WWII treaty of ‘unconditional surrender’: a model to enforce climate pledges

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Severe floods in Chennai. How should developing countries hold richer countries to financial commitments to adapt to climate change? Anindito Mukherjee/Reuters

Government negotiators currently meeting in Paris are trying to lay out a course of action to avoid a global average temperature increase of more than two degrees Celsius above preindustrial levels. For a chance to meet this objective, we know that emissions must peak soon and fall steeply by 2050 at the latest.

One of the thorniest challenges negotiators face is developing a system for monitoring, reporting and verifying each countries’ pledges to cut their own emissions.

Many have already criticized the existing national commitments as schemes to make countries look good to the public. As currently proposed, they are not going to lead us in a pathway to hold global warming below 2C; instead, the pledges would take us into a +2.7C warming.

Also, enforcement of the Paris pledges will most likely be voluntary, despite the EU, the 53-nation Commonwealth, and many developing countries pushing for a binding deal.

Absent legal enforcement mechanisms, then, more than one nation will fail to adhere to their obligations. This happened with the Kyoto Protocol from 1992 and is happening now with the unfulfilled billions of dollars pledged to help poor countries adapt to climate change.

However, climate negotiators in Paris – especially those from the most vulnerable countries, such as mine, the Philippines – do have options. They can pursue a robust agenda, as a developing country bloc or an alliance of vulnerable states, to hold countries to their promises of keeping warming below a rise of 2C and to help poor countries adapt and reduce emissions.

In this regard, the military alliances forged through the 1943 Casablanca Agreement during World War II – best known for developing the Allies’ policy of “unconditional surrender” – provide a useful model.
How to trust but verify climate pledges

At the height of the war, the Allies met at Casablanca in then French Morocco between January 14 and 24 1943. Key players in attendance were British Prime Minister Winston Churchill, US President Franklin D Roosevelt, joint chiefs of staff, US Field Marshall Eisenhower, and British Field Marshall Alexander. Joseph Stalin had been invited, but he was needed on home ground as the Soviet Red Army was, at the time, battling to hold Stalingrad.

Analogous to what negotiators in Paris face – and will remain relevant post-Paris – the Casablanca Conference aimed to decide a common future strategy. High on the agenda was an attack against the Germans in France, one that would materialize in the Invasion of Normandy.

On their final day at Casablanca, Roosevelt announced he and Churchill decided that the only way to ensure postwar peace was to adopt a policy of unconditional surrender by the Axis states. The policy was made to avoid the situation following World War I, when large segments of German society had not expected to be defeated militarily and resented the Treaty of Versailles that was supposed to bring lasting peace in the region. This resentment helped fuel German rearmament during the interwar years – a clear violation of the treaty.

We do not want to have another Treaty of Versailles-like infraction happening post-Paris. The new climate agreement should specify a policy tantamount to the policy of “unconditional surrender” made in Casablanca.

Developing countries should demand clear enforcement of mandatory and legally binding national pledges subject to regular review; unconditional support to developing countries through regularly replenished financial assistance for climate adaptation and mitigation; a systematic and transparent emissions reduction and climate finance audit mechanism; and strong sanctions for nonparticipation or cessation from internationally agreed climate action.

This is not a new set of proposals, but only cements the original aims of the current negotiations: to require climate polluters to undertake deep emissions cuts, and to make sure that rich countries provide the resources for poor countries to adapt to the changing climate.
Following the Casablanca model, these aims can be met through:

Establishing mandatory emissions cuts that ensure peaking by 2025 and close-to-zero emissions by 2050. The Paris talks are currently confined with voluntarily defined targets known as the Intended Nationally Determined Contributions (INDCs), which are not enough to stay below the two degree threshold. That doesn’t mean, however, that they are not important. They are key signs that countries recognize the need for action. INDCs can, therefore, serve as starting points to establish future national targets that are mandatory and legally binding.

Establishing an assessed contributions approach to a multilateral fund for mitigation and adaptation. The universally ratified Montreal Protocol on Substances that Deplete the Ozone Layer provides an illustration of a relatively successful application of the concept of common but differentiated responsibilities, the idea that is enshrined in the original climate convention and took note of historical emission contributions. It also demonstrates how assessed contributions to the Multilateral Fund for its implementation according to the UN scale of assessment can be used as a template for climate finance funds collection and disbursements, which is currently a critical juncture in the Paris talks.

Establishing a global monitoring mechanism to periodically review mitigation pledges and would allow countries to upgrade their targets. The mechanism should also facilitate proper accounting of climate adaptation and mitigation assistance to poor countries to avoid double-counting, which prevents transparent, fair, and just determination of whether the interventions are new and additional or not.

Establishing penalties to deter countries from free riding. Nobel Prize winner Joseph Stiglitz has long been suggesting trade sanctions to prevent countries “which refuse to agree or to implement emission reductions from inflicting harm on the rest of the world.” Yale University’s William Nordhaus suggests uniform percentage tariffs on the imports of nonadherents. Diplomatic sanctions and reduced foreign aid could also be invoked, as well as strong censures in international bodies such as at the United Nations.

**Not ending in Paris**

Climate change is unquestionably the greatest collective challenge facing us as a species, but our collective response does not add up to what is required to keep warming below 2C. This decade, therefore, remains a critical decade for action.

Clearly, the climate issue has been prioritized, with many people now recognizing the scientific basis of anthropogenic – or man-made – climate change and the importance of effective and timely climate action. But, there are still t’s that need crossing and i’s that need dotting.

This can be done with an agreement that echoes the principle of unconditional surrender in Casablanca in 1943 – an agreement that is not only robust, ambitious and binding, but also outlines measures that would lock in countries within their pledged 2C target and their promise of international cooperation.
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