“The Tragedy of Freedom in a Commons”: What the Paris Agreement means for the Caribbean

In his seminal piece “The Tragedy of the Commons,” Garrett Hardin defines the “commons” as a shared resource which cannot be claimed, but with each individual possessing the ability to use its assets to his or her own benefit. In the absence of strong regulations, this gives rise to the “tragedy” as each individual is able to exploit the commons to his or her own advantage without limit, leading to its depletion and eventually ruination. The Earth’s atmosphere can be viewed in this light – with rights belonging to no individual but treated as a common space to which waste is discharged. An unintended consequence of these uninhibited actions is the calamity of the commons – manifesting itself through the greenhouse effect and, by extension, global warming and climate change. As Governments attempt to change towards mitigating or adapting to the risks posed by a changing climate, the dominant view is that climate change governance, as a crucial response mechanism, must be supported by strong regulations, based on international agreements involving most nations.

The global initiatives towards action on climate matters has indeed had a very storied past. Following the discovery of the depletion of the Earth’s ozone layer, and the subsequent international drive to eliminate the commercial use of chlorofluorocarbons, there have been actions across the better part of last two decades attempting to address the issue of greenhouse gas (GHG) emissions and global warming. Unfortunately, despite many attempts, there has been little progress in international negotiations, while the effectiveness of instituted frameworks has been modest at best. In the convening of the 20th United Nations (UN) Conference on the Environment and Development, held in Rio de Janeiro in 1992, global climate change was the most crucial issue at hand and saw countries resolving to put limits on GHGs as agreed. The conference in Rio de Janeiro was then followed by the Third Session of the Conference of Parties to the UN Framework Convention on Climate Change in Kyoto in 1997 – also known as COP3 – where industrialised countries agreed to cut the level of emissions in 1990 by 5.2% over the following twelve years. However, the USA – the largest GHG emitter – did not ratify the agreement, leaving it to flounder. In 2004 however, Russia gave new life to the Kyoto Protocol by signing the deal, thus surpassing the 55% ratification requirement for the agreement to take effect. The developed world later met again in 2007 in Bali,

agreeing to reduce emissions but establishing no mandatory targets. Consensus was then reached in Copenhagen in 2009 to prevent global temperatures from rising more than 2°C above pre-industrial levels; a temperature that climate scientists consider to be the threshold of the tipping point at which there would be irreversible damage done to the Earth's climate. Although countries submitted specific emission reduction targets, the Copenhagen Climate Change Conference was deemed a failure in spite of the consensus, as no legally binding accord was reached. In subsequent years, global leaders met in Cancun, Durham, Doha, and Lima, making marginal progress which eventually led to an extension of the Kyoto Protocol, with no concrete achievements established to put the world back on track to meeting the 2°C goal.

In the most recent global climate change initiative – the UN Conference on Climate Change held in France (COP21) in December 2015 – world leaders formally adopted the Paris Agreement, which re-establishes the overarching goal of maintaining the global average temperature increase to "well below 2°C above pre-industrial levels," and placed considerable attention on Small Island Developing States (SIDS) by also agreeing to a far more ambitious target of 1.5°C. The Agreement has fundamentally facilitated an important platform for cooperation among SIDS in the Caribbean Sea, the Atlantic, Indian and Pacific Oceans, as well as the South China Sea; where they are provided with a crucial opportunity for advocacy, calling for and ultimately receiving the inclusion of stricter regulations in the Agreement to limit the temperature increase to 1.5°C, given that a rise in sea level due to global warming will generate devastating consequences for most small islands. Nevertheless, it is uncertain whether the Agreement will achieve the targets set in the longer term, particularly with respect to the Intended Nationally Determined Contributions (INDCs). While the inclusion of the INDCs recognises that there are differences in terms of development and capacity among countries, and further establishes a layer of accountability at the national level, it also allows Parties to set their own targets and measures towards the overall 2°C goal, highlighting the fact that they are not legally bound to achieving the Agreement's objectives.

While the Agreement has been formally adopted, it has yet to undergo ratification, which will require a minimum of 55 of the 195 countries that adopted the Agreement – representing at least 55% of total global-warming emissions – before it is binding on national governments. Moreover, the Agreement does not establish any mechanisms in the event of non-ratification or failure to meet INDC targets. Failing to be legally-binding in its entirety, the Paris Agreement itself may ultimately fall short of delivering on its goals. Despite the perceived success of COP21 in getting countries to agree on climate matters, the modelling of the INDCs has indicated that average temperatures are expected to rise to around 2.7°C by the year 2100, or just below 3°C – significantly higher than the original target of 2°C and well shy of the 1.5° C that SIDS have called to be included in the Agreement.

Over the years, Hardin's thesis has been the subject of much debate, receiving perhaps as much support as it has contradictions. Notwithstanding the challenges to his solutions, particularly with respect to the privatisation of the commons as a mechanism to ensure that actors treat the same efficiently, one argument remains true for at least a small portion of the world's population: freedom in a commons brings ruin to all. In spite of their paltry contribution to global-warming emissions, SIDS in the Caribbean must now come to terms with initiating actions towards adapting to the inevitable effects of the temperature rise, while concurrently advocating for limits to emissions at the global level. Though the world may not be able to escape from its impacts, climate change as a

tragedy is not inevitable. One solution posited by Hardin is that “we can avoid tragedy by altering our values, by changing the way we live.” An agreement on climate matters after two decades of false starts shows that [with sufficient championing at the global level] Hardin’s concept of “mutual coercion mutually agreed upon” can be achieved.

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