



# Turning Point Glasgow?



A first assessment of COP26

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From 31 October to 13 November 2021, the 26th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP26) was held in Glasgow. The Wuppertal Institute research team closely observed the climate change negotiations during the two-week conference and can now present its first assessment of the conference outcomes. In early 2022, the Wuppertal Institute will present a detailed analysis on COP26, which will shed more light on the various issues discussed during the conference and other related topics.

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## 1 Introduction

The 26th session of the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) took place from 31 October to 13 November 2021. Despite the ongoing COVID-19 pandemic, the number of registered participants virtually doubled compared to the last COP. It closed nearly at midnight, more than one day behind schedule, marking the sixth-longest COP on record.

While the UK had pledged in summer 2021 to make the Glasgow climate conference the most inclusive COP ever, there was considerable criticism. Given the postponement of the COP the year before due to COVID-19, ensuring a safe event was a key priority in the run up to the conference. Despite the COP presidency's considerable efforts prior to the COP, there was criticism, especially at the beginning of the conference. Attendees of the conference were reported to face difficulties before the conference (regarding COVID-19 travel restrictions, visas and lack of affordable accommodation), during the stay (long lines and restricted access to the venue and negotiations, difficult access for people with disabilities) and some even faced problems when connecting virtually. According to an estimation of a spokesperson for the COP26 coalition, only one-third of the usual number of participants representing the Global South had been able to attend COP26.<sup>1</sup>

The Glasgow conference was symbolic in a way, lying half-way between the adoption of the UNFCCC in 1992 and the year 2050 in which according to the IPCC special report on the 1.5°C limit net zero CO<sub>2</sub> emissions need to be reached, globally, in order to maintain a good chance of achieving the 1.5°C limit.<sup>2</sup> While the world resolved to combat climate change in 1992, it arguably at first took off in the wrong direction, global GHG emissions have increased nearly constantly since. The Paris Agreement as the first international agreement requiring ambitious climate action by all countries was supposed to finally turn the helm and steer the world in the right direction. The following will undertake a first preliminary assessment of what the Paris Agreement and its implementation process have actually achieved so far up to and including the results of the Glasgow conference.

## 2 The Glasgow conference provided further specification on the level of effort required

In the Paris Agreement, the international community resolved to keep global average temperature increase well below 2°C compared to pre-industrial levels, and preferably even below 1.5°C. The Agreement thereby further specified the ultimate objective of the UNFCCC, to prevent dangerous anthropogenic climate change. However, there had so far been no specification of where the danger threshold was. The temperature objective of the Paris Agreement provided this specification and also translated it into emission pathways by stipulating that global emissions were supposed to peak as

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1 Matthew Taylor, 'COP26 Will Be Whitest and Most Privileged Ever, Warn Campaigners' The Guardian (30 October 2021) <<https://www.theguardian.com/environment/2021/oct/30/cop26-will-be-whitest-and-most-privileged-ever-warn-campaigners>> accessed 18 November 2021.

2 IPCC, Global Warming of 1.5°C – An IPCC Special Report (Intergovernmental Panel on Climate Change (IPCC) 2018) <<https://www.ipcc.ch/sr15/>>.

soon as possible and that a balance between emissions and sinks was supposed to be achieved in the second half of the century.

Scientific and political discussions since Paris have further strengthened the target. Up to Paris, the international target had been 2°C, in Paris, the 1.5°C limit was included only due to strong pressure by the most vulnerable countries and only at the last second. But since Paris, 1.5°C has increasingly become the benchmark for action, in particular due to the 2018 IPCC special report. The Glasgow conference finally adopted the findings of this report into the diplomatic process. COP24 in Katowice had not even been able to “welcome” the IPCC special report due to resistance by Saudi Arabia and the US under the Trump Administration. In stark contrast, the Glasgow Climate Pact puts the IPCC’s assessment into the spotlight and recognises that the impacts of climate change will be “much lower” at 1.5°C compared with 2°C and “resolves to pursue efforts” to stay below 1.5°C (Decision 1/CMA.3, para 21). Even more notably, the decision makes the link between long-term and short-term ambition. It highlights the finding from the special report that maintaining a good chance of achieving the 1.5°C limit requires a reduction of CO<sub>2</sub> emissions by 45% below 2010 levels by 2030 and to net-zero by mid-century (ibid, para 22). The Glasgow decision therefore substantially strengthens the objectives laid down in the Paris Agreement and provides clear guidance on the level of ambition that is required for this decade.

### 3 The ambition mechanism is working – to some extent

In addition to lying halfway between 1992 and 2050, the Glasgow conference also marked a major milestone in the so-called ambition mechanism of the Paris Agreement. 2020 was the first time parties to the Paris Agreement were supposed to submit new or updated climate action pledges, the so-called nationally determined contributions (NDCs). Going into the Paris conference it was clear that countries’ initial pledges were far too weak to keep global temperature increase below 2°C, let alone 1.5°C. The Agreement therefore established a five-year cycle for strengthening ambition and implementation. Parties are supposed to submit new or revised NDCs every five years. On that basis, every five years a Global Stocktake will assess what progress parties have made collectively towards achieving the goals of the Paris Agreement. The results of the GST are supposed to inform the development of the subsequent NDCs.

It can be observed that the ambition mechanism has worked to some extent. A large number of parties submitted new or updated NDCs over the course of 2020/21<sup>3</sup>, of which about half is more ambitious. However, there are also many Parties that so far have not submitted new NDCs, and those that are there are overall too weak to achieve the temperature limit of the Paris Agreement. According to the 2021 UNEP Emissions Gap Report, those NDC pledges submitted before the conference only reduce predicted 2030 emissions by 7.5%, while a 55% reduction would be needed to meet the 1.5°C Paris goal. Taken together, the updated NDCs were projected to result

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3 116 new or updated NDCs were communicated by 143 Parties until 12 October.

in a temperature rise of 2.7°C.<sup>4</sup> COP26 was therefore a critical moment for increasing ambition and implementation. The UK presidency had announced that the overall goal of the conference was to “keep 1.5 alive”, i.e. to keep the possibility of achieving the 1.5 limit within reach.

The Glasgow Climate Pact “notes with serious concern” that current pledges will lead to emissions 13.7 per cent above the 2010 level in 2030, and starts a work programme on faster reductions “in this critical decade”, with a report due at COP27 next year. It also starts an annual ministerial meeting on “pre-2030 ambition”, with the first at COP27. The pact then “requests” that parties “revisit and strengthen” their targets by the end of 2022 “as necessary to align with the Paris Agreement temperature goal...taking into account different national circumstances” (Decision 1/CMA.3, paras 25ff). This request is a notable achievement since it represents a substantial strengthening of the provisions of the Paris Agreement, which requires submissions of new or strengthened NDCs only every five years.

In recent years, the momentum for ambition mostly originated from outside the formal UNFCCC process and was driven by initiatives from non-state and subnational actors. To harness this ambition, the UK COP Presidency innovatively orchestrated a host of sectoral initiatives alongside the formal negotiations with a particular focus on “coal, cash, cars, and trees.” In the first week of the COP a carefully choreographed series of announcements dominated media coverage. And all of the focus areas listed above were addressed by at least one important initiative. Perhaps the most outstanding was related to coal. A flurry of commitments to phase-out coal included some unexpected Parties such as Ukraine, Indonesia, Viet Nam and South Korea. India was not on the list of countries to announce the end of coal, but its commitment to achieve 50% renewable energy by 2030 will significantly impact the prospects of coal in the country. In a recent analysis, the Centre for Research on Energy and Clean Air calculated that after the end of the Glasgow ambition cycle a total of 750 coal power plants are covered by phase-out dates, another 1600 plants are covered by a neutrality pledge and only 170 plants or 5% of the global coal fleet are not covered by either type of commitment. Just one year previously this number stood still at 2100 power plants - clearly an achievement testifying the catalytic role of the COP process.<sup>5</sup>

## 4 Finalizing the Paris Rulebook

The Glasgow conference was also tasked with agreeing on some outstanding issues in order to finalize the Paris rulebook, such as rules for the voluntary cooperation among Parties under Article 6 of the Paris Agreement and common timeframes for NDCs.

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<sup>4</sup> United Nations Environment Programme, ‘Emissions Gap Report 2021: The Heat Is On – A World of Climate Promises Not Yet Delivered’ (2021) <<https://www.unep.org/emissions-gap-report-2021>> accessed 17 November 2021.

<sup>5</sup> CREA, ‘Powering Down Coal – COP26’s Impact on the Global Coal Power Fleet’ (Centre for Research on Energy and Clean Air 2021) <<https://energyandcleanair.org/wp/wp-content/uploads/2021/11/Glasgow-impact-on-coal.pdf>> accessed 16 November 2021.

## 4.1 Robust Accounting for Article 6

Article 6 of the Paris Agreement allows parties to voluntarily cooperate in the implementation of their NDCs. Parties can either establish direct bilateral or multilateral cooperation (under Art. 6.2) or make use of the new Article 6.4 mechanism, which is a successor of the Kyoto Protocol's Clean Development Mechanism (CDM) and will be overseen by the newly established Supervisory Body. In addition to these two market-based approaches, Art. 6.8 of the PA envisages the development of so-called "non-market" approaches.

The adoption of the Article 6 rulebook is a key achievement of COP26. In particular the agreement on rules for avoiding double counting of emission reductions is a crucial success. The accounting rules adopted in Glasgow require Parties to account for all emission reductions authorized and used by applying so-called "corresponding adjustments": The seller adds the quantity of emission reductions transferred to its emissions balance while the buyer subtracts the emission reductions from its emissions balance. With this, double counting of emission reductions is effectively avoided.

The transition of the Kyoto Protocol's Clean Development Mechanism (CDM) to the Paris Agreement has been another contentious issue in the negotiations. Allowing CDM credits to be used for the achievement of NDCs under the Paris Agreement and transitioning CDM activities to the new Article 6.4 mechanism has for a long time been a key demand from large developing countries, in particular Brazil and India. In Glasgow, Parties adopted rules that allow for the transition of both, activities and units, a concession made to ensure support for the adoption of the comprehensive accounting rules described above. Parties in Glasgow agreed on limiting transfer of CDM credits to those activities that were registered from 2013 onwards. The exact impact of this compromise is challenging to predict as it will be largely dependent on whether units will find a buyer. Similarly, it remains to be seen whether countries will actually be willing to approve the transition of existing activities to the Article 6.4 mechanism as this would trigger the implementation of corresponding adjustments.

Other contentious issues included, among other things, possible levies on the transfer of emission reductions in order to generate income for adaptation measures, as was the case with the Clean Development Mechanism. The Paris Agreement only foresees this "share of proceeds" being applied to Art. 6.4. The Glasgow decision maintains this differentiation by "strongly encouraging Parties" under Article 6.2 to commit resources for adaptation, while the share of proceeds for Art. 6.4 measures is set at 5% of Article 6.4 emissions reductions at issuance, complemented by a monetary contribution, to be set by the Art. 6.4 Supervisory Body. Moreover, any administrative surplus of the mechanism is to be donated periodically to the Adaptation Fund.

All in all, the Article 6 rulebook must be considered a success. It provides a robust accounting framework - yet some uncertainties remain, such as the actual impact of the CDM transition rules and the rules on the application of corresponding adjustment by countries that have adopted a single year target in their NDC. A major challenge will be getting the Art. 6.4 mechanism up and running, given the late start of the work. The incoming Supervisory Body was tasked with a large number of



assignments and the body will need to strike a fine balance between high-integrity rulings and a timely development of the basic governance decisions for the mechanism. Finally, with implementation of voluntary cooperation under Article 6 now gaining momentum, a comprehensive capacity building effort will be needed in order to ensure equal access by all parties to these mechanisms for international cooperation.

## 4.2 Common Timeframes for NDCs

COP26 also managed to resolve the issue of common timeframes for the NDCs. So far there had been no requirements in this regard and current NDCs differ strongly in the time periods they cover. The 2018 Katowice conference had agreed that all NDCs should cover a “common timeframe” from 2031, but without specifying the length. This item was important since shorter timeframes generate more pressure for countries to immediately increase climate action. In addition, five-year timeframes provide for better alignment with the 5-yearly of the Global Stocktake and subsequent NDC submissions. However, a number of parties called for flexibility.

At the end, parties managed to achieve agreement and settled for five-year timeframes. Parties are “encouraged” to in 2025 submit an NDC with 2035 as end date, in 2030 to submit an NDC with 2040 as end date, and so on. However, “encourage” is not a legally binding requirement and the decision also “reaffirms the nationally determined nature” of NDCs. So while parties managed to agree on common timeframes, they are not strictly bound to abide by them.

## 5 Gender Responsiveness

After decades of global efforts and despite the long-standing existence of UN gender mainstreaming imperatives, the commitment to systematically and actively revise the gender bias of international climate policy only made it into the preamble of the PA. Now at COP 26, an Enhanced Gender Action Plan is in force under the UNFCCC, which calls for corresponding national institutions such as national Gender and Climate Change Focal Points (GCCFP) for climate negotiations, implementation and monitoring and which has defined effort requirements in 5 priority areas.<sup>6</sup> Nonetheless, orientation of international climate policy towards structural transformation towards sustainable livelihoods and corresponding negotiation strands is still almost completely lacking.

Moreover, even the work of UNFCCC’s constituted bodies still does not yet meet the requirements of the Gender Action Plan for gender-responsiveness. The UNFCCC’s own synthesis report (FCCC/CP/2021/5) concludes that more than half of the constituted bodies reviewed did not make any progress towards integrating a gender perspective into their processes and substantive work beyond improving simply their sexus-based gender balance.

Last but not least, gender experts have criticized some of the solutions promoted under the Paris Agreement, particularly the “market-based” approaches according to

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<sup>6</sup> UNFCCC, ‘Enhanced Lima Work Programme on Gender and Its Gender Action Plan’ (2020) Decision 3/CP.25 <[https://unfccc.int/sites/default/files/resource/cp2019\\_13a01E.pdf](https://unfccc.int/sites/default/files/resource/cp2019_13a01E.pdf)> accessed 18 November 2021.

Art. 6, may become “false solutions” for two reasons: On the one hand, for exacerbating intersectional gender inequality, despite the provisions made with respect to social and environmental safeguards and an independent grievance mechanism now adopted in Glasgow. And on the other hand, for constraining more fundamental transformations towards sustainable societal nature relationships.

## 6 Climate Finance remains a weak spot

The provision of financial support from developed to developing countries has constantly been a weak spot of the UNFCCC and has not improved much since Paris. Glasgow marked a particularly low point since developed countries did not keep their promise of providing USD 100bn annually starting in 2020, which the Glasgow Climate Pact acknowledges “with deep regret”. At least, their collective failure forced developed countries to come up with a plan to achieve this objective, which they had so far refused to do. But they aim to achieve the objective only with a delay of three years, while developing countries had demanded immediate remedial. There also now is a detailed process for determining the next finance goal for the post-2025 period.

Interestingly, two new areas of climate finance came into the limelight in Glasgow: first, providing financing for Loss and Damage was a key demand of many developing countries. The proposed Loss and Damage facility to provide this funding was ultimately not part of the Glasgow Pact due to resistance from the US, EU and other developed countries. Yet, a dialogue will be started at the next COP and several observers have opined that this discussion will not go away and grow to become even more prominent in the next few years.

Secondly, providing financial support for just transition is coming up on the horizon. The highly disputed paragraph that is now calling for the “phase down” of unabated coal also recognizes “the need for support towards a just transition.” (1/CMA.3, para 36). The “Just Energy Transition Partnership” between South Africa and France, Germany, UK, US and EU providing USD 8.5bn to accelerate the decarbonisation of South Africa's economy is another case in point.

## 7 Adaptation strengthened further

The Paris Agreement raised the profile of adaptation by including it as an overall objective in Art 2.1 (b) and by describing a global goal on adaptation in Art. 7.1. Glasgow has further strengthened adaptation in two important aspects: First, parties agreed to double the amount of climate finance dedicated to adaptation to 40 bn USD by 2025. Currently only 25% of the total funding is going into adaptation while developing countries have always been asking for an even split of the 100 bn USD pledged by developed countries between mitigation and adaptation. Parties also strengthened the adaptation fund. Established in 2001 under the Kyoto Protocol, the fund was originally to be fed by two sources: revenues from the trading of certified emission reductions (CERs) and voluntary contributions. But in the past, the fund was primarily dependent on contributions of parties due to lacking revenues from CER sales. At COP 26 agreeing on a new financial base of the adaptation Fund was part of the discussions on the finalisation of the Paris rulebook. Earmarking a share of proceeds for the adaptation fund under Art. 6 (see section on Art. 6) revitalised the second source



of funding. In addition, Parties announced new pledges amounting to 800 Mio USD during COP26, which would increase the adaptation fund by +40 %.

Furthermore, a technical work programme, the two-year “Glasgow-Sharm el-Sheikh work programme on the global goal on adaptation” was finally launched to define and operationalize the “global goal for adaptation” established in the Paris Agreement. In its current form, the global goal on adaptation is essentially to adapt and therefore does not provide much added value apart from the visibility of the issue.

## 8 Loss and Damage entering centre stage

Loss and Damage relates to the unavoidable climate impacts to which adaptation is not possible, such as land loss resulting from sea-level rise. One of the key battle-grounds of the Paris negotiations was whether or not the issue of Loss and Damage would receive a standalone article in the Agreement. This was achieved, but as a concession to concerns of developed countries agreed in the decisions adopting the Paris Agreement that the corresponding “Article 8 of the Agreement does not involve or provide a basis for any liability or compensation.” Despite this restriction, Loss and Damage entered the agenda at COP26 with heated debates on funding and will remain on the agendas of future COPs as a priority issue. It will prove extremely difficult to close this issue again and developed countries will have to make concessions. With Scotland and Wallonia pledging funding specifically earmarked for Loss and Damage reparations, two subnational governments from developed countries were the first to break this taboo. Despite the setback of not including a more potent Loss and Damage facility in the Glasgow Climate Pact (see finance section), the issue is now on the agenda of COP 27.

Already at COP 19 in 2013, the Warsaw International Mechanism (WIM) for Loss and Damage was set up as the main vehicle under the UNFCCC process to avert, minimize and address Loss and Damage. This was reaffirmed by the Paris Agreement and complemented at COP25 in Madrid by the establishment of the Santiago Network. COP 26 reviewed the WIM. A conclusion and priority for developing countries in particular was that the WIM and Santiago Network should be further operationalised to strengthen its functions, for example “exchange and dialogue” but also “action and support”. Although technical work was early concluded, the Glasgow Climate Pact only “welcomed” the approaches for operationalisation and decided that the Santiago network would receive funds to support technical assistance for the implementation of its functions. A follow up process was set up to discuss further modalities of operationalisation and the issue was delegated to COP27.

## 9 Assessing overall progress

To assess whether or not COP26 was a success, specifying the benchmark for success is crucial. When assessing the effectiveness of international environmental regimes, the academic literature differentiates three approaches.<sup>7</sup> The most natural one is problem-solving effectiveness. In other words: to what extent do the Paris Agreement and the Glasgow Climate Pact limit global warming to 1.5°C. Several analyses inter

<sup>7</sup> Oran R Young, 'Effectiveness of International Environmental Regimes: Existing Knowledge, Cutting-Edge Themes, and Research Strategies' (2011) 108 Proceedings of the National Academy of Sciences 19853.

alia by the Climate Action Tracker and the IEA point out that the world is clearly not on track, especially not in the short term. When problem-solving effectiveness is the benchmark for success, COP26 is also the 26th consecutive failure. This coincides with our earlier assessment<sup>8</sup> that the UNFCCC process is very valuable in many respects, but so far fails to deliver when it comes to the management of scarce resources.

Secondly, regime effectiveness can be evaluated by the impact it has had on actually creating outputs (related policies & measures at the national level) and outcomes in terms of changes in the behavior of the climate regime actors. In this regard we are clearly seeing substantial progress. A recent analysis by the Climate Action Tracker shows how far we have come. Before the adoption of the Paris Agreement the CAT estimated<sup>9</sup> that with the then current policies and measures, we were on a pathway towards global warming of between 3.5 and 4°C. After Paris significant progress was made, current policies are now on track towards 2.7°C, with all pledges and long-term targets being achieved, we are headed for 2.1°C and for the first time the most optimistic scenarios are actually indicating that global warming could be halted at 1.8°C. So this clearly indicates that the Paris Agreement is biting. Significant progress is being made, even if the pace of change falls short of meeting the overall objectives, still.

The third approach of assessing regime effectiveness takes into account the limitations of what international regimes can actually achieve, a plausible conception of what an ideal outcome would be. Our above analysis should be read in relation to this last approach. Glasgow was not supposed to negotiate a new international climate agreement from scratch. It clearly follows the itinerary of the Paris Agreement. In that sense, the benchmark for success should be whether and to what extent the mechanisms of the PA have been implemented, strengthened and proven effective. Drawing on our analysis we can conclude, again, that the Paris Agreement is a valuable process to lift the awareness of the climate crisis worldwide and for spurring action by international, national, subnational and non-governmental actors around the planet. In this sense COP26 in Glasgow must be called successful.

There are certain caveats, though. Like the Paris Agreement, the achievements of the Glasgow conference in terms of higher ambition are largely promises. Only time will tell, therefore, whether it will mark a turning point towards fast and steep emission reductions, leading to emissions reductions in the range of minus 45 percent until 2030. On the finance side as well, COP26 marked some progress, but not yet real action. COP27 in Sharm el-Sheikh will provide some indication - including the required farewell from gender-biased perspectives in (inter-)national climate policies by the appointed review of the implementation of the Gender Action Plan - whether the course has indeed been reset.

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<sup>8</sup> Lukas Hermwille and others, 'UNFCCC before and after Paris – What's Necessary for an Effective Climate Regime?' (2017) 17 Climate Policy 150.

<sup>9</sup> Climate Action Tracker, 'Glasgow's 2030 Credibility Gap: Net Zero's Lip Service to Climate Action' (2021) <[https://climateactiontracker.org/documents/997/CAT\\_2021-11-09\\_Briefing\\_Global-Update\\_Glasgow2030CredibilityGap.pdf](https://climateactiontracker.org/documents/997/CAT_2021-11-09_Briefing_Global-Update_Glasgow2030CredibilityGap.pdf)> accessed 18 November 2021.

Still this success is clearly not a reason to rest on laurels. Taking into account the limitations of this global climate regime that relies on consensus prompts us to think about ways to overcome these limitations with additional and complementary international arrangements. The strong and successful focus on sectoral initiatives alongside the intergovernmental negotiations on the part of the UK COP Presidency suggests that sectoral approaches might be a particularly fruitful way forward. However, voluntary initiatives alone in all likelihood will not suffice. It should be explored, how such initiatives could be further solidified and institutionalized, for example in the form of sector-specific climate clubs including with a legal basis.

One might also consider that regional treaties could provide a more ambitious and more dynamic forum for international cooperation, like for example the Pacific Climate Treaty that has been contemplated in parts of the AOSIS group. Multilateral agreements<sup>10</sup> could also include a number of ambitious countries that include larger emitting countries as well as countries with low emissions in an effort to form a strong alliance on a “fast track”, that is not bound by the slowest boat rule. Large parts of civil society are advocating for a legally binding “Fossil Fuel Non-Proliferation Treaty”, with phase-out schedules, restrictions on financing fossil projects and provisions for a just transition for all those sectors that are affected by a phase-out of fossil fuels.<sup>11</sup>

So was Glasgow a turning point? It may indeed have marked the beginning of the end for coal, but overall path dependencies towards a Paris-incompatible trajectory are still strong. The fact that several Parties had been opposed to calling for another round of NDC revision in 2022 makes clear that further strengthening of ambition and implementation will not happen by itself. So does the weakening of the wording with regard to coal in the Glasgow Climate Pact – ‘phase down’ instead of ‘phase out’ of unabated coal – at the very end of the conference. Further political pressure at all levels will be required to achieve the necessary progress. With its decisions on the required short-term level of ambition, the Glasgow conference has provided pro-Paris actors with new tools to hold politicians to account.

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<sup>10</sup> Wolfgang Obergassel, Christof Arens, Christiane Beuermann, Lukas Hermwille, Nicolas Kreibich, Hermann E Ott, Meike Spitzner: COP25 in Search of Lost Time for Action. An Assessment of COP25 in Madrid; in: *Carbon & Climate Law Review*, 14 (2020), 1, pp. 3-17 DOI: 10.21552/cclr/2020/1/4

<sup>11</sup> Peter Newell and Andrew Simms, ‘Towards a Fossil Fuel Non-Proliferation Treaty’ (2019) 0 *Climate Policy* 1.