



DEBATE PACK

Number CDP 2016/0160, 6 September 2016

Paris Agreement and Climate Change

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This debate pack has been prepared ahead of the Opposition Day debate on the Paris Agreement and Climate Change to be held in the Chamber on Wednesday 7 September 2016; the following is the text of the Motion:

That this House notes that the USA and China have both ratified the Paris Agreement on climate change; regrets that the Government has not accepted the Opposition's offer of support for immediate commencement of domestic procedures to ratify the Paris Agreement; further notes that if the UK lags behind its G20 partners in ratifying the Paris Agreement it risks losing diplomatic influence on this crucial future security issue; recognises, in light of the EU referendum vote, the need to maintain a strong international standing and the risk of rising investment costs in UK energy infrastructure; and calls on the Government to publish by the end of next week a Command Paper on domestic ratification and to set out in a statement to this House the timetable to complete the ratification process by the end of 2016.

This briefing contains recent press and parliamentary material and links to further reading on the process of ratification of the Paris Agreement

Related Library briefings

House of Commons Library: [Climate change: Ratifying the Paris Agreement](#)

House of Lords Library: [Paris Climate Change Conference 2015](#)

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Summary

The Paris Agreement

[Agreement](#) was reached in Paris on 12 December 2015 on a successor to the Kyoto Protocol. It will apply to all countries and come into force by 2020. There was widespread relief at the time that this had been achieved, as a first step towards limiting anthropogenic climate change to safe levels.

Prior to the conference, countries published [Intended NDCs](#) for reducing global greenhouse gas emissions. This was a bottom-up approach, with the aim that aggregated contributions would add up to a 2C limit on global temperature increases. However, the UN Framework Convention on Climate Change (UNFCCC) [analysis](#) of these showed that the pledges as made would not, if implemented, achieve the 2 °C limit, as they would reduce expected warming of 4-5°C to around 2.7°C. In response, there were calls from various negotiating groups, including the EU and the UK, for any agreement at Paris to include provisions for five yearly reviews of pledges. Developed countries also called for clear rules and transparency on emission reporting to ensure targets were met.

An unexpected outcome of the conference was that the ambition of the emissions goal has been increased beyond what was previously agreed to keeping temperatures “well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5 °C above pre-industrial levels”. The agreement also set an aim for emissions to peak “as soon as possible” and for emissions from human activity and absorption by carbon sinks to balance sometime in the second half of the century. There was also agreement for five yearly reviews of Nationally Intended Contributions (NDCs), together with rules on reporting and transparency.

Ratifying the Paris Agreement

On 22 April 2016, in New York, the UK and the EU were two of the parties that signed the Paris Agreement. To date 26 States have ratified the Agreement covering 39.06% of global emissions. The agreement will come into force 30 days after it is ratified by 55 countries covering 55% of global emissions. China and the US ratified the Agreement on 3 September 2016. The Agreement is open for ratification for a year, however countries that do not ratify within that period can still take accede to the treaty. ¹

There are two separate processes for the ratification of the Agreement; one for the European Union (EU) and one for the UK Government. For

the UK, an EU treaty requiring ratification is presented to Parliament as a Command Paper. A draft Order in Council is laid before Parliament. It may be debated and/or approved by both Houses by the affirmative procedure, which means it needs the approval of both Houses.

The European Scrutiny Committee, in its [report in March this year](#), noted the Government's view that signing the Agreement was straightforward and an important step towards ratification. Ratification would come later and would require Parliamentary approval in each Member State.² Ratification by the EU will not take place until this approval has been completed by all Member States, and many have already indicated that they are unlikely to have done so before 2017.³ The UK has stated that it plans to ratify the Agreement when the EU and other Member States do so.⁴ [France](#) is the first EU Member State to complete the domestic legislative process for the ratification of the Agreement, but has not, as has been reported, ratified the treaty itself.

What difference might Brexit make?

Baroness Neville Rolfe, the Minister of State at the Department for Business, Energy and Industrial Strategy (BEIS), has stated that climate change will be at the heart of BEIS and [the UK intends to ratify the Paris Agreement](#) as soon as possible. The Government has also stated that it intends to continue to take part in EU negotiations on energy and climate change.

Some [commentators](#) have questioned whether the UK will continue to participate in the Agreement or whether the Agreement itself may need to be rewritten after Brexit. A brief by E3G on [Brexit and the Paris Agreement](#), from June 2016, commented that the UK may need to separate its National Determined Contribution (NDC) from that of the EU but this will require a "recalibration" rather than any change to the architecture of the Agreement. E3G also referred to the [agreement between Iceland](#), the EU and its Member States to jointly meet their Kyoto Protocol targets, as a model that the UK could follow.

In its most recent [progress report to Parliament](#), the Committee on Climate Change (CCC) has commented on both the Paris Agreement and the UK's vote in favour of leaving the EU. It notes that the latter does not alter the need to reduce emissions or the scale of that reduction, but might have an impact on how the UK's carbon budgets are met.

The Select Committee on Energy and Climate Change has recently launched an inquiry [exploring the implications for UK energy policy of leaving the EU](#).

² European Scrutiny Committee, *Twenty-seventh Report of Session 2015–16*, HC 342-xxvi, 4 April 2016: para 7.5

³ CarbonBrief, [Explainer: When will the European Union ratify the Paris Agreement](#), 23 June 2016

⁴ [HC WA 38382 07 Jun 2016](#)

1. Press Articles

BBC Online
5 September 2016
[Pressure grows on UK to ratify Paris climate change deal](#)
Roger Harrabin

Business Green
5 September 2016
[G20: Theresa May faces Hinkley Point and Paris Agreement challenges](#)

Business Green
5 September 2016
[G20 vows to scale up green financing in pursuit of 'cleaner energy future and sustainable energy security'](#)

Business Green
5 September 2016
[G20 climate pledges: The reaction](#)

The Telegraph
September 3, 2016
[Boost for Paris climate deal as US and China sign up](#)
Neil Connor; Christine Wei

The Independent
September 3, 2016
[Pressure grows on the UK as China ratifies Paris climate change agreement](#)
Shehab Khan

The Guardian
July 18, 2016
[UN criticises UK and Germany for betraying Paris climate deal](#)
Adam Vaughan

The Guardian
June 25, 2016
[EU out vote puts UK commitment to Paris climate agreement in doubt](#)
Fiona Harvey

The Guardian

May 18, 2016

[Trump won't be able to derail Paris climate deal, says senior US official](#)

Fiona Harvey and Oliver Milman

The Guardian

April 22, 2016

[Why the Paris climate change goals may already be slipping beyond reach](#)

Suzanne Goldenberg

2. Ratifying the Paris Agreement

United Nations Framework Convention on Climate Change (UNFCCC)

[Paris Agreement - Status of Ratification](#)

The Paris Agreement was opened for signature on 22 April 2016 at a high-level signature ceremony convened by the Secretary General in New York. At that ceremony, 174 States and the European Union signed the agreement and 15 States also deposited their instruments of ratification.

As of 3 September 2016, there are 180 signatories to the Paris Agreement. Of these, 26 States have also deposited their instruments of ratification, acceptance or approval accounting in total for 39.06 % of the total global greenhouse gas emissions.

Authoritative information on the status of the Paris Agreement, including information on signatories to the Agreement, ratification and entry into force, is provided by the Depositary, through the United Nations Treaty Collection website, and can be accessed [here](#).

EU process for ratification of Paris Agreement

Carbon Brief 23 June 2016

[Explainer: When will the European Union ratify the Paris Agreement?](#)

Both the EU and its member states are responsible for ratifying the Paris Agreement and will need to do so if they want to continue to have a voice in the UN climate negotiations — which they have emphatically said they do.

This is because the EU is a party to the UNFCCC in its own right, and is responsible for overseeing certain parts of its commitments under the Paris Agreement. Other elements are the responsibility of member states.

The EU and its Member States acted together to negotiate the UN climate deal. At UN meetings they speak with one voice and are bound by the same target — an emissions reduction of “[at least 40%](#)” by 2030 compared to 1990 levels.

The EU and its Member States have promised to [act jointly](#) in fulfilling this commitment. It even has policies in place to facilitate this joint effort, including its emissions trading scheme.

France working to get Paris Agreement ratified worldwide

[Statement from Embassy of France](#)

15 June 2016

The Minister of the Environment, Energy and Marine Affairs, responsible for International Climate Relations, made a statement on COP21 and its implementation six months on.

Following the conclusion of the Paris Agreement on 12 December 2015, France's action has focused on several key areas: the actual implementation of the agreement, European efforts, and the speeding-up of the [Global Climate] Action Agenda.

Ratification of Paris Agreement

The French President this morning [15 June 2016] signed the act authorizing the ratification of the Paris Agreement. France, which had a duty to set an example, accelerated this procedure; both Houses approved the agreement virtually unanimously, the National Assembly on 17 May and the Senate on 8 June.

Thanks to intensive efforts, the signature stage of the agreement was successfully completed in New York on 22 April, attended by 175 parties.

The emphasis is now on ratification, which in many countries requires authorization by national parliaments.

The Paris Agreement will come into force 30 days after 55 countries accounting for 55% of global greenhouse gas emissions have ratified it.

This stage could be completed as early as 2017, with the encouraging announcements by China, the United States and India, among others.

The ratification instrument will be formally deposited at the same time as those of all the other European Union (EU) member states, after they have completed their domestic procedures.

France is working to ensure that the EU and its member states speed up their ratification timetables.

We must ensure that the EU is indeed a party to the agreement when it comes into force.

Following a meeting between the COP21 President and the European Commission President, the Commission therefore decided to speed up the EU's procedure to ratify the agreement.

It presented its draft decision on 10 June [2016], with a view to adoption by the EU Council of Ministers following approval by the European Parliament, if possible before COP22 in Marrakesh.

UK Parliamentary process for ratification of Treaties

The process is set out in the [*Constitutional Reform and Governance Act 2010*](#) and explained in detail on the [FCO website](#)

There is further discussion in the House of Commons Briefing paper [*Climate change: Ratifying the Paris Agreement*](#)

3. Press releases

Department of Energy and Climate Change
29 Jun 2016

The Secretary of State has delivered a speech to the Business & Climate Summit in London.

<http://www.wired-gov.net/wg/news.nsf/articles/Amber+Rudd+speech+to+the+Business++Climate+Summit+29062016162558?open>

[Extract]

The decision to leave the EU is of historic significance.

To be clear, Britain will leave the EU.

The decision of the British people was clear.

The key challenge now, as the Prime Minister and the Chancellor have stressed, is to work towards a settlement that is in the best interests of Britain.

[...]

Climate change has not been downgraded as a threat. It remains one of the most serious long-term risks to our economic and national security.

I was lucky enough to lead the world-class team of British diplomats at last year's Paris climate talks. Our efforts were central to delivering that historic deal.

And the UK will not step back from that international leadership. We must not turn our back on Europe or the world.

Our relationships with the United States, China, India, Japan and other European countries will stand us in strong stead as we deliver on the promises made in Paris. At the heart of that commitment is the Climate Change Act.

Its success has inspired countries across the world, and its structure of 5-yearly cycles inspired a core part of the Paris deal.

I know many of you are keenly awaiting the outcome of our deliberation on the 5th Carbon Budget. You can expect the Government's decision tomorrow.

It is an important building block of our economy's future and you would expect us to take our time to ensure we got the decision right.

And however we choose to leave the EU, let me be clear: we remain committed to dealing with climate change.

The Act was not imposed on us by the EU.

The Climate Change Act in 2008 underpins the remarkable investment we have seen in the low carbon economy since 2010.

Investment in renewables has increased by 42% since 2010.

In 2014, 30% of all of Europe's renewable energy investment took place in the UK.

Annual support for renewables is expected to double during this Parliament to more than £10 billion.

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4. Parliamentary Questions

[Climate Change Convention](#)

Asked by: Gardiner, Barry

To ask the Secretary of State for Business, Energy and Industrial Strategy, what assessment he has made of whether it will be necessary to bring forward new (a) primary or (b) secondary legislation to implement the UK's obligations under the Paris Agreement on climate change.

Answering member: Mr Nick Hurd | Department for Business, Energy and Industrial Strategy

No immediate changes are needed to the UK's legislation on climate change in order to implement our obligations under the Paris Agreement. The UK is already playing its part in delivering the Agreement through its Climate Change Act 2008. The Committee on Climate Change has said that it will report in the Autumn on the future implications of Paris for the UK. We shall want to consider carefully the CCC's recommendations.

05 Sep 2016 | Written questions | House of Commons | 43578

[Climate Change Convention](#)

Asked by: Gardiner, Barry

To ask the Secretary of State for Business, Energy and Industrial Strategy, whether the ratification of the Paris Agreement on climate change in the UK will follow the procedure for an EU external treaty.

Answering member: Mr Nick Hurd | Department for Business, Energy and Industrial Strategy

The UK remains firmly committed to the Paris Agreement and to ratifying the Agreement as soon as possible. Until we leave, the UK will remain a full member of the EU, with all of the rights and obligations this entails.

05 Sep 2016 | Written questions | House of Commons | 43576

[Climate Change Convention](#)

Asked by: Gardiner, Barry

To ask the Secretary of State for Business, Energy and Industrial Strategy, whether the UK plans to ratify the Paris Agreement on climate change separately and independently of the EU.

Answering member: Mr Nick Hurd | Department for Business, Energy and Industrial Strategy

The UK remains firmly committed to the Paris Agreement and to ratifying the Agreement as soon as possible. Until we leave the EU, the

UK will remain a full member, with all of the rights and obligations this entails.

05 Sep 2016 | Written questions | House of Commons | 43575

[Climate Change](#)

Asked by: Johnson, Diana

To ask the Secretary of State for Business, Energy and Industrial Strategy, whether the Government plans to continue its participation in the negotiations towards the 2030 EU Climate Framework; and whether the UK plans to commit to meeting the requirements of that framework after the UK leaves the EU.

Answering member: Mr Nick Hurd | Department for Business, Energy and Industrial Strategy

The UK's commitment to tackling global climate change remains firm. We are committed to the UK Climate Change Act and the Paris Agreement, and have accepted the recommendation of the Committee on Climate Change on the fifth carbon budget.

Until we leave the EU, the UK remains a Member State, with all of the rights and obligations this entails. We will therefore continue to participate in EU negotiations, including those on the EU's climate framework up to 2030.

It is not appropriate at this point to speculate about arrangements for after the UK ceases to be a Member State.

05 Sep 2016 | Written questions | House of Commons | 43540

[Climate Change: EU Action](#)

Asked by: Gardiner, Barry

To ask the Secretary of State for Energy and Climate Change, whether the Government plans to ratify the Paris Agreement on climate change in 2016.

Answering member: Amber Rudd | Department for Energy and Climate Change

The UK will ratify the Paris Agreement together with the EU and Member States as soon as possible. The Commission is planning to publish a proposal on EU and Member States ratification alongside legislative proposals for the Non-Traded Sector of the EU2030 Framework this summer.

07 Jun 2016 | Written questions | House of Commons | 38382

[Renewable Energy](#)

Asked by: Monaghan, Dr Paul To ask the Secretary of State for Energy and Climate Change, what assessment she has made of the

implications for her Department's policies on green energy of the Paris Agreement on climate change.

Answering member: Andrea Leadsom |Department for Energy and Climate Change

The UK is already playing its part in delivering the Paris climate deal, through its contribution to meeting EU climate and energy targets and through its domestic climate framework set out in the Climate Change Act. In addition, the Government believes we need to take the step of enshrining the global goal of net zero greenhouse gas emissions into UK law. As a first step, our independent advisors, the Committee on Climate Change, are looking at the implications of the Paris commitments. The Committee has said that it will report in the autumn, and we will consider carefully the recommendations.

12 May 2016 | Written questions | House of Commons | 36863

5. Other Parliamentary material

[EU Referendum: Energy and Environment](#)

Fifth opposition day debate (part one). Main question negated on division (229 to 278).

12 Jul 2016 | Opposition days | House of Commons | House of Commons chamber | 613 cc175-225

[Carbon Budget Order 2016](#)

Lords motions to approve. Agreed to on question

19 Jul 2016 | Debates on delegated legislation | House of Lords | House of Lords chamber | 774 cc601-621

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