Negative Brief: Paris Climate Accords

By “Coach Vance” Trefethen

AFF Plan has the US exit from the Paris Climate agreement. PCA is an international agreement, not a US policy towards countries in Europe - it involves countries all around the world. Perhaps the AFF thinks it's topical because the conference was held in Paris, France.

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EXTRA-TOPICALITY

"Extra-Topicality" means that even if part of their plan is inside the resolution, the Affirmative can only achieve their advantages by doing additional things that go outside the resolution. This is abusive because it opens up an infinite number of Affirmative cases that could be run, which means Negatives can never know what we're going to be debating. Our first Extra-Topicality argument is

1. Way beyond Europe

The Paris agreement includes 193 countries in addition to the EU

United Nations 2021. (article is undated but references events in November 2021) "The Paris Agreement" (accessed 7 Jan 2023) https://www.un.org/en/climatechange/paris-agreement

The Agreement is a legally binding international treaty. It entered into force on 4 November 2016. Today, [194 Parties](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-7-d&chapter=27&clang=_en) (193 States plus the European Union) have joined the Paris Agreement. The Agreement includes commitments from all countries to reduce their emissions and work together to adapt to the impacts of climate change, and calls on countries to strengthen their commitments over time.

Impact: Negative ballot

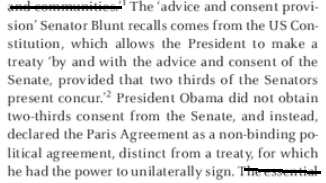
To make this case topical, the Affirmative would have to find a way to withdraw from some part of the agreement that is a policy towards only countries in Europe. But there's no way to withdraw from the Paris Accords without also changing policy towards 193 other countries. Since the Affirmative can't achieve their advantages while following the resolution, their plan fails on either Topicality or Solvency. Either way, it's a Negative ballot.

INHERENCY

1. Paris Agreement is non-binding

Paris Agreement is a non-binding political statement, not a treaty. The US Senate never ratified it

Jessica Durney 2017 (JD candidate at Univ. of California, Hastings College of Law) "Defining the Paris Agreement: A Study of Executive Power and Political Commitments" Carbon & Climate Law Review (accessed 7 Jan 2023) https://www.jstor.org/stable/26245362



2. No binding emissions mandate

Paris Agreement says we can set whatever emissions reduction goals we want

CBS News 2021 (journalist) 19 Feb 2021 "What the U.S. is committing to as it rejoins the Paris climate accords — and why it matters" (accessed 7 Jan 2023) https://www.cbsnews.com/news/paris-agreement-united-states-commitment/

The agreement mandates that the parties "aim to reach global peaking of greenhouse gas emissions as soon as possible." Then, by lowering emissions goals every five years, each nation is meant to decarbonize over time. Each nation is responsible for setting their own emissions goals. The agreement also incorporates smaller nations, which are not responsible for large emissions but often feel the greatest effects of climate change, such as sea level rise. The lack of mandated standards make the Paris Agreement unique. It was specifically designed in light of the 1997 Kyoto Protocol, which only included 36 countries, dictated goals, and ultimately failed to significantly reduce global greenhouse gas emissions. The Paris Agreement's metric for tracking emissions targets is "nationally determined contributions," or NDCs. Each party to the treaty is asked to prepare successive NDCs that it plans to achieve.

Analysis: This leads to 3 responses

1) No evidence of US national standards. 2) Standards would be untopical. 3) Plan wouldn't solve

1) No evidence of US national standards

Affirmative's inherency evidence says the US rejoined the Paris Climate Accords. But it doesn’t say that Congress has set any US national standards for climate emissions within our economy. And since the Paris Agreement says we can set any standards we want, the Affirmative not only would have to prove the standards exist, they'd have to prove the standards are so high that they would have significant economic impact.

2) Standards would be untopical

Any US national carbon emissions standards Congress might pass would be internal US environmental regulations. They would not be policies toward one or more countries in Europe.

3) Plan wouldn't solve

Even if the US dropped out of the Paris Agreement, the Affirmative plan doesn't repeal the US national emissions standards that Congress has passed, if the Affirmative can come up and prove that there are any. The economic harms, if there are any, are in the emissions standards and those continue post-plan, so the Plan doesn't solve. And the Affirmative cannot repeal them because they're internal US environmental regulations, not foreign policies toward countries in Europe.

MINOR REPAIR

1. Set lower goals

We don’t have to withdraw from the Paris Agreement if its burdens are too big. Just set lower goals

Julia Jacobo 2020 (journalist) 2 Nov 2020 ABC NEWS "The US is leaving the Paris Agreement: How that will affect the global mission to affect climate change" (accessed 7 Jan 2023) https://abcnews.go.com/US/us-leaving-paris-agreement-affect-global-mission-affect/story?id=73861889

Trump said he withdrew from the Paris Agreement because it imposed an unfair burden on the U.S. and has done little to slow down emissions from other countries. However, if the U.S. found the goals it set for itself in 2015 to be too ambitious, it could have simply changed them, rather than withdraw from the Paris accord altogether, according to the rules of the agreement. The 195 countries that signed on to the accord made a voluntary and unilateral pledge about what they think thought they could accomplish, the experts said.

HARMS / SIGNIFICANCE

1. Additional cost of meeting emissions goals is zero

We'll reach net zero emissions by 2050 under current policies

NBC News 2021 (journalist Josh Lederman) 19 Feb 2021 "U.S. rejoins Paris climate agreement. Now comes the daunting part." (accessed 7 Jan 2023) https://www.nbcnews.com/politics/white-house/u-s-rejoins-paris-climate-agreement-now-comes-daunting-part-n1258304

"Indeed, there was no contribution from the U.S. government" during the Trump years, Guterres, the U.N. secretary-general, said Thursday. Still, he said, the rest of American society continued apace on climate notwithstanding Trump, positioning the U.S. to be "fully on track for the net zero in 2050."

2. A/T "Paris Accord has zero effect on climate"

It makes a difference on raising awareness of climate problems, even if no temperature reductions by itself

Warren Cornwall 2020 (science journalist) 11 Dec 2020 "The Paris climate pact is 5 years old. Is it working?" (accessed 7 Jan 2023) SCIENCE https://www.science.org/content/article/paris-climate-pact-5-years-old-it-working

If a grade is awarded to the Paris pact "based on whether we have any prospect of meeting a 2°C target, from that point of view, it's probably a D or an F," says Michael Oppenheimer, a climate scientist and policy expert at Princeton University. But at the same time, he says, the pact has made a "real difference" by helping make climate change "a top concern of all countries."

Top of Form

SOLVENCY

1. The UN Framework Convention on Climate Change (UNFCCC)

US must achieve emissions reductions under UNFCCC treaty because the Senate ratified it in 1992

Jane Leggett 2016 (Specialist in Energy & Environmental Policy with Congressional Research Service) 5 Oct 2016 "Paris Climate Change Agreement to Enter into Force November 4" (accessed 7 Jan 2023) https://sgp.fas.org/crs/misc/IN10590.pdf

Following several international scientific assessments finding potential adverse impacts of rising human-related GHG emissions on the earth's climate, nations responded by negotiating the UNFCCC as a treaty under international law. Its negotiators intended it to have legal force on the parties to the agreement [**END QUOTE**] (henceforth Parties). The UNFCCC anticipated that further, subsidiary protocols or other agreements would be required to achieve its objective to achieve, in accordance with the provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner. [**SHE CONTINUES LATER IN THE CONTEXT QUOTE:]** President George H. W. Bush signed the convention and the U.S. Senate provided its advice and consent to U.S. ratification in 1992 (S. Treaty Doc. No. 102-38). On March 21, 1994—the 90th day following the date of deposit of the 50th instrument of ratification or acceptance—the UNFCCC entered force for the United States and the other 52 countries that had ratified the treaty by that time. It now has near-universal membership with 197 Parties. Since that date, the terms of the UNFCCC have been binding on the United States under both international and domestic law.

UNFCCC commits the US to 28% reduction in emissions

White House Press Secretary 2015. "FACT SHEET: U.S. Reports its 2025 Emissions Target to the UNFCCC" 31 March 2015 (accessed 7 Jan 2023) https://obamawhitehouse.archives.gov/the-press-office/2015/03/31/fact-sheet-us-reports-its-2025-emissions-target-unfccc

Building on the strong progress made under President Obama to curb the emissions that are driving climate change and lead on the international stage, today the United States submitted its target to cut net greenhouse gas emissions to the United Nations Framework Convention on Climate Change (UNFCCC). The submission, referred to as an Intended Nationally Determined Contribution (INDC), is a formal statement of the U.S. target, announced in China last year, to reduce our emissions by 26-28% below 2005 levels by 2025, and to make best efforts to reduce by 28%.

Impact: AFF can't solve because they can't repeal UNFCCC

If emissions reduction targets are bad and cause the harms in the AFF case, they will still continue post-plan because the US is committed to the targets under UNFCCC and the AFF doesn't repeal them. And they can't repeal them because UNFCCC isn't a policy toward one or more countries in Europe.

DISADVANTAGES

1. Lost economic opportunities

Leaving the Paris Agreement abandons great economic and technological opportunities

Julia Jacobo 2020 (journalist) 2 Nov 2020 ABC NEWS "The US is leaving the Paris Agreement: How that will affect the global mission to affect climate change" (accessed 7 Jan 2023) https://abcnews.go.com/US/us-leaving-paris-agreement-affect-global-mission-affect/story?id=73861889 (brackets added)

The economic windfall that could result from the U.S. remaining in the Paris Agreement and doing the work to accomplish its goals could be vast, according to the experts. The U.S. could potentially triple its investment in clean energy innovation and spur a competitive race to the top around the world, therefore driving down the cost of clean energy technologies as well as improving their performance, [senior research scholar at Columbia University's SIPA Center on Global Energy Policy, Varun] Sivaram said.

2. Increased global emissions

Link: World emissions will go up more if the US abandons Paris Agreement because of the bad influence / bad example

Julia Jacobo 2020 (journalist) 2 Nov 2020 ABC NEWS "The US is leaving the Paris Agreement: How that will affect the global mission to affect climate change" (accessed 7 Jan 2023) https://abcnews.go.com/US/us-leaving-paris-agreement-affect-global-mission-affect/story?id=73861889 (brackets added)

Experts say that the U.S., which has the second-largest amount of greenhouse gas emissions in the world now and has been since the Paris Agreement, and other leading emitters should lead the way to reducing emissions. "It’s really difficult to imagine other kind of countries stepping up in terms of ambition and leadership to solve the climate crisis when the U.S. is kind of walking away from this agreement," [assistant professor in the department of environmental science and policy at the University of California, Frances] Moore said.

Link: US leadership is key to international climate policy

Julia Jacobo 2020 (journalist) 2 Nov 2020 ABC NEWS "The US is leaving the Paris Agreement: How that will affect the global mission to affect climate change" (accessed 7 Jan 2023) https://abcnews.go.com/US/us-leaving-paris-agreement-affect-global-mission-affect/story?id=73861889 (brackets added)

"The most important aspect" for federal climate action would be for the U.S. to resume international leadership, Philip Duffy, climate scientist and president and executive director of the Woodwell Climate Research Center, told ABC News. "There’s a potential that that forum could really be re-invigorated by a Biden administration," Moore said. "And in particular, if a Biden administration were to kind of re-energize the U.S. domestic climate policy, that in turn will have a knock-on effect in the international arena."

Impact: Carbon emissions cause human health risks, property damage and environmental hazards

The Urban-Brookings Tax Policy Center 2018. (joint venture of the Urban Institute and Brookings Institution; made up of nationally recognized experts in tax, budget, and social policy who have served at the highest levels of government.) “What is a carbon tax?” Ethical disclosure: article is undated but references materials published in 2018. <https://www.taxpolicycenter.org/briefing-book/what-carbon-tax> (accessed 30 May 2022)

Emissions of carbon dioxide, methane, nitrous oxide, and other greenhouse gases are increasing global temperatures, raising sea levels, shifting rainfall patterns, boosting storm intensity, and harming coral reefs and other marine life. Greenhouse gas emissions thus create a host of potential economic and environmental threats, including property damage from storms, human health risks, reduced agricultural productivity, and ecosystem deterioration (Environmental Protection Agency 2017; National Aeronautics and Space Administration 2018).