

Overview of the U.S. and the Paris Agreement

In September 2016, former President Barack Obama officially entered the United States into the Paris Climate Agreement, along with nearly 200 other Parties – representing most of the planet’s population. However, on June 1, 2017, President Donald Trump declared: “We’re getting out.” Since the early days of his campaign, President Trump vowed to exit the Agreement saying that it was “demeaning,” and that he wanted to “make a deal that’s fair.”

Despite President Trump’s statement that the agreement was “draconian,” the Paris Agreement does not consist of strict emissions reduction mandates, or even penalties for failure to comply. The mechanism that the agreement relies upon is Nationally Determined Contributions, or NDCs. The only requirements are that first, every Party determines their own NDC (generally phrased as a goal to reduce emissions to some percent less than those of a historical year, by a future year). Second, the NDC is updated to be more ambitious every five years starting in 2020. Third, the Party regularly reports on both their national greenhouse gas inventory, and their progress towards implementing and achieving their NDC. The only incentive for setting and achieving the NDC is, essentially, peer-pressure.

Despite the President’s 2017 proclamation that the U.S. was exiting, as of August 2019, the country remains Party to the agreement. This is because there is a strict withdrawal process. A country cannot formally announce intent to exit until the agreement has been in place for three years (which will be on November 4, 2019), and then it must wait another year before formally dropping out. Currently, it is expected that the U.S. will officially remain Party to the Paris Agreement until November 4, 2020, which also happens to be the day after the next presidential election.

Regardless of election results, the country will officially exit the agreement in November 2020 (barring a radical shift in climate policy). If President Trump is re-elected for another term, it is expected that the U.S. will stay out of the agreement. If a democratic candidate is elected, it is expected that the country will rejoin the Agreement soon after the new President takes office. (All current democratic candidates have pledged to rejoin the agreement). The rejoining process is significantly faster than the exiting process – merely 30 days—so in theory, the U.S. could rejoin as early as February 19, 2021. The new administration would just have to set a new NDC.

In the meantime, the U.S. is officially still Party to the agreement, and as such has continued to participate in negotiations. Additionally, the U.S. still has an Intended Nationally Determined Contribution of “26-28 percent below its 2005 level in 2025 and to make best efforts to reduce its emissions by 28 percent.” However, these are both technicalities, because there is currently no federal leadership to ensure that the goal is met. For all intents and purposes, the U.S. has already withdrawn from the agreement.

The ramifications of this are three-fold: First, Rhodium Group estimates that U.S. emissions increased in 2018, and while the long-term trend is gradually downward, the U.S. is certainly not on track to meet its NDC. This does not bode well for the Paris Agreement goal of keeping the increase in global average temperature to well below 2 °C above pre-industrial levels in order to limit the impacts of climate change. Second, withdrawal of the world’s second-largest emitter could be demoralizing to the other Parties to the agreement, and encourage them to either adopt unambitious NDCs or to follow the U.S.’s lead and drop out entirely. Third, this could reduce the country’s credibility when negotiating future climate agreements, resulting in the inability for the country’s needs to be met.