

THE EUROPEAN UNION AND THE PARIS AGREEMENT

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Abstract

The Paris Agreement has undoubtedly impacted on other more personal environmental policies in each country worldwide. We are trying to explain the dynamics (changes and debates) that occur in the policy-making process by the actors and stakeholders in the Paris Agreement. For instance, with the Trump dismantling policy to leave the Paris Agreement that we called the free-riding strategy that affects not only the members within the Paris Agreement but also the environmental sector globally. We also contemplate the alternatives way to solve the environmental problem through the Paris Agreement, and a solution to the problem occurs within the members by considering the consequences under international law.

Keywords: Paris Agreement, Environmental Issue, European Union, President Trump

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1. Introduction

Multilateral efforts on a climate change issue play an essential role in a more specific action to reduce greenhouse gas emissions (carbon dioxide, methane, oxygen-nitrogen, and pre-industrial effects). After seeing multilateral efforts to resolve these efforts, a series of international conference and negotiation policies towards lower economy carbon. MWO (World Meteorological Organization) in 2016 became the highest case of global warming around 1.2 ° Celsius.

Before the Paris agreement conference, the formation of the Kyoto Protocol in multilateral cooperation did not make the impact and binding laws seen from several countries that came out of collaboration, especially Annex I. Then, the failure of the 15th Copenhagen, Denmark (COP) conference, which was still non-legally binding. Multilaterals are pessimistic about the future of climate negotiations. Although this raises concerns about the multilateral agreement, the Paris agreement received praise for starting a revival of global climate change.

The Second Commitment Period of the 1997 Kyoto Protocol, which will expire in 2018, requires certainty for its sustainability. Meanwhile, Russia, Japan, and Canada have decided not to agree in the Second Commitment Period. But the gloom in climate change did not last long. Members decided to extend the Kyoto Protocol from 1997 to 2020.

Kyoto Protocol was adopted at the 21st UNFCCC COP in 2015 in Paris, France, through Paris Agreement 2015, from 2016 to 2017. Now available, it becomes clear direction by preparing modalities, procedures, and other rules by the Ad Hoc Working Group in the Paris Agreement (APA), which will be operational from 2020 to 2030.

For the first time, United Nations 195 members, including the European Union in adaptation and climate change as well as the participation of European Union president Barca Obama are actively involved in the negotiation process. However, in this collaboration, not only countries that participate in climate change, but must also consider awareness and a confident attitude to tackle climate change in the world.

After the failure of the previous conference and policy, The European Union, the US, China and India, and the island nation adopt UN negotiations on climate agreements. In making the Paris agreement. This policy illustrates how a “revolutionary” sketch in which the EU carries out collective achievements of China makes ordinary wild actions. Bodansky 2011 explained the need for a bottom-up and top-down approach to manage the global order; this agreement can be said as “Laissez-Faire” to all countries. It creates international legal obligations to develop, implement, and strengthen policies that have formed to remain compliant to the global transparency system.

The Twenty-First Conference of the Parties (COP-21) was a culmination of a four-year diplomatic process. Polemic debates took, such as the French presidency of the dynamics of politics, which were obscured by minimal access. The public cannot see the transparency of negotiations. Negotiations in Paris with the spin-off problem were debating the main issues, including polemic goals in a long-term goal. From a legally binding character in climate financing and regime evaluation from time to time. The need for collective effort for reciprocity.

2. Literature Review

The Paris result was made possible because of the use of a lot of secrecy. Secrecy is common in diplomacy, but the French made it to a whole new level. The French Presidency made sure that the results should accommodate every party's interests through reciprocal trade-offs, and they ran the conference very controlling. They were indicating that the results are generally unknown to parties that are not directly involved (usual delegations from small and significant countries like EU or Brazil, etc.). Secrecy did reduce the number of actors, widely recognized as an obstacle in negotiations. So the final result was explicitly and repeatedly told that it was a "take it or leave it" deal that was not open for renegotiation. The purpose of this tactic is to avoid early opposition and leave no time for reopening significant issues.

But this tactic can potentially crush the effectiveness of the policy agreements if they make other parties displeased about it, and they became less committed to implementing. The reason why it worked in Paris is because of how they produced the agreements based on mutual compromise, and the process was fair, inclusive, and transparent based on declarations from most of the delegations. So it was accepted as legitimate because it delivered results that satisfied the core interests of most countries in it.

The outcome of the conference set out in the COP Decision on pre-2020 and long-term policy with the Paris Agreement (PA) as an annex to the Decision (FCCC / CP/2015/L.9/Rev.1; C2ES 2015). The package of the two texts is a new global arrangement that includes provisions on mitigation policy, climate finance, transparency, reporting and review, and international cooperation, as well as weaker sections on technology transfer, capacity building, adaptation, and forest policy. The PA also recognizes gender equality, climate justice, the empowerment of women, intergenerational equity, and the rights of indigenous peoples.

The countries agreed to establish the multilateral Green Climate Fund (GCF) in Copenhagen, to help the funding process in developing countries to reduce emissions and be adapted to the force of the climate change through public and private financing. The amount of almost \$11 billion has been guaranteed to the GCF from 31 countries. The Paris agreement further assembles actions and implementations over time because the developed countries are continuing their commitment to finance through 2025. Other countries are also encouraged to help mobilize finance. Every two years, the developed countries will communicate about the projected levels of public climate finance in developing countries to provide predictability on climate finance. In contrast, developing countries will make a report on climate finance voluntarily. Regular updates will send signals on where would low-carbon investments can be made and also the whereabouts of the resources available to assist the most exposed communities in adapting to climate change.

In the previous 2015 Paris Climate Conference, there have been 192 countries so far that have submitted their scheduled commitments and specific goals for emissions reductions. These proposed commitments turned into NDCs as soon as the countries formally joined the Paris Agreement. There are several countries, such as :

- i. USA: reduce emissions by at least 26% below 2005 levels in the year 2025 to the INDCs.
- ii. EU: reduce emissions by at least 40% below 1990 levels in the year 2030 through only domestic measures.

- iii. Indonesia: cut emissions by 29% from BAU levels by 2030.

Politically, PA generally favors developed countries of the North because they usually won most of the interest battles. Just like the conference in the early '90s about the “pledge and review” system that Japan proposed was least fair to the African Group and other least developed countries. Strengths from the agreement are the principled obligations to act, regularity, and progressions of national policy development, international transparency, and accountability. But the PA has its weaker side, which is a technology transfer, compensation for loss and damage, long-term global goal, and adaptation policy.

More particularly, PA lacks in specifying the international division of labor to reduce emissions. Responsibility sharing has been a central challenge in global negotiations because most countries always try to avoid this subject. It's because the connection between national mitigation policy contributions and the global policy goals is not well defined. (Dimitrov, 2016)

3. Results and Discussions

The Paris Agreement has achieved breakdowns to produce a global treaty over the past decades but still hasn't changed the scholar's view or skepticism about the UN's diplomacy. Many scholars turned away from regional institutions and moving towards more productive and theoretically informative research on transnational governance. Nonetheless, the Paris result is still a success in negotiating a meaningful record with multi causality through an interplay of contextual and process variables. There are three factors to emphasize:

The Paris Agreement is an agreement in the United Nations framework convention on Climate Change (UNFCCC) on mitigating greenhouse gas emissions, adaptation, and finance. This agreement seems to be effective in 2020. The Paris Agreement is the first multilateral agreement at the beginning of the 21st century that addresses the same problem, which requires stalled crossings in the international law-making process reported by several scholars. The number of countries involved has increased for the Kyoto Protocol prior because of The Paris Convention the possibility for total engagement.

The new covenant was described by ex-President Obama to deal with the Chinese Communist Party Secretary-General Xi Jinping during the APEC Summit (Joint Statement, 2014). China started valid its role in the battle against climate change due to its unsustainable health impact. The diplomatic basis of the Paris Agreement is the US-China partnership. The involvement of the rapidly increasing developing economy, as well as China and India, is new to the Paris Agreement. During the Obama administration, he was often sensitive to environmental problems as part of the multilateral process that led to the Paris Agreement. The contribution is determined nationally in 2015 with an agreement to minimize CO₂ emissions from 26 percent to 28 percent below the 2005 level. The US contributes 17.90% to CO₂ emissions.

There are agreements from countries to that greenhouse gas emissions to sustain global temperature rise well below 2°C compared to the pre-industrial period. The Paris Agreement does not, however, consider the nationally defined intended contribution (INDC's) to be adequate to meet the 2°C goal. The purpose of the Paris Agreement written in article 2, namely:

1. Withstand the rate of increase in global temperatures to below 2 degrees Celsius from the number before the Industrial Revolution, and achieve efforts to limit temperature changes to at least 1.5 degrees Celsius, understanding that this limitation will significantly reduce the risks and impacts of climate change.
2. Increase the ability to adapt to the impacts of climate change, improve climate resilience, and carry out development that is low in greenhouse gas emissions without threatening food production.
3. It is creating a consistent financial flow for the achievement of development that is low in greenhouse gas emissions and resistant to climate change.

These are other aspects to be revealed in the Paris agreement, such as commitments to monitor and update the pace of commitment over time, low-carbon roadmaps, infrastructure finance, and global inventories. The outgoing US government's minimal duty to engage in the current climate system was actively promoted under the Paris Agreement (this is why the resolutions from the Senate were passed). Currently, the Trump administration has undermined this initiative, which is a product of the Obama administration. As a consequence, what remains of Obama's environmental policy is a 'soft' deal without formal involvement from second world polluters and also a longtime advocate of multilateral talks on climate change.

In comparison to the agencies, the Paris Agreement approved NDSs in 190 nations, which compensate for 94.6% of pollution, while contributing just 7.6% of global emissions. However, other countries make more optimistic claims, notably China. Yet this arrangement does not satisfy the world's requirements, which are perceived to be the most prone to change and which do not move. Instead, because of its universal acceptance, the Paris Agreement expanded, and others believe that climate change remedies remain. Although countries personally regard the Paris Agreement as an inadequate response to climate change, they legitimize it. Only three states thought negatively about this Agreement because several other states praised the existence of this Agreement. Those who think negatively are members of the climate justice movement who do not agree with the Agreement as the "Large Scooters," who feel it is just "an intentional plan to make the rich richer and the poor poorer," and make "more promises empty and wrong solution "(One World 2015). And states who welcome this Agreement are companies to religious groups who consider this Agreement as the achievement and basis for future climate action.

In Paris, many understand that this agreement will not be a solution to climate change, but they support it openly. For developing countries and many other countries to avoid failure and to end negotiations that reduce implementation, because they agree to agreements that are not in their interests.

The United States delegation that had been committed within the agreement of climate things became vindicated by the way the Senates tried to get rid of the deadlock between the majority of Republicans. Undoubtedly, the two-thirds threshold asked utilizing the US Constitution might have crippled the efforts of the administration to distribute the improbable ratification of the treaty through the Senate, which might have caught in what's called as 'ratification straitjacket.' At the moment, the US legal system assents to ratify the treaty in three ways and trying to envisage a loophole for an antagonistic Senate with a President.

The super-majority voting obligation that got enshrined inside the 'Treaty-clause' is pretty much different from the first countries. The system is such a big challenge to a

few ramifications of several treaties by examining the way those Senate representatives traditionally unveiled to the stress of lobbies and interest groups, being voted at close quarters level, and being bearers of the hunts of the state that gnarly to them. More readily, by way of the president on action alone for the case of the presidential executive agreements of using more than half of both houses of the congressional-executive disposals that can ratify the treaties.

Be that as it may, underneath the narrow view, the ratification itself should be able to be applied to treaties to pass the Senate permission. In contrast, it can be more common to notice that the president has the power to go into an agreement. Doubtlessly, agreements that are made by the governments are counted as a crucial legal difference in US law and contradictive to the treaties. The formal majority approval by both houses inside the government agreements isn't considered as ratification as the legal terms the apply to treaties. The diversity amongst the settlements and government agreements, however, doesn't make any aberration between a list of treaties.

The ascendancy of the United States President to ratify treaties alone presumed on the independent powers of the government electricity in the subject of overseas concerns. In practice, the vast majority of deals are approved by the president without previous authorization of the Senate. Numerous of the method by the United States Presidents serves copious precedents of government agreements within the discipline of the environment, alongside the Air Quality Agreement with Canada (1991) and the Minamata Convention on Mercury (2013). Undoubtedly, the emission of treaty supplying contraction goals and concrete monetary engagement could not have been specified as a governing agreement. (Allan, 2018)

Given its content of a treaty that persuades the ratification directly, the authorization of America's opted for the adoption of a 'bottom-up pledge and review' access that are not suggesting a particular devaluation target. Beneath the United States regulation, economic commitments should've marked as the brand new deal that settled by the government rather than a treaty. However, the government might take out the provisions that might be fallen beneath the Senate's authority. Now, the Agreement genuinely requests the Parties to "pursue domestic mitigation measures, "to reach their INDCs, not to put in force their INDCs.

The US climate change agenda was considerable by an archive split between Democrats and Republicans. For instance, Montego Bay Convention on the Law of the Sea, The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Convention on Biological Diversity – CBD, Kyoto Protocol, or the non-signature (Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters).

Trump has routinely complained more about orange tint that ultimately resulted from energy-efficient lightbulbs. For many common types of bulbs that would have come to fruition in 2020, the Energy department blocked stricter efficiency standards in 2019. The government, consumer groups, and environmentalists contested the cost of the standards developed by the Obama administration and based on a Bush law.

President Trump has repeatedly claimed that global warming is a "hoax" to disrupt the US economy engineered by China. He has a different position on climate change than Bush Jr. and repeats his comments in the Kyoto Protocol on the Message of Climate Change in the Senate. He will raise what he sees as 'unnecessary restrictions' on various energy resources, such as coal and onshore and offshore petroleum and gas. Because the Carbon-dioxide pollution can not be reduced at the expense of the domestic economy, the

conservation strategy runs contrary to a UN timetable for cuts. Nevertheless, it is in favor of a self-regulation system by local companies under central government oversight.

His policy revealed that the negotiators were unable to reach an agreement on climate change, amid strong US opposition, at the Rome ministerial conference on 9 and 10 April 2017 in Rome. The government of Trump in Paris would have implemented some measures. It can be summed up as complying with the climate change policies (which should have suggested an aggressive reverse) or opposing the international legal framework (breach or withdrawal) on climate change (not openly or openly). The main difference between violation and exclusion is that in the first case, the purpose of the state not to fulfill the commitments under the treaty is blurred. In contrast, in the second case, the state demonstrates explicitly while clearly its readiness to withdraw from the Treaties. Then the state involved announces its intention to ‘play’ in compliance with the laws — rendering its preference public.

The US should have fulfilled (although it did not) at least until 2019, the few procedural duties laid out in the Paris Agreements. (Voigt, 2016). Nevertheless, concentrations of methane in the environment have been lowered thanks to modern frack or hydraulic fracking and horizontal exploration techniques, which have made large quantities of inexpensive natural gas available. Emissions from the burning of natural gas are significantly smaller than emissions from other fossil sources, such as coal or oil. Undeniably, natural gas became the prime source of energy at the cost of coal and dramatically lowered ozone pollution in 2015 (12% below 2005), which was remarkable, even if the United States did not ratify the Kyoto Protocol.

How this “small cost” compliance would essentially have called for the cycle of fracking to begin. The irrational decision of President Trump to break the Paris Agreement openly violates the concept of the free option (but President Trump is not a good agent). In particular, the Trump administration appears to be more concerned with national recognition than in its international reputation (‘America First Foreign Policy’). Within this context, he has repeatedly preferred a coercive foreign policy (for instance, air attacks against Syria, the choice to withdraw from the Trans-Pacific Partnership (TPP), to withdraw from UNESCO and recognize the capital of Jerusalem as well as enforce the limits on imports). (Merica, 2017)

Trump has promised to ‘ensure’ time and time again that America has “clearest air’ and purest water.’ Still, his government has been comprehensive in its attempts to slash environmental regulations down. In Trump’s first two years in office, the Environmental Protection Agency’s rate of deregulation was so high that an internal overseer has said the agency “exceeded” its self-established goals. Yet the Agencies have accelerated their environmental policy roll-back during the third year of his administration, not just the EPA.

His government has even withdrawn some of the provisions developed under the Clean Air Act, which was 50 years ago. Moving away from perceived impractical or unreasonable environmental regulations was still a global issue at the outset of Trump’s Presidency, after agreeing to back out the Paris Climate Agreements – an arrangement with several nations on climate change.

Researchers have confirmed that axing and changing the laws and procedures would have a detrimental impact on the climate, including members of the Scientific Council of the EPO. Nevertheless, the government has maintained that it has lifted strong constraints while also safeguarding the environment and widening the economic prospects for oil producers, farmers, and others. (McKibben, 2019)

So we can conclude that even if President Trump became the one-timer president, most of us would endure its effects on environmental concerns. Trump is on a high level for the federal judges, plus two Supreme Court positions for Senator Mitch McConnell's control over the Republican Senate. Environmentalists have long recognized courts as vital isolation from severe regulatory problems that have been well-financed.

On June 1, 2017, President Trump announced his evident intention, "the United States will withdraw from the Paris Climate Agreement." Followed by "The United States will cease all implementation of the non-binding Paris Agreement and the draconian financial and economic burdens that the Agreement imposes on our country." Trump justified his decisions by saying that the Paris Accord was unfair. Trump referred to the possible loss if the US chooses to stay in the treaty, also how many bumps will develop when the US opens up a large number of energy reserves to the US. And another issue of not-so-binding obligations to other countries, such as China and India. (Pavone, 2018)

Weirdly, Trump keeps the door open to renegotiation with the rules that must, of course, be favorable to the US. However, the EU officially rebukes this option by saying, "The Agreement remains a cornerstone of global efforts to tackle climate change effectively and can not be re-negotiated." The world's view of the US withdrawal was terrible. Also, the internal US withdrawal agreement was not unanimous. Many parties tried to speak out against the US exit, similar to the alliance of 17 US States (United States Climate Alliance) did announce that they would not follow Trump's policy. They will continue to press for any decision on energy efficiency and renewable resources—many organizations, such as Apple, Microsoft, etc. have also done the same thing.

Of course, during the negotiation process, every signatory states conform to lay down clauses on the conditions for withdrawing from the treaty. Usually, these clauses always placed at the end of all the terms in the agreement. In other words, the US no longer has any say on the matter. However, to withdraw from the PA, the party can request it three years after the party has joined the treaty, and the resignation shall take effect for one year after the date of receipt of the withdrawal from the Depositary. (Pavone, 2018)

In this case, Trump's announcement of an open breach of the agreement before his formal exit a violation of the *pacta sunt servanda*, it means that they must perform "binding upon the parties to it and in good faith." The Paris Agreement did not burden the parties to achieve the objective, the most important thing being their commitment in good faith to the inventory and ambition process every five years. In Trump's new administration, the environmental regulations established by the past government (Obama), named the Climate Action Plan, were canceled. The US Clean Power Plan has set national objectives to reduce CO₂ emissions. On March 28, 2017, Trump decided to dismantle the structure of the Clean Power Plan and give priority to the US economy through the coal and oil industry. In other words, Trump did not honor the Obama administration's promise, which is to reduce emissions by at least 26% below 2005 levels in the year of 2025 to the INDCs.

4. Conclusions and Recommendations

Violation of the treaty is a wrong action according to international law, which defines the responsibility of the state and giving fallen countries or states in the agreement to respond by adopting examples of preventive measures. The problem of global warming is 'everyone's concern' that is uneven in one country. It, hence, it is under the legal regime

of erga omnes responsibility that each state has for all of the international citizens, other countries that have parties to the agreement can commit to violations of such requirements.

Some argue that the European Union, for example, can legally establish trade countermeasures such as carbon taxes on imports of US industrial products. (Britt, 2017) Thoughts on carbon taxes first proposed by former French President Nicolas Sarkozy during the French president's campaign. The carbon tax must be different from WTO law, and not prepared for response actions that violate the Paris Protocol. If a country in the first step is in vain to obey its duties, other countries can answer as defections in their final actions. 'Punishment' is active until a country who have reneged on the pact continuously, and if the state fails to obey, other countries can continue to work together. This method is not to take over, but only to add legal solutions to resolve disputes. In the case of disavowing the Paris Agreement, the Compliance Committee can initiate quasi-judicial procedures, which intend to declare the states that reneged on the Agreement. This process is a 'naming and shaming' mechanism. Therefore it has only symbolic quality, because the Committee has no judicial power, and therefore cannot pull out mandatory rulings against violating States. This mechanism is completed by raising the recommendations of the Committee directed at the disobedient country, which recommends steps that must be taken to comply with treaty responsibilities. (McLure, 2010)

The Paris Agreement does not contain a constitutional clause that will strengthen a Party to carry out a legal reaction before an international city, and the state must first rely on the diplomatic method established by the treaty. However, if it must fail, take retaliation, or retaliation, sort of a 'tip-tap strategy.' First, the Paris Agreement does not consider verdict measures in the event of non-compliance or violation. Second, the goal of the response would be to imply a request to the United States to reduce its emissions in measuring the Paris Agreement, which means reducing the use of fossil fuels to produce energy. Third, it is quite challenging to prove a causal link between activities - CO2 emissions below the level imagined in the Paris Agreement - which should cause damage.

Developing countries and NGOs face a difficult decision in Paris: Which is better to agree to an additional agreement today or stick to a better agreement in the future? It is unclear whether a better agreement will occur, especially given the negotiation process for the Paris Agreement. Full of puzzles, each set of phrases has no consensus; the draft grows to start from 2015 as parties add text rather than reach a compromise. Almost entering the Paris conference, the draft stated an ongoing dispute, with more than 800 questions.

There is no title for this Agreement to avoid explicitly acknowledging loss and damage, and it was reaffirmed the role of the Cancun Adaptation Framework. Other options, such as a review of NDC's diversity before their end, found little appeal. On the contrary, developing and developed countries are involved in handling the ratchet-up method, which, from time to time, can arouse the wishes of the Paris Agreement. The result is the only success that can promise and reduce the sting of an inadequate agreement.

Countries will retain global stocks every five years. This time of reflection brings pressure from these NGOs, combined with the need to release a more aggressive NDC aimed at encouraging greater ambition in the program as a whole. In addition to the

tangible benefits of concluding a compromise in an agreement, the ratchet-up process is a substantial convenience so that an understanding will develop.

The United States cannot ratify the treaty with additional commitments beyond what the world has agreed to approve, as Kemp has explained. Should the United States be committed to the Paris Agreement, the United States must utilize institutions that are already stable. This partition (Byrd-Hagel resolution) eliminates the principle of combining obligations to increase macroeconomic and quantitative targets for developed countries. Ratification also means that the NDC cannot be absorbed or specified in the Agreement, which may indicate the latest principle obligations.

The United States, the most important climate-free observer ever, agreed to the Paris Agreement, which represented a victory for sensitive countries that want to see a reduction in world emissions through inclusive multilateral governance. In both an ideal and a strategic sense, the existing institutions also had legitimacy among the parties. Parties will need to accept climate change regulations as natural components of the Paris Agreement and to clarify what needs to be done to re-negotiate based on any other necessary assistance. It would, therefore, stop using these bodies to raise old problems and speed up the conclusion of the agreements.

Many agencies have joined the Paris Agreement as part of package agreements, such as greater transparency for underdeveloped countries, a reference to temperatures of 1.5 ° C, and the need for market mechanisms. Opening a previous agreement will allow other countries to seek more effective agreements, complicate plans, and reduce confidence, such as getting into their pet's problems. Such social focus also functions for other agreements, such as bilateral commitments between the United States and China, which stipulate that these countries must contribute to climate finance. The Chinese conciliator Xie Zhenhua said at a public discussion if the requirements had to be completed, referring to bilateral comments. However, they were still under discussion at the Paris meeting.

Bilateral agreements apply to the globe, even as the United States demands that established institutions need to be in action to shape decisions that should be made available to other countries. Over the years, some of the leading countries have made progress in legitimizing the Paris Agreement, which is the development of decades of jointly developed climate-policy states.

The negotiating strategy adopted by the strong nations and the Presidency of the Conference helped to eradicate the last chance of obstructing the treaty. The High Ambition Coalition, which is guided by the Marshall Islands and the United States, is the preferred media and NGO and helps isolate countries such as India and Saudi Arabia, some of which may be blocking the agreement. As US Climate Representative Todd Stern told the media, "there is a range of countries here that are not in a coalition and would, of course, be looking for more modest outcomes." Such a coalition set up before has helped secure the acceptance of climate agreements by low-income countries. Developing countries have agreed to the Paris Agreement by balancing themselves with the United States, including a victory in the courtroom.

Participating in pressure and seeking to remove other developing countries, climate-prone countries take their right to speak out against or block agreements. The term "party-driven process" and the call for comprehensive and open negotiations is a regular UNFCCC mantra used by developed countries to determine the country's participation. Indaba's co-chair includes delegations from countries known for blocking decisions, such as Venezuela. Countries adopted a treaty to win the involvement of the

United States, which could lose the planet.

As is known, the Paris Agreement is designed to be a viable alternative and does not provide an opportunity to review its basic design. The parties involved trapped in the cycle of submission, reporting, global inventory, and resending of the NDS. And the content in this report is a response from inadequate global climate conditions. Therefore, many parties feel that the Partnership must be reconsidered in a broader context, comprise the mobility of actors and non-states that change the foundation of both agreements. Institutions such as the Non-State Actor Zone for Climate Action (Portal NAZCA) and the Five-Paris Action Agenda (LPAA) help highlight, synthesize, and further climate action for non-state actors.

This institution adjusts the actions of non-state actors to the social structure and overall goal of UNFCCC to provide legitimacy from their efforts. In this climate action, it is essential to legitimize and manage the secretariat as a whole. The Paris Agreement gives responsibility to non-state actors and requires the state to act as a motivator, implementer, and bear funds for mitigation and adaptation efforts. This phenomenon can also be seen in developing countries and the world that have agreed to inadequate agreements, uniting their hopes in a long-term vision related to climate management and growing in a multilateral system.

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