nations too can champion green causes, the Paris Agreement would be entering final triennial review cycle of its first decade since 2015 before the next NDC enhancement. As current NDCs fail limiting warming over 1.5-2 Degree target, updated 2025 commitments and implementation plans would define if Paris' lofty vision can be fulfilled. COP28 as the last summit of the critical 2020s amidst worsening global heating and catastrophes represents possibly final realistic chance for unlocking sufficient climate mitigation and financial assistance ambition essential to save Paris pact and planet it was created for through extraordinary world cooperation starting from Berlin 1995. What was started then reaches fruition or failure by end of this decade. World's coastal, forest, mountain communities await if glacial melt and associated disasters can be halted before land, livelihoods and lives disappear in societies already at maximal risk. They watch and wait hoping COP28 will determine more than just their future but also that of coming generations.

## V. Conclusion - Climate Justice Now for Just Futures:

The year journey from Berlin's common concern to Paris' consensus architecture has been marked by courageous pacts and cowardly acts as climate change realities and negotiations proceeded in tandem from 1995 to present times. There has been success in form of treaties and peaks like Kyoto and Paris but also troughs when agreements came undone over legally binding targets, finance and verification wrangles. However temperature rise itself maintained an upward march all along imperiling vulnerable communities already battling disruptions with minimal culpability thanks to paltry emissions histories. Urgent ambition enhancements are mandated this decade across mitigation capacities, adaptation inadequacies and inequitable climate financings if temperature increases are to be contained sustainably under 1.5 degree pathway by mid-century as 135 developing nations desperately demand after struggling to shoulder collateral damages from northern industries that grew rich while polluting the global atmospheric commons.

### *Recommendations for Climate Justice*

If climate negotiations spanning over 25 years are to salvage viability of durable multilateralism centered on cooperation not coercion, equity must lie at heart of urgent recommendations as critical 2020 decade unfolds with its decisive implications on warming trajectories ahead.

- The principle of Common But Differentiated Responsibilities (CBDR) needs to be translated from theoretical discussions to concrete actions to operational centerpiece guiding elevated assistance flows, climate financing and technology transfers from wealthy carbon culprits to victim countries via tools like directed Special Drawing Rights reallocations at IMF that account for lost development space caused by global emissions centuries denying South opportunity for growth seen by North.
- **Right to development** for global South anchored as core progress pillar at par with emission cuts tracked for developed North which owes ethical obligation not just reducing own footprint but also powering cleaner trajectories of poorer nations through patient capital, concessional loans and grant aid helping bypass the fossil fuel growth path historically taken by current prosperous emitters when climate risks were unknown.
- Vulnerable communities rights specifically mainstreamed across UNFCCC work streams via dedicated mechanisms giving decisive voice for representation,



participation and rights championing for indigenous groups, women inheriting subsistence farm challenges and youth facing generational burdens from climate disruption.

When it comes to vulnerable developing countries like India and Nepal, linkage between climate negotiations and broader Sustainable Development Goals (SDGs) is unmistakable. These South Asian neighbors with minimal historic emissions face maximal climate risks to developmental aspirations and poverty reduction priorities. Success of COP mechanisms in facilitating sustainable technology transfer and adaptation finance hence bears directly on safeguarding communities as well as ensuring irrigation, agriculture, clean water and sanitation related SDGs vital to uplift hundreds of millions out of income insecurities. India has emerged progressive voice championing solar transitions while supporting other Global South voices, often with assistance from Nepal delegations under principles of South Asian solidarity. Fulfilling climate justice for the Indian subcontinent implying patient capital inflows for low carbon leapfrogging and climate proofing Himalayan ecosystems and downstream densely populated plains hence ties directly into the wider SDG agenda. If sustainability and equity preferentially applies anywhere, then it must begin in South Asia where vulnerability converges with poverty still denying dignified living for the marginalized. Climate futures and development destinies remain inseparable for India and Nepal which hopefully newer instruments like SDG framework can help reconcile. In final analysis, "common but differentiated" responsibilities must give way to "equitable development" opportunities for hitherto marginalized South facing maximal climate consequences created by unchecked industrial Emit activities of wealthy Global North over past 150 years. Climate justice entails patient partnerships not impatient blame games. Just futures for all demand climate equity now.