

Global Climate Change Governance: The Efficacy of Multilateral Approaches

Izuoma Egeruoh-Adindu^{1,2}

¹Nigerian Institute of Advanced Legal Studies, Abuja, Nigeria

²University of Jos, Jos, Nigeria

Email: izuegeruoh@gmail.com

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Abstract

The struggle to combat climate change is a challenge facing humanity. Mitigating climate change effects requires the involvement of everyone, from every citizen to every government. In years past, the international community has been involved in negotiating several multilateral climate agreements. One of the motivations for such agreements is the belief that securing cooperation amongst States will induce greater support for climate action. Voters during the negotiation process may be more willing to adopt costly policies if other countries do so, because the efforts of other countries make it more likely that multilateral agreement will be effective. The research aim is to show that the public approval of climate action is independent of the policy choices made by other countries. This research using the doctrinal research methodology aims to underscore the point that multilateralism makes climate policy more appealing by improving effectiveness beliefs and fair burden-sharing. The article recommends that multilateralism significantly increases public approval of costly climate action and pursuing climate action within a multilateral setting will not only promise improved policy impacts, but will generate higher levels of support within the global community.

Keywords

Global Climate Change Governance, Multilateral Climate Agreements, Climate Financing, Climate Strategies

1. Introduction

Climate change has been a cause of concern for the developed as well as developing world since the 19th century (Cliff Thompson, 2022). The global climate regime, including the norms, rules, and decision-making procedures that guide the behavior of actors in this policy field, has undergone a remarkable transfor-

mation over the last decade (Krasner, 1982). Over the course of history, climate change policies and legal regime has shifted from unilateral perspective to bilateral, quadrilateral and multilateral agreements (Rahman & Hassan, 2018). Pre-1990 policies and commitments were marked by an understanding of different responsibilities by developed and developing countries, as the contribution to climate change was believed to be forged differently by the developed and developing world. The transition over 30 years witnessed the establishment of IPCC (Intergovernmental Panel on Climate Change) in 1988 under the auspices of the United Nations. IPCC is an intergovernmental body of the United Nations responsible for assessing the science related to climate change. The body was created to provide policy makers with regular scientific assessments on climate change, its implication and potential future risk as well as to put forward adaptation and mitigation options (IPCC, 2022). Prior to the creation of IPCC, a plethora of reports, like the Brundtland report, and the Toronto conference equated climate change to be as dangerous as a nuclear war. Further declarations and commitments focused on attaching limits to carbon emissions. By 1990, there was the second world climate conference themed “Protection of Global Climate for Present and Future Generations of Mankind”, where the potential of limiting carbon emissions by 20 percent was first conversed (Rahman & Hassan, 2018). The goals however widened as the negative effects of Climate change advanced more rapidly than mitigation efforts.

The 1990 era was the most promising as it witnessed the coming into action of the Rio declaration on Environment and Development, biodiversity convention, and United Nations Framework Convention on Climate Change (UNFCCC) (Kuyper, Schroedar, & Linne, 2018). This phase concentrated on mitigation efforts and activities implemented jointly. Also, the international legal regime on climate change functioned as a top-down mechanism through which emissions reduction targets made legally binding in the 1997 Kyoto Protocol were agreed among participating countries (Pattberg & Widerberg, 2016b). A clear distinction was made between countries that had a responsibility to act based on their historic emissions (Annex-1 countries) and those that did not have such responsibility (the developing countries, referred to as Non-Annex 1). This distinction between the rich and poor countries was based on the principle of common but differentiated responsibility and respective capabilities (CBDR-RC), enshrined in Article 3 of the UNFCCC. It essentially means that developed countries should take on more ambitious mitigation targets than developing countries and support the latter by providing finances and technology to facilitate low-carbon development. However, rapid industrialization among large developing countries altered the context in which the CBDR-RC was negotiated in the early 1990s. (Pattberg & Widerberg, 2016b). This, in turn, has catalyzed changes in the UNFCCC as developed countries demand more climate action by developing countries and States were made to conclude a Paris Agreement which is new global agreement under the UNFCCC.

The Paris Agreement (PA) which was ratified and entered into force in 2015 and 2016 respectively marked a turning point in the history of global climate change regime by formalizing a new institutional structure built on voluntary contributions by countries to reduce greenhouse gas emissions and adapt to climate change (Denchak, 2022). Each country decides on its individual contribution based on national capacity, priorities, and development needs. This bottom-up approach is different from the earlier top-down approach manifested in the Kyoto Protocol as it includes all countries into mitigation actions instead of just the developed world. The result is a more flexible system that for the first time includes all countries in the quest to reduce GHG emissions and also keep the global temperature increase below 2°C compared to preindustrial levels.¹ Moreover, the international climate regime has transformed into a regime that indicates the broad activities of smaller groups of states as well as non-party actors, such as cities, regions, companies, and non-governmental organizations. The Paris Agreement was also one of the fastest international agreements that came into force because it secured all the requisite number of signatories to bring into force; a demonstration of significant faith in the multilateral approach to solving global problem. The 2015 Paris Agreement is considered as a good foundation for international action and multilateral agreement on climate change governance.

2. Vulnerability to Climate Change

Climate change is having a large impact on African countries. The African Union Agenda 2063 and the communiqué of the recent meeting of Committee of African Heads of State and Government on Climate Change (COHOSCC) held on 6th February, 2022 is clear on the fact that while African countries (e.g. Nigeria) contribute just 5 percent of global carbon emission, they however bear the greatest brunt of climate change (African Union, 2022). Natural events and human activities are believed to be contributing to an increase in average global temperatures. Though, the Fifth Assessment Report of the IPCC in 2014 attributed the major causes of climate change to human activities via anthropogenic greenhouse gas emissions from population growth and increased industrial activities.² Thus, it is on record that African countries such as Nigeria are the most vulnerable to climate change due to its geographical location, limited adaptive

¹United nations climate change, key aspects of the Paris agreement < <https://unfccc.int/> > accessed 30 April 2022.

²Summary for Policy makers Figure (SPM 1.2) states as follows: “Anthropogenic greenhouse gas emissions have increased since the pre-industrial era, driven largely by economic and population growth, and are now higher than ever. This has led to atmospheric concentrations of carbon dioxide, methane and nitrous oxide that are unprecedented in at least the last 800,000 years. Their effects, together with those of other anthropogenic drivers, have been detected throughout the climate system and are extremely likely to have been the dominant cause of the observed warming since the mid-20th century” see “Climate change 2014 synthesis report summary for policy makers,” Intergovernmental Panel on Climate Change.
< http://ipcc.ch/pdf/assessment-report/ar5/syr/AR5_SYR_FINAL_SPM.pdf > accessed 20 February 2022.

capacity and widespread poverty which makes it difficult for the continent to effectively adapt and mitigate climate change (UN Environment, 2022). Further, Climate change is also a threat to economic growth and livelihoods of vulnerable populations within the African region. Vulnerability to climate change risks is worsened by low adaptive capacity, leading to fatal impacts on the environment. The impact of climate change specific to Nigeria and as provided in the National Policy on Climate Change is more on the agricultural sector, food security, water resources, public health, and settlements. The effects include; temperature increase, droughts, desertification, flood, several rise and salt water intrusion affecting coastal areas changes in quantity, length and pattern of rainfall.³ It also results in land degradation which decreases volume of streams and rivers affecting water availability, increase storms and other extreme climate events, poverty and migration, dislocation of farming families and general decrease in agricultural production.

The Impact of Climate change in Nigeria was evidenced in the 2012 flood disaster. Statistics from Nigeria Post Disaster Needs Assessment of 2012 Flood incidence revealed that the total value of destroyed physical and durable assets caused by the 2012 floods in the most affected states of Nigeria was estimated to reached N1.48 trillion (Nigerian Naira), or its equivalent of US\$9.5 billion. The total value of losses across all sectors of economic activity was estimated at N1.1 trillion, equivalent to US\$7.3 billion. The combined value of these damages and losses was estimated to be N2.6 trillion, or US\$16.9 billion. The overall impact of the flood on real GDP growth in 2012 was estimated at 1.4 percent (N570 billion, in nominal terms). This estimation is based on the impact of production losses as a result of the floods in most sectors of the economy on real GDP growth in 2012. From the Post disaster needs assessment report it is clear that the effects of the floods were concentrated most heavily on the destruction of physical and durable assets, the value of which represents 57 percent of the flood's total impact. Production losses make up the remaining 43 percent.⁴

It is saddening that African countries have limited capacity for disaster preparedness, risk reduction and prevention, and every natural disaster results in material destruction and loss of human lives⁵. There are also substantial risks of land grabs and privatization of the commons, which would accentuate vulnerability to climate risks. Climate change will continue to adversely impact Africa's development for many years to come if African countries do not put in place mitigation and adaptation measures that will help in addressing the negative effects of climate change in the continent.⁶ The Agenda 2063 aspirations and goals on climate change is therefore an Africa effort to combat/mitigate climate change

³Nigerian national policy on climate change 2021-2030, < <https://climatechange.gov.ng/> > accessed 25 February 2022, Kenobi Krukru, Assessment of the Vulnerability and adaptability to Climate Change by Farming Communities in Nigeria < <https://www.grin.com> > accessed 19 February 2022.

⁴Nigeria post disaster needs assessment of 2012 Floods < <https://www.gfdrr.org> > accessed 28 February 2022.

⁵Ibid.

⁶"Climate change and Africa: The Normative framework of the African Union". North-West University < <http://dspace.nwu.ac.za/handle/10394/14193> > accessed 20 February 2022.

while ensuring sustainable development in Africa. Consequently, Goal 7 of Agenda 2063 has no doubt made climate change a continental priority and therefore affirms the need for African countries to embrace mitigation and adaptation measures that will help reduce the negative effect of climate change on the region.

3. Multilateralism Approach: Key to Achieving Climate Goals

Multilateral is a state of international cooperation where some core issues and concerns are at the center (Biniaz, 2022). It also refers to the coming together of three or more countries for certain objectives or causes. It is the practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions (Keohane, 1990). Multilateral environmental agreements act as the key movers of national objectives at the international stage. For instance, the UNFCCC is a multilateral arrangement as it is an assembly of more than three countries and it revolves around a central idea of tackling global climate change (MOPON, 2022). Other Multilateral environmental agreements are the Convention on Biodiversity and Convention to Combat Desertification (European Commission Bilateral and Multilateral Trade Agreements, 2022).

The Convention on Biodiversity is a multilateral agreement adopted in 1992 for biodiversity conservation. The convention has three main goals: the conservation of biodiversity the sustainable use of its components; and the fair and equitable sharing of benefits arising from genetic resources. Its objective is to develop national strategies for the conservation and sustainable use of biological diversity.⁷ The Convention to combat Desertification is a multilateral agreement adopted in 1994 as the sole legally binding international agreement linking environment and development to sustainable land management. The Convention addresses specifically the arid, semi-arid, and dry sub-humid areas, known as the dry lands, where some of the most vulnerable ecosystems and peoples can be found. Parties to the Convention meet in Conferences of the Parties (COPs) every two years, as well as in technical meetings throughout the year, to advance the aims and ambitions of the Convention and achieve progress in its implementation.⁸

The relevance of multilateral arrangements is visible in its affluence, which has shifted many economies onto the path of growth.

3.1. UNFCCC System/Process: Convention, Protocol, Paris Agreement-Bodies

The multilateral effort to mitigate climate change is centered on the UNFCCC.⁹ Two treaties have been negotiated under the UNFCCC, namely the Kyoto Protocol and the Paris Agreement.¹⁰ Together, the UNFCCC, the Kyoto Protocol,

⁷Convention on Biological Diversity < <https://www.cbd.int/> > accessed 28 February 2022.

⁸United Nations Convention to Combat Desertification < <https://www.unccd.int/> > accessed 27 February 2022.

⁹Center for climate and energy solutions, multilateral climate efforts beyond UNFCCC < <https://www.ces.org> > accessed 22 February 2022.

and the Paris Agreement form the foundation of the international climate change regime.

3.1.1. United Nations Framework Convention on Climate Change (UNFCCC), 1992

The UNFCCC was adopted by countries in 1992 as a framework for international cooperation to combat climate change.¹¹ The UNFCCC was adopted in conjunction to the Earth Summit in Rio de Janeiro and entered into force in March 1994. The UNFCCC's primary objective is to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.¹² The Convention contains no set targets for Green House Gas emissions reduction by individual countries, no provisions on how to reduce GHG emissions, and no enforcement or compliance mechanisms. It is considered a legally non-binding treaty (Pattberg & Widerberg, 2016a). The UNFCCC outlines different roles and obligations for the parties. The Convention differentiates between countries in terms of historical responsibility and vulnerability to adverse effects of climate change. The different treatment of developed and developing countries is stipulated in the principle of "Common but Differentiated Responsibilities and Respective Capabilities" (CBDR-RC).¹³ The CBDR-RC requires developed countries to take the lead in mitigating climate change and assist developing countries with financial and technological resources for fulfilling the goals of the regime.

The Convention operationalizes the CBDR-RC by dividing countries into three annexes: Annex 1 comprises developed countries and countries in transition; Annex 2 includes 24 OECD member-countries from Annex 1; and Non-Annex 1 lists developing countries. In particular, Annex 2 countries are obliged to provide additional resources toward climate action in developing countries. Moreover, technical and administrative issues such as reporting frameworks also recognize the different capabilities of countries. The language of the Convention is vaguely formulated, and details were left to be hammered out in subsequent treaties (sometimes called "Protocols"). The UNFCCC is a "framework-protocol" type of multilateral environmental agreement (MEA) designed to postpone difficult negotiating issues for the future. Protocols and treaties negotiated within the UNFCCC add detail to the regime, such as GHG emission reductions or decarbonization timelines, and divide large difficult problems into more manageable subparts. Moreover, the UNFCCC's key decision-making body, the Conference of the Parties (COP), comprising all Parties to the Convention, adds even more rules to the regime by reviewing current implementation and making new administrative and institutional arrangements. All States that are Parties to the

¹⁰Ibid.

¹¹infoMEA, "Climate Change International Legal Regime" < <https://globalpact.informea.org> > accessed 19 February 2022.

¹²United Nations Framework Convention on Climate Change 1992, Article 2 < <https://unfccc.int> > accessed 20 February 2022.

¹³United Nations Framework Convention on Climate Change 1992, Article 4(1) < <https://unfccc.int> > accessed 20 February 2022.

Convention are represented at the COP, at which they review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements. The COP decisions are based on consensus and forms an important part of the development of the intentional climate regime.

The Convention also has in place institutional arrangements for climate change intergovernmental process. Aside the COP mentioned above there is a process management body known as the Bureau of the COP for the Convention, the CMP for the Kyoto Protocol and the CMA for the Paris Agreement which supports the work of the governing bodies through the provision of advice and guidance regarding the ongoing work under the Convention, the Kyoto Protocol, and the Paris Agreement, the organization of their sessions and the operation of the secretariat. There are also two permanent subsidiary bodies known as the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI) as well as other ad hoc subsidiary bodies established by the COP, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) or the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA) to address specific issues relating to Climate change. The SBSTA assists the governing bodies through the provision of timely information and advice on scientific and technological matters as they relate to the Convention, the Kyoto Protocol and the Paris Agreement.

In addition, the SBSTA cooperates with relevant international organizations on scientific, technological and methodological question. While the SBI assists the governing bodies in the assessment and review of the implementation of the Convention, the Kyoto Protocol and the Paris Agreement. In addition, the SBI is the body that considers the biennial work programmes for the secretariat, which provide the strategic direction on how the secretariat can best serve the Parties and the UNFCCC process towards greater ambition of climate change action and support that is fully commensurate with the objectives of the Convention, the Kyoto Protocol and the Paris Agreement.¹⁴

There is also a technical subsidiary bodies with limited membership (referred to in practice as the constituted bodies) established under the Convention the Kyoto Protocol and the Paris Agreement. The UNFCCC secretariat provides organizational support and technical expertise to the UNFCCC negotiations and institutions and facilitates the flow of authoritative information on the implementation of the Convention, the Kyoto Protocol and the Paris Agreement. This includes the development and effective implementation of innovative approaches to mitigate climate change and drive sustainable development. There are also entities entrusted with the operations of the Financial Mechanism (i.e. the Global Environment Facility-GEF- and the Green Climate Fund –GCF). Collectively,

¹⁴United Nations Climate Change, What are governing, process management, subsidiary, constituted and concluded Bodies? < <https://unfccc.int/> > accessed 28 February 2022.

these institutions participate in the process of developing policies and guidance to support Parties in the implementation of the Convention, the Kyoto Protocol and the Paris Agreement.¹⁵

In terms of climate negotiations, developing country Parties generally work through the Group of 77 to establish common negotiating positions. The G-77 was founded in 1964 in the context of the UN Conference on Trade and Development (UNCTAD) and now functions throughout the UN system. There are currently 133 members in the Group. The Party holding the Chair of the G-77 in New York (which rotates every year) often speaks for the G-77 and China as a whole. However, because the G-77 and China is a diverse group with differing interests on climate change issues, individual developing country Parties also intervene in debates, as do groups within the G-77, such as the African Group, the Small Island Developing States and the group of Least Developed Countries.

As at date, 197 Parties have joined the UNFCCC, of which 196 are countries and one a regional economic cooperation organization, the European Union.¹⁶

3.1.2. The Kyoto Protocol

The Kyoto Protocol is the first treaty negotiated under the UNFCCC and it was adopted in 1997.¹⁷ It established internationally binding GHG emission reduction targets and timetables for countries. Under the Kyoto Protocol, only Annex 1 countries, i.e., developed countries and countries in transition, had individual emission reduction targets listed in Annex B of the Protocol.¹⁸ To reach their targets, the Kyoto Protocol formalized a market-based approach to implement the UNFCCC's goal. The centerpiece of the approach was to be a carbon market where GHG emission allowances could be traded. This trading of GHGs was intended to internalize the cost of climate change into the price of other commodities by putting a price on carbon. The Kyoto Protocol introduced three mechanisms for creating a carbon market: International Emission Trading (IET), the Clean Development Mechanism (CDM), and Joint Implementation (JI).¹⁹ IET was based on the idea that countries with mitigation commitments (Annex B Parties) would be allowed to buy and sell emission allowances depending on their allowed targets. To enable trading, emissions commitments were divided into Assigned Amount Units (AAUs) to function as a commodity. The CDM made it possible for countries with a commitment to receive Certified Emission Reduction (CER) credits if they invested in emission-reducing projects in developing countries. JI allowed Annex 1 Parties to receive Emission Reduction Units

¹⁵United Nations Framework Convention on Climate Change 1992, Article 2 < <https://unfccc.int> > accessed 20 February 2022.

¹⁶United Nations Climate Change, "What is the United Nations Framework Convention on Climate Change?" < <https://unfccc.int> > accessed 19 February 2022.

¹⁷United Nations Climate Change, What is the Kyoto Protocol, < <https://unfccc.int/> > accessed 19 February 2022.

¹⁸The Kyoto Protocol to the United Nations Framework Convention on Climate Change 1997, Article 3 (1) and Annex B < <https://unfccc.int> > Accessed 20 February 2022.

¹⁹Center for Climate and Energy Solutions, Multilateral Climate Efforts beyond UNFCCC < <https://www.ces.org> > accessed 22 February 2022.

(ERUs) for investing in emission reducing projects in other Annex 1 Party countries. The mechanisms were expected to provide flexibility for countries to reach their Kyoto targets while transferring technology and know-how to developing countries. Intricate systems of monitoring, reporting, and verification were developed, and, only for the CDM. Following up on the first commitment period under the Kyoto Protocol (2008-2012), the Doha Amendment to the Kyoto Protocol was adopted in 2012, stipulating new commitments for 2013 and 2020.

The Kyoto Protocol's design did not deliver the desired effects, partly due to a rapidly changing world in terms of energy production and consumption. In 2006, China overtook the United States as the world's largest GHG emitter, and similar trends were visible in other large developing countries such as India and Brazil. At the same time, EU and U.S. emissions decreased (Pattberg & Widerberg, 2016a).

Consequently, the context under which the Kyoto Protocol was negotiated changed dramatically, and therefore resulted in the landmark treaty—the Paris Agreement that embodies a fundamentally different institutional design compared to the Kyoto Protocol.

3.1.3. The Paris Agreement

The Paris Agreement was adopted by the UNFCCC in 2015 following years of protracted negotiations, and was immediately heralded as a historic moment for global cooperation to combat climate change.²⁰ The Paris Agreement rests on two pillars. First, it requires the commitment of the international community to reduce emissions to keep global temperature increase well below 2°C above pre-industrial levels while pursuing efforts to limit it to 1.5°C. Parties agreed to reach global peaking of GHG emissions as soon as possible and to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of the 21st century (this is generally referred to as the Collective Goal of the Paris Agreement). Second, the Paris Agreement introduced the mechanism of Nationally Determined Contributions (NDCs) to achieve the temperature goal (Paris Agreement, 2022) (this is referred to as Individual Commitment). The NDCs are national action plans in which countries communicate their GHG reduction goals and associated instruments. Under Article 4 of the Paris Agreement, Parties have decided on guidelines for drafting the NDCs. For instance, NDCs should reflect each Party's highest possible ambition; developed countries should take the lead by undertaking economy-wide absolute emission reduction targets in the spirit of the CBDR-RC; they should be clear and transparent; and they should take into account existing methods and guidance under the UNFCCC. All NDCs will be recorded in a public registry maintained by the UNFCCC Secretariat. Besides the general guidelines, the NDCs provide signatories with considerable leeway in mitigation commitment

²⁰United nations climate change, The Paris agreement, < <https://unfccc.int> > Accessed 20 February 2022.

levels and measures for implementation. The NDCs are to be designed in accordance with national circumstances and tailor them to suit domestic constituencies. The NDCs are supposed to be renewed and submitted in cycles of five years, aiming to improve country pledges and increase ambition over time. There will also be a global stock take every 5 years to assess the collective progress towards achieving the purpose of the agreement and to inform further individual actions by Parties (UNFCCC, 2022).

The Paris Agreement will help developing countries mostly African countries like Nigeria who are the most vulnerable to climate change effects to help in the global mitigation of climate change through their own national efforts. The introduction of NDCs constitutes a departure from the Kyoto Protocol's model of establishing global emission reduction pathways, distributing targets among the Parties along with clear timetables toward a "bottom-up" structure where countries are free to set their own targets. The agreement is a credit to the responsiveness of the multilateral process and new course in the global efforts to combat climate change.²¹ However, despite the success of the Paris Agreement, the multilateral process was put to test with the unilateral withdrawal of President Trump's America-based on his "America First" campaign which was later overturned by the Biden's administration.

4. Regional and Sub-Regional Climate Change Strategies

4.1. Committee of African Heads of States on Climate Change (CAHOSCC)

The Committee of African Heads of State and Government on Climate Change (CAHOSCC) was established in 2009 by the African Union Assembly of Heads of States and Government to spearhead an African Common Position on Climate Change and ensure that Africa speaks with one voice in global climate change negotiations. Since then, CAHOSCC has been working with the African Ministerial Conference on Environment (AMCEN) and the African Group of Negotiators on Climate Change (AGN) to advance the Africa Common Position on Climate Change at global for a and negotiations on climate change. The CAHOSCC has over the years played a key strategic role in coordinating Africa's Common Position on Climate Change and promoting the unity of Africa on Climate Change issues at Heads of State and Government level (African Union, 2022).

4.2. The African Ministerial Council on Environment (AMCEN)

The African Ministerial Conference on the Environment (AMCEN) was established in December 1985, following a conference of African ministers of environment held in Cairo, Egypt. Its mandate is to provide advocacy for environ-

²¹Nigeria 146th to endorse Paris climate Agreement-UN, Premium times (May 17 2017) < <https://www.premiumtimesng.com/news/more-news/231462-nigeria-146th-to-endorse-paris-climate-agreement-un.html> > accessed 8 February 2019.

mental protection in Africa; to ensure that basic human needs are met adequately and in a sustainable manner; to ensure that social and economic development is realized at all levels; and to ensure that agricultural activities and practices meet the food security needs of the region.²² The measures adopted by AMCEN in seeking solutions to environmental concerns in Africa have consistently been participatory and consultative since its inception. The existence of AMCEN has had an impact on the manner in which environmental issues are being handled in the region. AMCEN has also contributed to strengthening Africa's participation and active involvement both in global negotiations and in international agreements on the environment. AMCEN role includes; to provide continent-wide leadership by promoting awareness and consensus on global and regional environmental issues; Develop common positions to guide African representatives in negotiations for legally binding international environmental agreements; promoting African participation in international dialogue on global issues of importance to Africa; Review and monitor environmental programmes at the regional, sub-regional and national levels; Provide regional strategic and policy guidance to promote sound environmental management for sustainable development; Promote the ratification by African countries of multilateral environmental agreements relevant to the region and to help building African capacity in the field of environmental management.

AMCEN has implemented many concrete measures with regard to regional policy development, awareness-raising, advocacy, coordination, networking, knowledge management and dissemination, and training on environmental protection in Africa. The AMCEN is known to give policy directions to African Group of Negotiators (already mentioned above) who represents the African group at the Conference of Parties and other meetings of UNFCCC (African Union, 2022). The AMCEN also have in place an institutional arrangement through which it carries out its functions. The AMCEN adopted its first-ever constitution in 1997 and formalized its existence as the permanent African Ministerial authority on the environment and sustainable development. The Conference is the highest policy-making organ of AMCEN. It has a Bureau consisting of a President and four vice-Presidents (one representing each sub-region). The President of AMCEN presides over the sessions of AMCEN, meetings of the Bureau and conducts the affairs of AMCEN between its ordinary sessions. The Bureau is responsible for the implementation of decisions of the Conference as well as the relations between AMCEN and member states and observers between sessions. UN Environment through its African office serves as the Secretariat of AMCEN since its inception. The Secretariat works with the President of AMCEN and its Bureau in conducting the affairs of the Conference.

AMCEN at its 4th session, decided to set up a Trust Fund to ensure a sustainable financial base aimed at rendering the Conference more effective. The Trust Fund was established in 1991, on the basis of voluntary contributions. The main

²²UN Environmental Program, AMCEN, < <https://www.unep.org> > accessed 1 March 2022.

objective of the fund is to provide financial support, wholly or partially, for the functioning of the organs of AMCEN and the implementation of its activities. The Trust Fund is managed by UN Environment as the AMCEN Secretariat (African Union, 2022).

4.3. Agenda 2063

The African Union (AU) Agenda 2063 is a strategic framework for the socio-economic transformation of the continent over the next 50 years (African Union, 2022). Launched in 2013, the AU Agenda 2063 aims at inclusive growth and sustainable development of all African countries. It builds on, and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development.²³ Further, Agenda 2063 emphasizes the importance of rekindling the passion for pan-Africanism, a sense of unity, self-reliance, integration and solidarity that was a highlight of African development in 20th century. It is anchored on the constitutive act the AU Vision, the 50th Anniversary Solemn Declaration and African aspirations. Thus, national, regional and continental priorities are the centre of Agenda 2063. The Agenda 2063 builds on 7 aspirations and 18 goals. The aspirations are: A prosperous Africa based on inclusive growth and sustainable development; An integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance; An Africa of good governance, democracy, respect for human rights, justice and the rule of law; A peaceful and secure Africa; An Africa with a strong cultural identity, common heritage, shared values and ethics; An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children; Africa as a strong, united and influential global player and partner. Aspiration one is very important in this discourse as it focuses on the need for Africa to address the global challenge of climate change by prioritizing adaptation in all our actions, drawing upon skills of diverse disciplines with adequate support (affordable technology development and transfer, capacity building, financial and technical resources). This is to ensure implementation of actions for the survival of the most vulnerable populations, including islands states, and for sustainable development and shared prosperity (United Nations, 2021).

There is also a call to action by the Assembly of the African Union for African countries to act with a sense of urgency on climate change and the environment by ensuring implementation of the programme on Climate Action in Africa, including: Identification of five regional technology centres, linking with national designated climate technology entities; organize programmes on climate change targeting women and youth; building on climate resilient agricultural development programme such as Comprehensive African Agricultural Development Programme (CAADP); promoting sustainable forest management programmes;

²³“African Agenda 2063”. African Union.

< <http://www.un.org/en/africa/osaa/pdf/au/agenda2063-presentation.pdf> > accessed 8 October 2021.

adopting national adaptation plans, systems and structures; and ensuring sustainable exploitation and management of Africa's diversity for the benefit of its people.

Goal 7 contains some priority areas which will enable Africa countries avert the harsh effects of climate change while ensuring sustainable development. These priority areas are contained in the ten years implementation plan of Agenda 2063²⁴ and they include: The need for societies to produce and consume goods and services in a sustainable manner; The need for Africans to conserve biodiversity which includes forests, genetic resources, land, coastal and marine ecosystems also use them sustainably;

1) The need to ensure water security for domestic, agricultural and industrial use;

2) The need to build Climate resilience low carbon production systems in various industries and significantly minimizing vulnerability and natural disasters; the need to switch to renewable energy (wind, solar, hydro, bio and geothermal) as the main source of power from households, businesses and organisations.

These priority areas are important but needs to be compelling due to the enormous vulnerability of the continent to climate change effects.

4.4. Draft African Climate Change Strategy 2020-2030

The draft African Climate Change Strategy 2020-2030 is a document that was developed after the review of the following documents: the 2014 Draft Continental Climate Change Strategy, the 2015 Paris Agreement, the United Nations Sustainable Development Goals, the Africa Programme of Action on Disaster Risk Reduction, the Sendai Framework, national and regional climate change frameworks.²⁵ Feedback from key stakeholders, Regional Economic Communities, academia, the African Ministerial Conference on the Environment and civil society was incorporated to give a holistic fresh African strategy on climate change. The Africa Climate Change Strategy aims to be a document that keeps pace with developments at the global, continental, regional and domestic levels. The objective of the Africa Climate Change Strategy is the "Achievement of the Agenda 2063 Vision by building the resilience of the African continent to the impacts of climate change." The logical framework is the road map that defines how to attain the Specific Objective of this Strategy which is the attainment of SDG 13: "Take urgent action to combat climate change" through harmonised adaptation and mitigation responses to climate change in Africa. Five key results are envisaged for the strategy: Result 1: Effective institutional capacities to implement climate change strategies Result 2: Climate change strategies are harmonised Result 3: Africa speaks with one voice Result 4: Resilience built, and vulnerability

²⁴African Union, "The first-ten year implementation Plan of agenda 2063," < <https://au.int/en/agenda2063> > accessed 8 October 2021.

²⁵Draft African climate change strategy 2020-2030 < <https://archive.uneca.org> > Accessed 22 February 2022.

reduced Result 5: Increased access to finance. It is intended for the strategy to be applied at African Union, the Regional Economic Communities in Africa and States together with their organs and agencies, the Member States departments and institutions responsible for climate change.²⁶ Non-governmental organizations, partners and the private sector, are encouraged to align their climate change strategies and plan of action to the Africa Climate Change Strategy.

4.5. European Union Strategy on Adaptation to Climate Change

The European Union aims to be climate neutral by 2050 and also become an economy with net-zero greenhouse gas emissions.²⁷ This strategy was adopted on 24 February 2021.²⁸ This objective is at the heart of the European Green Deal and in line with the EU's commitment to global climate action under the Paris Agreement. EU has put in place effective strategies that will enable them achieve that objective. The transition to a climate-neutral society is both an urgent challenge and an opportunity to build a better future for all. The societies and every economic sectors which includes: power sector, industries, transport, buildings, agriculture and forestry will play a role in achieving this objective. The EU can lead the way by investing into realistic technological solutions, empowering citizens and aligning action in key areas such as industrial policy, finance and research, while ensuring social fairness for a just transition to a climate neutral society. Though the Draft African Climate Change Strategy 2020-2030 and the South African Just Energy Transition Partnership²⁹ is a right step, however there is need for African countries to make compelling efforts towards net-zero greenhouse gas emissions and not just to have them in documents.

4.6. Sub-Regional Climate Change Strategies

Sub-regional organizations like ECOWAS have put in place strategies to mitigate climate change effects in the sub-regions. ECOWAS as a sub-regional organization have in place the ECOWAS Regional Centre for Renewable Energy and Energy Efficiency (ECREEE) which gained legal status since 2008³⁰ and recently the Regional Climate Change Strategy which is still in progress since 2021.³¹ The objectives of the ECREEE climate change programme (ECCP) is to contribute towards the achievement of the sustainable development goals of the ECOWAS

²⁶Nigeria post disaster needs assessment of 2012 floods < <https://www.gfdrr.org> > accessed 28 February 2022.

²⁷European commission, "EU-Climate Action: 2050 Long Term Strategy," < <https://ec.europa.eu> > accessed 21 February 2022.

²⁸Ibid.

²⁹European Commission, France, Germany, UK, US and EU launch ground-breaking International Just Energy Transition Partnership with South Africa < <https://ec.europa.eu> > accessed 22 February 2022.

³⁰ECOWAS Center for Renewable Energy and Efficiency, ECREEE Climate Program < <http://www.ecreee.org/> > accessed 18 February 2022.

³¹The global climate change alliance Plus, "ECOWAS develops a long term regional climate strategy to strengthen coordination of climate action in west Africa" < <https://intraacpgccaplus.org> > accessed 21 February 2022.

sub-region by supporting ECOWAS countries to mitigate the impacts of climate change through the deployment of renewable energy and the implementation of energy efficiency measures while enhancing the social, economic and energy security benefits (African Union, 2022). While the objective of the Regional Climate Strategy is to build a West African community resilient to the impacts of climate change and which will be able to leverage economic opportunities related to the fight against climate change in favour of long-term sustainable development for the region (Togo First, 2022). The strategy sets out objectives for 2030 and 2050, and an action plan for key development sectors like agriculture, energy, forestry, water, and transport and infrastructure (African Union, 2022). The ECOWAS Commission recently created its first Regional Advisory Group for International Climate Negotiations (RAG-CLIN) with the support of the Intra-ACPGCCA+ West Africa project, implemented by Expertise France with financing from the European Union. The aim was to reinforce the capacities of the climate negotiators of ECOWAS Member States and build common positions in relation with its mandate for strengthening the unity and the West-African voice within the framework of the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement and more globally in the context of negotiating multilateral Climate agreements (ECOWAS, 2022).

In attempt to leave no stone upturned in mitigating Climate change in the West African subregion, ECOWAS in partnership with the West African Science Service Center on Climate Change and Adapted Land Use (WASCAL) has launched research project to identify the impact of climate change and adaptation cost on agriculture, water sector and coastal zones in West Africa (WASCAL, 2022). The research will contribute to the vision of ECOWAS strategic programme on the reduction of vulnerability and adaptation to climate change by the end of 2030, all Member State of ECOWAS are expected to have the human, technical and financial resources necessary to protect their human and natural systems from the adverse effects of climate change (WASCAL, 2022).

4.7. Multilateral Financial System for Climate Financing

Article 11(5) of the UNFCCC states that the developed country Parties may also provide and developing country Parties avail themselves of, financial resources related to the implementation of the Convention through bilateral, regional and other multilateral channels.³² These financial resources currently exist as the multilateral climate funds. The multilateral climate funds aim at stimulating climate actions that accelerate the transition to green, inclusive and climate resilient economy. The objectives of these multilateral climate funds are to be achieved through strategic partnerships to drive down emissions and boost adaptive capacities to climate change while enhancing economic resilience, improving health and creating the next generation of green jobs in developing countries.

³²United nations framework convention on climate change < <https://unfccc.int> > accessed 19 February 2022.

The aim of the multilateral climate funds is to reinforce support to developing countries towards implementation of the Paris Agreement and the UNFCCC.³³ There are identifiable multilateral climate funds and they are:

Adaptation Fund—The essence of the Adaptation fund is to accelerate and enhance the quality of adaptation action in developing countries like African countries, by financing concrete adaptation actions that will benefit vulnerable communities.³⁴ It is important to note that the Adaptation Fund is funded from proceeds from the CDM under the Kyoto Protocol and it has been agreed that the Adaptation Fund will continue to serve the Paris Agreement.

Climate Investment fund (CIF)—The Climate Investment Fund aims at mobilizing the Multilateral Development Bank partners like the African Development Bank, governments, private sector and local communities to pioneer new technologies, create markets and catalyze transformational change towards a more prosperous, equitable climate economy.³⁵

The Global Environment Facility (GEF)³⁶—The Global Environment Facility seeks to safeguard the global environment by helping developing countries like African countries meet their commitments to multiple international environmental legal regime and also to create and enhance partnerships at national, regional and global level based on the principle of sectorial integration and systematic approaches to project financing.

The Green Climate Fund—The Green Climate Fund seeks to promote systematic shift towards low-emission and climate resilient development pathways in the context of sustainable development. It is a critical element of the Paris Agreement and it is the world largest Climate fund, mandated to support developing countries raise and realize their Nationally Determined Contributions (NDC) ambitions towards low-emissions, climate –resilient pathways.³⁷

African Climate Change Fund—The African Climate Change Fund (ACCF) was established by the African Development Bank in April 2014 with an initial contribution of €4.725 million from the Government of Germany to support African countries, to build their resilience to the negative impacts of climate change and in transitioning to sustainable low-carbon growth. The ACCF was able to secure an additional funding commitment of €4.7 million from the Government of Italy at the end of 2015 and a commitment of €2 million from the Government of Flanders, Belgium in 2016, which brought the total contributions to the ACCF since its inception to over €11.4 million. These commitments allowed the ACCF to scale-up to a multi-donor trust fund. Additionally, in 2020 the Fund successfully mobilized additional resources of about \$9.274 million from the Government of Flanders (€2.256 million) and from two new donors,

³³Green climate funds, “The multilateral climate funds are working together to enhance complementarity and collaboration,” < <https://www.greenclimate.fund> > accessed 20 February 2022.

³⁴Ibid.

³⁵Climate investment fund, < <https://www.climateinvestmentfunds.org> > accessed 2 March 2022.

³⁶African development bank, The global environment facility < <https://www.afdb.org> > Accessed 20 February 2022.

³⁷Green climate fund, < <https://www.greenclimate.fund> > Accessed 23 February 2022.

Global Affairs Canada (CAD 7 million) and Government of Quebec (CAD 2 million). These additional resources will continue to support African countries to scale up climate finance readiness activities to access more resources from climate funds to implement their climate actions. To date, the ACCF has approved 15 small grant projects for a total of about USD 8 million. The approved projects are supporting over 16 African countries (i.e. Benin, Cabo Verde, Côte d'Ivoire, Cameroon, Eswatini, Lesotho, Kenya, Mali, Mozambique, Namibia, São Tomé and Príncipe, Senegal, Swaziland, Sudan, Uganda, and Zanzibar (Tanzania)), through individual country and multinational projects to strengthen their capacities to access international climate finance, and implement small-scale adaptation projects to enhance their resilience.³⁸ Multilateral development banks (MDBs) Like the African Development Bank serve as the channels and also play an important role in financing developing countries' efforts to reduce emissions and protect against the effects of climate change.³⁹

The secretariat of these multilateral climate funds identifies partnership areas to fund climate friendly projects. For example, the secretariat of Green Climate Fund (GCF) has identified three priority areas to deepen partnership to help operationalise the Paris Agreement. The first priority area is to explore synergies in programming to improve the effectiveness and efficiency in the provision of support for capacity building, projects and program preparations and also explore options for joint support for global, regional and national collaborating financing platforms. The second priority area is the monitoring, evaluation and learning. The GCF secretariat seeks to build on the \$100 billion Climate funds commitment by developed countries. The \$100 billion climate funds per year by 2020 commitment of the developed countries are a floor and not a ceiling. The third priority area is communication and outreach. The secretariat seeks to enhance outreach and communication efforts to improve visibility of efforts to support developing countries, sharing of lessons learned from coordination and complementarities efforts. This effort will build on existing outreach efforts such as the efforts by developed countries to support developing countries on the road to a climate-resilient recovery from COVID-19 pandemic and at events like the UNFCCC COPs.⁴⁰

5. Effects of Multilateral Approaches on National Climate Governance

Multilateral approaches have helped in shaping national climate governance. The Paris Agreement brought a paradigm shift from direct focus on international climate change regimes to developing national climate change regimes. Multilaterals and aid agencies are shifting significant attention to the national arena,

³⁸African development bank group, African climate change fund, < <https://www.afdb.org/> > accessed 1 March 2022.

³⁹African development bank, MDB climate finance record hit record high of \$43.1 billion in 2018 < https://www.afdb.org > accessed 19 February 2022.

⁴⁰Nigeria post disaster needs assessment of 2012 floods < https://www.gfdrr.org > accessed 28 February 2022.

where the fulfillment of climate commitments will depend upon new legal and regulatory frameworks, supporting institutions, and the political support within and outside the government (Naess, Newell, Newsham, Phillips, Quan, & Tanner, 2016; Verchenkova & Bossi, 2012; Lockwood, 2014; Brunner et al., 2012). The characteristics of climate change complexity, uncertainty, irreversibility, and distribution of costs and benefits over space and time makes it a collective action challenge at the global and national level. However, the historical contexts of development, energy, political power structures, and the level of exposure to climate impacts reveals that understanding national contexts and political factors is critical for external partners hence the reason the Paris agreement was considered as the new course in the global efforts to combat climate change. Since the adoption of the Paris Agreement, many climate policies and legal frameworks have been enacted for example Nigeria has enacted the Climate Change Act 2021. The Paris agreement provides opportunity for nations to address issues of governance, politics of climate law/policy development and adoption as well as domestic implementation strategy. The Paris Agreement has shown that multilateral approaches can shape climate governance at the national level.

Aside shaping national climate change legal framework, multilateral approach on climate governance promotes collaboration, innovation and learning among actors and authorities at national, regional and international levels. It ensures coherence between national, regional and international plans and policies. It establishes objectives, mechanisms, policies and solutions jointly, ensuring that they maintain a certain level of harmony. It establishes tools or structures for information exchange, decision-making, follow-up, monitoring and reporting. Multilateral approach on climate change enables better collaboration between actors at different levels through the agreement of clear roles, relationships and responsibilities.⁴¹ However, there is also identifiable limitation with multilateral approach for example, they are unenforceable, non-punitive because they are usually based on good faith and respect for sovereignty of States. Though the Paris Agreement has a stock taking mechanism to check progress, it may not guarantee compliance by nations.

6. Conclusion and Recommendations

6.1. Conclusion

International climate legal regimes are the processes developed to create agreements between countries to promote and ensure ambitious action against climate change and its effects. Negotiations within the international framework are important, because they set out the strategies to be followed at both global levels under the principle of common but differentiated responsibilities aimed at ensuring sustainable development. The negotiations also shape regional, sub-regional and national climate change legal regimes. It is important to note that for the

⁴¹Ibid.

processes to be participatory and result in efficient and effective climate action, sovereignty of states as well as individual human rights must be taken into account. It is also vital that climate decisions and policies are sensitive to the perceptions, interests and rights of countries and communities that are most vulnerable to climate change.

6.2. Recommendations

The following recommendations are proposed:

1) Multilateral approaches/agreements are commendable; however, they must be based on national interests of each party—developing nations like Nigeria must identify what its interests and priorities are and find entry points in the multilateral system to leverage support and benefits. Support/benefits accruing from this proceed must be demand-driven and hoisted on the country based on the interest of the other party(ies).

2) Multilateral process provides opportunities to access certain international climate finance, but most are conditional on fulfillment of certain conditions. African countries like Nigeria must make plans to take advantage of such opportunities.

Global energy transition has put oil rich countries like Nigeria at risk of stranded fossil fuel asset—that either cannot be monetized in the near future or get value. An urgent plan of diversifying the economy to greener pathway has become an imperative to avoid economic catastrophe.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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