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**Dr hab. Irena Rysińska****Review of the Doctoral Thesis of Majid Asadnabizadeh entitled "The Paris Climate Change Agreement: Analysis of International Decision-making", as prepared under the supervision of Prof. dr hab. Marek Pietraś, Lublin, 2022, 305 pp.****Selection of research topic and main assumptions**

Matters of climate change and its influence on all areas of public life fall within the category of global problem transnational in scale that can only be resolved by cooperation of an international nature in fact applying at the level of the world as a whole. Given these facts, there is much justification in a selected Thesis topic relating to the process by which agreements on climate change are negotiated. Furthermore, as the Paris Climate Change Agreement has been regarded as a breakthrough in terms of action to hold back even more unfavourable climate change, and given that it reflects a long process of negotiation crowned with success, the adoption of this Agreement as subject matter makes sense – as a reference point may then be offered for further work on the shaping and effectiveness of decision-making processes capable of generating valuable international agreements proving suitable for effective implementation.

Against the above background, the author of the Thesis assumes (rightly) that the shape of the aforesaid decision-making processes was important in influencing the ultimate outcome, with their course, parameters and assessment all offering bases for a search for optimal solutions facilitating the adoption of good international agreements.

The work and Thesis arising out of the above has thus entailed analysis of the decision-making processes that led to the Paris Agreement being adopted in 2015. Drawing on the key assumptions underpinning decision theory, the author distinguishes a series of analytical characters in turn identifiable with component elements of the process in question, i.e. the decision-making situation, the decision centre, the decision-making process, the decision, decision implementation, and analysis in relation to a particular case.

In line with all this, the author of the Thesis has formulated research questions and hypotheses relating to the specific features of the negotiation topic (of a multi-dimensional nature) that climate change obviously represents. This in turn offers a basis for the formulation of two hypotheses. Firstly, as we read: "the author claims that decision-makers have shaped the Paris Agreement decision-making process based on Inter-state Integrated Decision-Making (IID)"; while secondly "the long-run Paris Climate Change Agreement soon might apply necessary changes to avert the challenges the international community is facing in future negotiations over climate change". In comparison with the latter, the first thesis is seen to be formulated transparently. In the second case, we may contend that the author is hypothesising that consequences of applying the Paris Agreement may combine with experience acquired during the period to influence both the shape and the subject matter of future climate negotiations.



The main category – and thus research method – the author formulates as he studies the matters in question is the so-called "Inter-state Integrated International Decision-making Method" ... whose choice points to the key role states play in decision-making processes (even as it recognises the influence of other entities, including those outside government); as well as to the multi-dimensional nature of the research topic and what conditions it – as this demands integrative conceptualisation relating to climate research and action. Indeed, in line with the main assumptions of decision theory, the author draws a distinction between a number of different categories of decision-making process, like the decision-making situation, decision centre, decision-making process, decision and decision implementation. All of these are at the same time premises on which the Thesis is structured.

### **The structure and content of the Thesis**

The Thesis is complete from a content point of view, comprising an Introduction, five Chapters, Conclusions, a Glossary and References. This constitutes a full and logical structure for the work. The Introduction explains the motives leading to the research being undertaken, as well as the main categories and methodological assumptions. The remaining, substantive part is then constructed in line with the structure of the decision-making processes referred to, with successive Chapters offering analysis of separately-defined and identified categories that are elements to those processes, as here presented in a correct and appropriate order.

The first Chapter on the "Decision-making Situation" sees the author analyse the genesis and scope of "climate change" as a problem in need of solutions, and a subject up for negotiation. He takes account of the most important factors and conditions that shaped the decision-making situation, i.e. broad agreement as to the causes, essence, scope and consequences of climate change, as well as the political will to take necessary steps. In all of this it is possible to concur with the author as he concludes that main factors shaping the decision-making situation were natural causes of climate change, as well as the scientific consensus arrived at in this regard.

In the second Chapter it is the "Decision-making centre of the Paris Agreement" that is the subject of analysis. This points to the diversity of entities actually participating in decision-making processes, as well as the varied influences they were able to exert through the whole climate-negotiation process culminating in the signing of the actual Paris Agreement. The author here notes that, even at the stage of the first negotiations entered into in the 1970s, a certain formula took shape in which it was indeed states that played the main role. The author further assigns the latter to the developed, developing, least-developed and small-island developing state categories, in so doing pointing to their specific positions, interests and possibilities for action in the course of the negotiations. Moreover, and with the multi-dimensional nature of climate change again being recalled, he points to the involvement of other entities, including international organisations – falling within the UN system, or else of a different origin and nature, be that international or domestic. Included here are such organisations and bodies as the Major Economies Forum on Energy and Climate, the International Energy Agency (of the OECD), the European Bank for Reconstruction and Development (EBRD), the International Labour Organization (ILO), the International Maritime Organization (IMO), non-government entities like "epistemic communities" and NGOs, and also those of a transnational nature. The author not only identified entities of these kinds, but also shows their places and roles in the relevant decision-making processes.



The European Union is actually lacking among the entities mentioned at this stage, given that a further part of the author's work is reserved for it, in line with the way the EU is party to the Paris Agreement in its own right, played an active role in its negotiation, and is very much engaged in its implementation.

Equally, the author fails to go into the structure of bodies provided for in the Paris Agreement itself. A last Sub-Chapter (no. 2.4.) on "Functioning of the decision-making center of the Paris Agreement" refers to just two auxiliary bodies (of which organisations is not in fact made clear) – i.e. the Subsidiary Body for Science and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI). This further denotes that the key decision-making body that is the Conference of the Parties gains no mention. It is worth adding here that the status of the latter organ as supreme within the climate-change regime actually helps confirm the author's hypothesis that states are the entities enjoying primacy in the field in question. The Thesis also fails to recognise the Secretariat, despite its serving defined functions by virtue of the Agreement, including the servicing of the organs referred to above.

Chapter 3 is an *Analysis of the Decision-making Process of the Paris Accord (DMP-PA)* – and it is possible to question the author's resort to "Accord", as opposed to the word "Agreement", which appears both in the dissertation and in the document itself. This Chapter anyway seeks to characterise the course of the relevant negotiations in terms of their conditioning and dominant features – be these political or economic. A historical conceptualisation is applied to present the said course of those negotiations, with detailed information supplied on activities pursued and dominant motivations, in the given situation applying to states or other kinds of entity. A basis is thus supplied for a claim that the negotiations did indeed feature two processes – and phases – a political one, and an economic one. The former links up with the Conferences convened in Durban, Doha, Warsaw, Lima and Paris, while the latter are seen to relate to Durban, Doha, Warsaw and Lima.

There then follows a fourth Thesis Chapter in which the Paris Agreement is analysed from the point of view of its being an international decision. The author offers a genuine encapsulation of the document's essence, *inter alia* as it differs from what was agreed previously, and as it ushers in innovative climate-change solutions. In a first Sub-Chapter entitled *Principles of the Paris Agreement* we find an analysis of the progress made as compared with what had been established and agreed earlier. Further Sub-Chapters then turn to (competent) analysis of content (Rules and Issues) – these being dealt with by way of wide-ranging, extensive and valuable commentary. What is nevertheless lacking here is a generalised discussion of the treaty's content. Something that would have improved the legibility of the Thesis considerably is therefore lacking.

The fifth Chapter is *Analysis of Implementation of the Paris Agreement*. The author is right to note that "In the Paris Agreement states recognized the cutting-edge provisions for implementations", with the said states agreeing to engage in further negotiation to secure strengthened implementation (pp. 182-183). There then follows a description of the effort states made to put effective means of implementation in place, with this being achieved at the Conferences of the Parties held in Marrakesh (CoP22 of 2016), Bonn (CoP23 of 2017), Katowice (CoP24 of 2018) and Madrid (CoP25 of 2019). A further Sub-Chapter then analyses the subject-matter scope of the Agreement's implementation, with attention paid to progress at successive Conferences of the Parties from CoP22 through to CoP25. That analysis leads the



author to conclude that the implementation process has been dominated by matters he terms Transparency, Global stockage, and Loss and damage. It is further noted (in what the author regards as a pioneering finding) that there was a lack of cohesion to implementation that could be said to characterise both the Paris Agreement as such, and its related implementation process.

The candidate's work further notes how Article 6, the Carbon market and Finance mechanisms were subjects of negotiation arising most frequently. In contrast, issues of Loss and damage did not represent subject matter for CoP24, while Transparency was absent from CoP25.

In concentrating on his research subject matter, the author in fact fails to characterise the implementation mechanism as such, as it is provided for in the Agreement.

It is again possible to concur with the author as he concludes that there is support for his hypothesis as to the decisive role of states in the "decision field" of the Paris Agreement, i.e. in all of its dimensions. The hypothesis that we are justified in using the Inter-state Integrated International Decision-making approach in analysis is also sustained, as is the idea that experience with application will be of possible benefit as and when the method is applied to future negotiations over climate change.

On these bases, the introduction of this category into the analysis of negotiations, the establishment of content, and the monitoring of the Paris Agreement, as engaged in here, may all be viewed as innovative. Taking the approach he has done, the author has been in a position to draw conclusions regarding the relevant decision-making processes. And those are conclusions that could not have been obtained had the conceptualization been different.

### **Methods and research techniques applied**

The research confirms the utility of the method applied by the author, notably his decision analysis, and assumptions regarding the "theory of international regimes". Among the study techniques he deploys are the study and analysis of documents and other source materials, as well as relevant works already elaborated. Quantitative study methods are also used at the conclusion-drawing stage.

### **The writing technique and formal side of the Thesis**

The Thesis proves to be "uneven" from a linguistic point of view. Sentences or longer fragments within it are written in a confusing and unclear way. The author's over-use of acronyms does much to hinder smooth reading, with resort to the Glossary not fully compensating, as proper alphabetical ordering has not been achieved there. And even names are the subject of a non-uniform approach and style that extends to the core concept for the Thesis that the Paris Agreement represents. At times this appears as "Paris agreement", not just "Paris Agreement", or indeed as PA.

Further detailed remarks of more major significance would be as follows:

- on p. 75, there is incorrect naming, as – while the author maintains that the ILO is the "International Labor Office" – it is in fact the "International Labour Organization";
- also on p. 75, the said ILO did not (as the author writes) become the "professional United Nations organization" in 1946, rather being one of "the specialized agencies" within the United Nations System (UN Charter, Art. 57);



- on p. 77, in similar vein, the International Maritime Organization cannot truly be termed “the United Nations body”, given its status as one of “the specialised agencies” of the UN system, independent, and not therefore subordinated to the United Nations;
- on p. 70, the author’s determination that the United Nations Development Programme (UNDP) was “organized by the UN General Assembly in 1966” cannot be upheld, as it was in fact called into being by the UN General Assembly, by virtue of Resolution 2029 dating from 1965;
- on p. 69, the reference to the World Health Organization as “an independent body within the UN” can also be viewed as incorrect, again given a status as a specialised agency within the UN system;
- also on p. 69, the view that the World Health Assembly is an “elected body of 34 members” would again need amending, given the status as main body of a General Assembly profile, which is founded by all Members of the Organisation;
- on p. 67, there is a division of international organisations into specifically “International” or into “Intergovernmental Organizations (IGOs)” that I cannot agree with; just as I cannot accept the use of the term “transnational” in this context to describe “Intergovernmental Organizations”. Neither in works of research nor in practice is this term in use to describe organisations enjoying broad competences conferred upon them by states (not sovereignty!!!) Organisations of this kind may be regarded as supranational, though even the European Union does not fully achieve this status, given that it enjoys competences in certain defined areas only.

### **Use of sources**

Noting the number of pages taken up by the Bibliography (called References in the Thesis), i.e. the extending of this section from pages 242 to 305, it would be reasonable to resort to the description of “record-breaking”. There is no question that the author has drawn on a very wide range of source materials and studies, which have been deployed skillfully throughout the Thesis. That said, the visual layout of the Bibliography section remains far from legible, with poor spacing between items on the list and marked differentiation of approach from one part to another.

### **Other remarks**

The inclusion of a Glossary in the work can be viewed as praiseworthy, and all the more so as this runs to almost 20 pages (222-241). However, not all items here have yet been arranged fully alphabetically.

**In summing up**, I assess the work positively, notwithstanding the above critical remarks relating first and foremost to formal matters. I regard the conceptualisation applied by the author as innovative, and thus serving to make its contribution to the development of research into climate-related decision-making processes. The Thesis may indeed be viewed as an original solution applied to a research topic and problem. On this basis, and in accordance with Art. 13 of the Republic of Poland’s Act of March 14th 2003 on scientific degrees and titles and on titles as regards the Arts (*Ustawa o stopniach naukowych i tytule naukowym oraz o stopniach i tytule w zakresie sztuki*), I hereby apply for the dissertation to pass forward into the further procedures relating to the conferment of the Degree of Doctor.

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