

IRAN'S ACCESSION TO THE PARIS 2015 AGREEMENT, THE PROC AND CONS A COMPARATIVE STUDY ON OTHERS G20 MEMBERS OBLIGATIONS

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Abstract

The agreement is considered a binding agreement between the countries in the world, which may provide many obligations to the countries. Given the growth and development of the environment at the international level, the existence of the Paris (2015) agreement has broad dimensions and complexity. To explore this area, the present paper has attempted to examine the legal implications and implications of Iran's accession to this Agreement and has achieved a descriptive-analytical approach to adherence to this Convention in the present situation in which the country needs development, progress, and employment. It is a dangerous treaty with great responsibility for Iran. And if Iran accepts, it has heavier obligations than the developed countries, especially the G20.

key words: The Paris Agreement, Green Houses, Intended nationally determined contributions of Iran, Sustainable Development, INDC, Group of Twenty.

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INTRODUCTION

During the 1980s, the scientific evidence showed that greenhouse gases' emission creates potential risks for the climate worldwide. Due to the same reason, the general assembly of UN established an interstate negotiation committee in 1990 to codify the framework of a convention on the climatic changes for controlling and reducing GHG emissions (IPCCM, 1990). The climatic change convention was endorsed by the members in 1990 (United Nations, 1998). In 1996, Iran joined the climatic change convention following its approval by the Islamic Consultative Assembly. The goal of convention was the creation of stability in the density of GHG and the commitment of the developed countries to the reduction of GHG emissions. Kyoto Protocol (United Nations, 1998) was accepted in December, 1997, for the developed countries' enforcement of their commitments. Iran joined Kyoto protocol in 2005. The first comprehensive treaty was signed in Paris on 12th of December, 2015. Paris Agreement caused all the countries to reach an agreement for getting a joint venture done based on their present and future historical responsibilities. The primary goal of this global agreement is the prevention of the increase by 2°C in the earth's temperature in this century as well as proposing to make efforts for limiting the temperature and its increase to below 1.5°C in contrast to the level before industrialization. The convention's introduction considers advance to a stage before 2020 as the robust foundation and basis for becoming inclined to and progressing to the stage before 2020; emphasis has also been made on the necessity and acceleration of the enforcement of Kyoto Protocol for encouraging inclinations and progress towards the stage before 2020. This way, all of the countries should be obliged to reduce the generation of their carbon-bearing gases. In fact, the success of the policies devised for counteracting the climatic changes will be made feasible through the elimination of fossil fuel energies. Iran has become committed within the format of 2015 Paris Agreement to reduce the GHG emission by 2030 to an amount below 4% of the amount

in the scenario of the current status's continuation. Iran has also become committed to reduce the GHG emissions to 12%, below the amount in the scenario of the current status's continuation in 2030 provided that the embargos are lifted and the international space is opened for Iran and this commitment was sent to Guardians Council for final enactment, following the approval of Islamic Consultative Assembly. Iran has not so far joined the convention based on its constitution. Considering the fact that the convention became indispensable on 4th of November in international level and also knowing that the US has exited the group of the twenty advanced powerful industrial countries with a high economic vigor, the question is raised as to what effects and legal outcomes will be 2015 Paris agreement followed by for Iran in terms of the international laws? In today's world, sustainable development and environmental protection are envisioned as two valuable goals in the countries' levels. According to the idea that one of the convention's objectives is preventing the emission of such greenhouse gases as carbon dioxide and methane and knowing that the national interests and economy of developing countries like Iran depend on the fossil fuels like oil and gas industries, Iran's limitations for the development should be taken into account. However, US's disjoining of the group 20 members is based on its strategy of national interests and is in line with that country's economic blooming.

1. Greenhouse Gases

Greenhouse gases like CO₂, methane (CH₄) and nitrogen oxide (NO₂) along with the two groups of hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs) as well as sulfur hexafluoride (SF₆) have been introduced in the climate change convention's document as the intensifiers of the greenhouse gases' effect and global warming (Navari, 2015, pp.47-58).

2. Climate Change Effects (Taghdisian, 2004)

Climatic change, as a result of the human interventions is one of the factors caused by the increase in the GHG emissions. Climatic changes are created by the increase in the mankind's industrial activities and excessive use of fossil fuels and immethodical exploitation of the natural resources, especially forests. Moreover, global warming causes the occurrence of the natural disasters, including tropical and marine storms, conflagrations caused by drought and earthquake (Munasinghe, 1998). Such a warming has taken many of the living species to the limits of exposure to extinction and turned some of them into pests out of the body's control (Babran, Ibid, p.23). The other outcome of climatic change is drought that has intensified water shortage in the arid and semiarid regions (Yamin and Depledge, 2004). The statistics and figures offered by Munich's insurance group demonstrated that the natural disasters have caused the incurrance of economic damage for over 960 billion dollars and insurance costs for 141 billion dollars (Berz and Tropics, 2002, p.126).

3. Investigation of Paris's 2015 Framework Convention on Climate Change Agreement

Essential Goals of the Agreement

- A) Rapid mitigation of emission for reaching an average global temperature increase below 2°C from the pre-industrial levels and pursuit of efforts for limiting the global temperature increase up to 1.5°C higher than pre-industrial levels.
- B) The countries' rapid delivery of their national documents,
- C) Transparent system based on global market (Hariri Sadeghi, 11th of December) for taking climatic measures;
- D) Compatibility, corroboration of ability, building capacity and technological support for improving the effects stemming from the climatic changes;
- E) Supporting the supply of financial resources for the countries in line with a clean and flexible future;

Essential Principles of Paris Agreement

A) The Principle of Countries' Governance Right (Sands, 2003)

Based on article 21 of Stockholm declaration (Taghizadeh Ansari, 2015, p.25), the governments have the right to govern and exploit the natural resources in adherence to their bioenvironmental policies as ruled in the UN's charter as well as the principles of the international laws; the states also are responsible to safeguard and control the activities inside their territories in such a way that they should not cause any damages to their own or transnational environments (Derayati, 2011, p.30).

B) The Principle of the Countries' Equality (Dupuy, 1991)

Based on article 15 of Rio declaration (precautionary principle), the countries should employ preventive-supportive criteria and scales based on their own competencies for conserving the environment (Ardwan Turkzaban, 2003, pp.34-35). Countries should not ignore these criteria with the excuse that the fight against pollution is costly and they should pay attention to the principle of equality in any possible way in proportion to every country's share (Habibi, 2006, pp.78-80).

C) Principle of the Regional and International Cooperation between the Governments

According to article 24 of Rio declaration, all of the countries should cooperate in international measures related to environment by enhancing collaboration spirits and based on the principle of equality through entering bilateral or multilateral contracts or in a way deemed expedient (Sands, 2003, p.231).

D) The Principle of Shared but Different Responsibility

The principle of fairness has been recrystallized in the international environment laws very well in the principle of "common but different responsibility". This essential principle has been mentioned in article 3 of the climate change convention and act 16 of Rio declaration points to the principle of requiring the polluters to the payment of pollution cost. In fact, the determination of every country's share should be conducted based on every country's affordability or degree of made pollution.

Obligations of Paris's 2015 Agreement

General Obligation

Amongst the general commitments mentioned in Paris's 2015 Agreement is the requirements related to human rights. Many of the law scholars and even international commissions look at the environment as a dependent value. It means that they pursue the environment conservation for the protection of the mankind (Abdollahi, 2004, p.69). The right to health, indigenous people's rights, local communities' rights, emigrants' rights, children's rights, disabled persons' rights and even progress right and gender equality, women empowerment and intergenerational tolerance are all amongst the requirements related to the human rights; in addition, amongst the mentioned general obligations is the 2030's agenda for sustainable development goals (SDG) and poverty eradication. In fact, sustainable development is considered as a new pattern of development from the perspective of the human welfare and ecosystem (Dabiri, 2010 and Soltani, p.42).

Specific Obligations

Predetermined National Participation

In the meantime that the members' predetermined national participation document has been confirmed in respect to the enactment 19.cp/1, paragraph 2 (b), the members should cooperate with an approach towards the achievement of the goals set in article 2 of the agreement regarding national participation as well as towards global counteractive interventions against the climatic changes as stated in articles 4, 7, 9, 10, 11 and 13.

Mitigation of Effects

According to paragraph 2 of the agreement's article 4, each member should prepare a purposive national participation document and pursue the strategies of reducing the native effects with the objective of achieving the participation goals. Based on paragraph 13 of article 4, members should be responsible and accountable for their own predetermined national documents and observe transparency, accuracy and precision of information therein and follow the general and common methodology of the climate change panel. According to the interstate negotiation committee, the amount of carbon dioxide should be kept fixed between 430 and 480 million until 2100 (Ottmar, 2014).

Financial Resources and Vulnerability

Based on paragraph 3 of article 9 and paragraph 4 of article 9 in the agreement, developed countries should support the general budget and aids through various ways such as collective management of investments and taking the country's strategies into account thereby to support the axis of needs and priorities of the developing countries. Furthermore, they should establish barter institutions for reducing insurance risks of its management strategies' development. Based on article 54 of the agreement's draft, which is in line with paragraph 3 of article 9 therein, the developed countries should remain adherent to the contents of the emission effects' reduction activities until 2025 parallel to their collective management. The members' gathering as the Paris agreement assembly should set a new common quantitative goal with a cost at most up to 100 billion dollars per year until 2025 through taking the developing countries' needs and priorities into consideration (Aaron, 2012).

Technology Development and Transfer (Kanie, 2014)

Based on paragraph 4 of article 10 in the agreement, a technological framework should be accordingly established for the comprehensive guidelines regarding the activity of the technology mechanism for the purpose of promoting and facilitating the interventions in the area of the technology development and exchange as well as supporting the enforcement of this agreement (Suzuki, 2014).

Capacity-Building

Based on paragraph 1 of article 11 in the agreement, capacity-building introduced in this agreement should be in such a way that it can incorporate the capacity and ability of the members of the developing countries, especially with minimum capacity such as small peninsular countries and enhance the effective climate change-related interventions, including adaptation, compatibility and mitigation of the emission effects. Additionally, the development of the emission mitigation technology, access to the investment, education, upbringing and instruction, public information-provisioning and information exchange should be transparently facilitated.

Executive Mechanism of Paris Agreement

There are serious discrepancies between the developed and developing countries regarding the executive criteria of Paris Agreement (APA) and the global statuses. In fact, the executive mechanism of Paris agreement is yet to be specified.

IRAN AND CLIMATE CHANGE AGREEMENT

Accepting the climate change convention, Iran's government formally joined the group of the committed countries in December, 1996. The empowerment projects of Islamic Republic of Iran were defined in the form of national reports submitted to the convention's secretariat in line with the convention's obligation; the first national report was presented in 2003 and the second one was offered to the convention's secretariat in 2009. The question about the role of Iran in reducing the greenhouse gases was first posited at the time that Iran was about to join Kyoto Protocol. Although Kyoto protocol did not exert any constraints on the developing countries, it was enacted very late in Iran and nearly at the same time with Russia. Iran's joining to Kyoto Protocol was followed by two disadvantages for Iran (United Nations, 1998). First of all, Iran had been forced to give up the protocol after several years and its postponement only caused the complication of the issue in future and, on the other hand, this meant the loss of facilities presented to the developing countries through proving membership in the protocol; these were facilities not considered in any other global bioenvironmental treaty for the developing countries. Iran sustained losses for more than one billion due to its late joining to the protocol and the postponing of its use of clean mechanism projects (Tehrani, 2017). But, the important point is that the amount of GHG emission by Iran has been 350 million tons as reported in Iran's national report in 1994. GHG emission has currently reached an amount over 420 million tons per year and this figure placed Iran in the 18th rank amongst the other countries of the world (Soltaniyeh, 2011). Based on Kyoto Protocol, Iran is not committed to the reduction of emission. Rather, Iran has just recently signed Paris's 2015 Agreement which have been investigated below.

Iran's Domestic Law Regarding Climate Change

Constitution-Climate Change and Sustainable Development

Act 50 of the constitution (Fat-hi, 2015) is vast in its dimensions that inter alia include the necessity for economic development and growth in the country and environmental conservation, legal prohibition of economic activities that lead to the irreparable destruction of the environment. It means that sustainable development has been underlined by the legislator where he conditioned the growth and development to the observance of the

rights of the future generations (Meghdad, 2018). The constitution has prohibited the economic abnormalities of the development and immethodical use of energy, especially fuel.

Clean Air Law

According to paragraph 1 of article 1 of the clean air law, air pollution includes natural or man-made emission of pollutant solids, liquids and gases that are harmful to the health of the human beings and living creatures and/or cause the diminishing or reduction of the public welfare level. Moreover, as stated in the paragraph 3 in article 1 of the clean air law, pollution sources are natural resources like sandstorms, forest and pasture fires, volcanos and marine aerosols as well as the man-made resources like moving sources, any source like engine-propelled and non-engine-propelled vehicles that cause the creation of pollution when moving as well as non-moving resources that embraces any source such as industry, mining operation, agriculture, service sectors, business sector, administrative sectors and home-based uses.

Energy Productivity Law

Based on the note 1 to this law, the renewable energies include wind, solar, hydrothermal, small hydraulic, marine and biomass, forest and affiliated industries, heat, liquid fuels, gaseous fuels and various kinds of useful chemical applications. Hydrogenous, fuel cell and other resources obtained from renewable energies are clean. Based on the note 2, the enhancement of energy productivity means the optimum and reasonable use of energy in such a way that energy wastage can be prevented without reducing the social welfare and national production level and the efficiency and effectiveness of the energy use can be increased and sustainable development can be assisted and the fossil fuels and environment can be preserved.

International Treaties Accepted by Iran Regarding Climate Change

The Law on the Islamic Republic of Iran's Joining to the Climate Change Convention

Based on a single article, the government is allowed to join the climate change convention that includes a 26-article introduction and two attachments and submit the related documents. The government of Islamic Republic of Iran is allowed to use article 14 of the convention about the discrepancies' resolution but the related matters have to be enacted by the Islamic Consultative Assembly.

The Law of Islamic Republic of Iran's Joining to Kyoto Protocol Convention

Based on the single article of this law, the Islamic Republic of Iran's government is allowed to take measures in adherence to acts 50 and 139 of Iran's constitution for joining the Kyoto convention as a component of the climatic change convention of 1993 that includes an introduction of 27-articles and two attachments as well as the presentation of the related documents. Islamic Republic of Iran's government is authorized to article 18 of the protocol and article 14 of the convention for the resolution of discrepancies but the interventions should be previously enacted by the Islamic Consultative Assembly. The executive policies of the country regarding the convention and protocol are as outlined below:

- a. Constant preparation and offering of national reports with the participation of all the corresponding institutions
- b. Increase in the share of low-carbon energy resources in the energy basket and investment in the generation of clean energy and development of clean and novel technologies
- c. Effective and more use of regional and international cooperation for the actualization of the convention's goal
- d. Instruction and research regarding the climate change subjects and developing research facilities within the format of five-year development programs

- e. Readiness for confrontation and management with the climate change outcomes through optimization of resources, modification of the production and consumption patterns and creation of food security (Baba'ei, 2012).
- f. Capacity-building for the use of clean energy development mechanisms through legal capacities and facilitations and making efforts for designing and developing the relevant projects and technology instruction and transfer.
- g. Creation of economic diversity for reducing the damages stemming from the reduction of petroleum incomes and emphasis on distancing away from single-product economy

Investigation of Iran's Obligations in Iran's Predetermined National Document in Case of Joining Paris's 2015 Agreement

Accepted Positive Obligations of Iran's Intended Nationally Determined Contribution

- a. Supporting the international efforts for reducing the GHG emission and compatibility with the effects of climate change based on the shared principle by different responsibilities of the countries (Mazidi, 2013)
- b. Observance of sustainable development despite the various barriers like unjust embargos (Taghizadeh Ansari, 2018, p.144), imposed war and threatening of effective human resources in the eight-year war as well as hosting several million migrants from the neighboring countries
- c. Giving priority to the economic growth (Ashraf Nazari, 2011), social development, eradication of poverty and improvement of the environment
- d. Iran's tendency for moving towards low-carbon economy in line with the implementation of green economy and achievement of the related goals
- e. Mentioning of the factors influencing the low-carbon (green) economy including young population, country's development needs and existence of the hydrocarbon resources (Sophie, 2017), concentrating the country's development on energy-consuming industries
- f. Offering Iran's currently intended nationally determined contribution plan including the participation in the reduction of conditional and non-conditional emissions on the condition that the present technological and financial limitations, especially the unjust economic embargos, are lifted.
- g. Participation in non-conditional emission reduction based on the national power and GHG emission scenarios and general reduction of GHG emissions in 2030 by four percent in contrast to BAU basic scenario (Bariner and Konrad, 2014)
- h. Participation in emission reduction via developing combined power plant cycles, development of nuclear power, development of renewable energy resources, reduction of the emission of flare gases, increasing the efficiency of the energy use in various consuming sectors, substitution of the ordinary carbon-based fuels by natural gases (Erboy, 2018; renewable information, 2016)
- i. Strategic development of the use of low-carbon fuels and participation in the new market-based mechanisms in domestic and international arenas (Non-residential installations were 2, 2017, p.12)
- j. Participation in the reduction of emissions provided that the unjust embargoes are lifted, financial supports are provided and technology transfer is permitted. Moreover, allowing the purchase of carbon credits and enjoyment of the multilateral supports, transferring of clean technologies and empowerment and heightening of the potential for reducing GHG emissions by an extra 8% in case of the above-mentioned barriers are removed with a substantial concentration on the energy sectors and industrial processes and, in partial manner, in line with the protection and development of forests and farmlands and waste materials' management.

- k. The role of the market-based mechanisms and transferring of the environment-friendly technologies subject to the legal regime of climate change convention and transferring of the managerial experiences that would additionally result in setting the ground for more GHG emissions' mitigation
- l. Reduction in GHG emissions based on the national regulations of energy productivity and reduction based on tendencies towards cooperation for the achievement of convention goals and low-carbon economy.
- m. Development of correct financial and economic energy mechanisms like the reduction and gradual and complete elimination of energy subsidy and national environment fund and development of the private sector's activities, especially in the energy sector and optimization through the energy services companies.

Disadvantageous and Dangerous Obligations Accepted in Iran's Intended Nationally Determined Contribution Document

- a. Iran's intended nationally determined contribution plan: Based on paragraph 22 of Paris Agreement's draft, the countries can implement NDC paragraph after offering their national participation plans unless otherwise is decided by a member. Thus, since Iran has offered its INDC before joining Paris Agreement, it will be considered as Iran's first NDC at the same time with the country's joining to the agreement hence all of the obligations accepted in this document will be incumbently indispensable and will be held accountable to the performance of them.
- b. Validation of the National Emission Mitigation Plan (NDCS): Based on paragraph 4 of article 13 and paragraph 11 of article 13 in the convention, the national emission mitigation plan is investigated in the executive committee and the destiny of the executive committee has been assigned to the later protocols based on paragraph 1 of article 15.
- c. Mentioning the voluntariness of the interventions outlined in Iran's intended nationally determined contributions plan. This program can never indispensably oblige Islamic Republic of Iran regarding measures it will take in various parts of its economic and industrial sectors. But, according to paragraph 1 of article 22 of the agreement, the agreement should enter a stage of coercion and compelling of the enforcement on the 13th day after the date wherein at least 55 convention members, as a minimum number, has made a 55-percent prediction of the total amount of global GHG emissions and offered their documents and asserted their acceptance and signed the documents and approved the enactments or indicated their obedience. In fact, after the final enactment in the Guardians' Council, the agreement will be rendered indispensable for Iran. And, based on article 27 of the agreement, there would be no preconditions and exceptions in regard of the agreement for Iran.
- d. The Cost of Capacity-Building and Receiving Financial Aids: In the intended nationally determined contribution document, Iran knows itself as a qualified candidate for drawing the developed countries' attention in line with receiving financial contributions and capacity-building assistances conforming its performance of commitments parallel to the lowering of its economy's dependency on the petroleum incomes and response measures in respect to climate change. This is while the contents of the financial resources granted for building capacity as well as the other financial aids mentioned in this agreement are more provided, as ruled in paragraph 1 of article 11 and paragraph 4 of article 9, based on country-oriented strategies and priorities and needs of the developing countries that are vulnerable to climate changes (The Paris Agreement, 2016) such as the countries with lowest development and small developing peninsular countries. In fact, the priority of Paris Agreement is granting financial aids to the poor and small

peninsular countries. It has been shown in the past records that the developed countries never fulfilled their obligations. Of course, these countries did not also fulfill their obligation (100 billion dollars per year) to the green climate fund that was founded based on the enactment in the 16th conference by the climate change convention's members (COP16) for providing the developing countries with financial aids (Aaron, 2012). Considering the status of Iran's currency embargos and the performance and procedures of the developed countries in Paris's 2015 Agreement, it is understood that they do not have any legal responsibilities for fulfilling their financial obligations towards Iran and acceptance of Paris Agreement under current economic conditions is accompanied by a lot of financial costs for Iran.

- e. Iran's technological needs: Use of such technologies as collecting and production (GTL, 2016) of accompanying gases, increase in the output of the country's power plant network through the development of CHP units and combined cycle, reduction of the losses of power transmission lines, optimization of energy use in demand sector, development of the use of renewable and alternative energy resources (like nuclear electricity) and biofuels entails making the required investments in this sector. Based on paragraph 1 of article 9 in the agreement, the members of the developed countries should provide financial resources for contributing to the members of the developing countries for reducing the effects and also for bringing about adaptation and compatibility. According to paragraph 3 of article 9 in the agreement, the developed countries are responsible for assisting the collective management of the investments. Investigation of the nature of the revision reports by the climatic technological network center is related to the global status. Investigation of the global state is one of the serious areas of dispute between the developed and developing countries and the global status is supposed to be evaluated from 2023 on. Until then, Iran should wait for receiving the technological aids and fulfill obligations without grounds being set for doing so and without any financial aids; it has to not to use its national and natural resources like fossil fuels and reduce the emissions and this would subject the development process to severe declines.
- f. Method of Calculation and Evaluation and Reporting Process: Calculation of Iran's GHG emissions has been carried out for the period until 2020 based on the IPCC 2006 guidelines as well as according to the national reporting and verification. Based on paragraph 13 of article 4 of Paris 2015 Agreement, the members should be responsible and accountable for their intended nationally determined participation document. And, based on paragraph 2 of article 13 of the agreement, the developing countries should perform the required revisions and have the required flexibility in enforcing the contents thereof. Moreover, based on paragraph 3 of the article 7, the efforts of the developing countries in line with bringing about adaptation and compatibility should be matching with the constraints and conditions set in the members' gathering. Unfortunately, considering Islamic Republic of Iran's economic power and potential for such a reason as the interference between the program (agreement)'s preparatory interventions and the international (economic, financial and technological) bans, the disproportional evaluation and ambitiousness of Iran's GHG emissions' reduction not only caused the aforementioned goals not to be operationalized, but also the intensity of energy use has been ascending during the recent years.

Problems Existent In Iran for Achieving a Low-Emission Economy

- a. Iran has been subjected to the exertion of international pressures within the framework of smart embargo system

(Taghizadeh and Mohammadi, 2018, p.144) in energy sector, petroleum export, petro-chemistry and oil tankers as well as EU embargos, US's unilateral sanctions and also congregational bans.

- b. The loss of the petroleum export's market has caused the nearly complete cessation of the inflow of the petroleum incomes and the lack of access to the resources to financially supply the development plan due to the currency embargo of Iranian banks has led to the reduction of the bioenvironmental issues' importance in the developmental programs of the energy sector (Gha'edizadeh, 2017, p.104).
- c. Overshadowed by the unfair international embargos, Iran's scientific interaction and exchange with the international society has undergone a severe decline. As a subsequence of the relative isolation of Iran's scientific community, the utilization of the capacities existent in the international treaties in favor of the developing countries and enhancing of the capacities did not find a possibility for actualization.
- d. Iran's economy is still dependent on the production of petroleum and injection of the petroleum revenues into the other industrial and manufacturing sectors of economy. This high-emission economy has limited the country's flexibility in the international climate change negotiations to a large extent and made it vulnerable to the acceptance of the obligations in this regard.
- e. Following these embargos, the access to the effective, clean and environment-compliant technology has been faced with very serious barriers for the petroleum industry and other parts of our country's industry.

Problems Existent in Iran as a Result of International Emission Reduction Obligations

- a. Due to the absence of the legal and financial grounds for the adoption and exertion of bioenvironmental policies in the industries, especially oil industry as the country's point of reliance, Iran is not sufficiently ready for alignment with this international movement. National economy's vulnerability has been doubled in the course of the international emission reduction negotiations and the obligations stemming thereof.
- b. Due to the shortages of the national regulations and lack of paying attention to the country's high-level documents (Gha'edizadeh, 2017, p.105) as well as the negligence of the environment and its effects on the national economy in the development plans, the capacities created in the international documents have been left unused.
- c. Absence of a clear-cut perception of the serious economic and international outcomes of climate change.
- d. Access to the renewable energies is not readily possible for the developing countries.

INVESTIGATION OF GROUP 20'S OBLIGATIONS IN PARIS'S CLIMATE CHANGE AGREEMENT IN 2015

Group 20 is an informal forum that holds constructive negotiations between the industrial countries and newly emerging economies about the issues related to the global economy's stability and provokes participation amongst the member countries for the corroboration of the structure of the international financial markets and sets the ground for talks about the national financial policies, cooperation in international level and establishment of the international institutions. The country members of this group account for 90% of the gross national production (GNP) and 80% of the global business; they represent two third of the world's population.

Investigation of the Obligations of Some of the Group 20's Members

- a. **China**
China holds the first rank in GHG emission in the world. This country is making plans for achieving more ideal goals in contrast to the ones mentioned in its intended nationally

determined contribution plan in regard to its GHG emissions for 2030 (Green and Stem, 2016). The new scenario aims at the acceleration of the enforcement of very strict low-carbon economy programs beyond the current obligation as outlined in China's intended nationally determined contribution plan. In Paris's 2015 Agreement, China has stated in its national document that it is going to reduce its carbon dioxide emission's intensity by 60% to 65% up to 2030 in comparison to the level between 200.

b. US

Although US is one of the endorsers of Kyoto Protocol, it has neither approved nor rejected it. US has been the largest emitter of carbon dioxide as a result of burning fossil fuels since 2005. On 25th of July, 1997, before the finalization of Kyoto Pact, USA's senate unanimously approved the US's withdrawal with 95% of positive votes. Senate intended that US should not sign a treaty that includes goals barring its development. The government of Obama, whose country is ranked second in terms of GHG emissions, signed Paris's 2015 Agreement. US has an ambitious program atop of its agenda for emission reduction until 2025. It was with Donald Trump's acquisition of the government's tenure that the agreement took another form. In a speech in White House, Trump formally declared that he will exit Paris's climate change agreement he had previously called "bad agreement" in line with the protection of the interests of the American nation. He emphasized that he will disjoin Paris Agreement in line with his fulfillment of his duties parallel to the protection of the US but that he is ready to negotiate for reaching a fair treaty. He also remarked that Paris Agreement does not omit the jobs related to the coal area rather it intended to transfer them from the US to another place because it leaves China and India free in extracting coal while barring the US from doing so. After the US's detachment, the reactions of the organizations and countries are ponderable as stated beneath. The UN's spokesman calls the US's decision for exiting the Paris Agreement as a "huge frustration" for the global efforts parallel to the reduction of GHG and strengthening of the global security. The head of EU council, as well, described Trump's decision as a big mistake. Andrea Bluzov, senior assistant of Kremlin, underlined that Paris agreement would be useless without US's participation.

c. European Union

On 31st of May, 2002, all of the then fifteen country members of EU submitted their intended nationally determined contribution plans to the climate agreement of the UN. EU produces about 22% of the world's GHG and it has agreed to reduce the 1990's emission level by 8% on average. EU has been constantly one of the primary supporters of Kyoto Protocol and it is stubbornly negotiating for satisfying the undecided countries for joining this agreement. Each of the 27 country members of EU should independently approve the stages of the enactment of this agreement in the legal authorities of their country so that it becomes possible for it to be enacted in the union. It seems that this process is very time-consuming.

d. Russia

While Russia is yet intended to enact Paris Agreement in its legal authorities, the deputy of Russia's prime minister announced that Moscow will not change its decision for joining Paris Agreement. In Paris's 2015 Agreement, Russia has considered a reduction in its total GHG emissions by 30% till 2030 in comparison to 1990's level as stated in its intended nationally determined contribution plan.

e. India

Fossil fuels will still have a large share until 2022 in the composition of India's energy consumption basket (Climate Change Tracker, 2015). India has designed a program for reducing the carbon intensity until 2020 from 20 to 25 percentage of its level in 2005. In Paris's 2015 agreement,

India has considered reductions between 33% and 35% of its GHG emissions until 2030 in comparison to the base year of 2005 as its goal in its intended nationally determined contribution.

f. Japan

After Fokushima earthquake in March, 2011, all of the nuclear reactors of power generation in Japan were shut down for strengthening the security system as a result of the public thoughts' pressure. However, even with the resumption of two nuclear reactors in 2015, Japan showed its tendency towards the use of this energy carrier in its power plants through unprecedented imports of coal. In Paris's 2015 agreement, Japan considered the reduction of GHG emissions by 26% until 2030 in respect to 2013's level that is going to be commenced after 2020 as stated in its intended nationally determined contribution plan.

g. Mexico

In its intended nationally determined contribution document for reducing INDC emissions that is going to be implemented within the framework of Paris Agreement until 2030, Mexico has become obliged to unconditionally reduce its GHG emissions in comparison to a base scenario by 25% (Mexico's intended nationally determined contributions, 2015).

Having a share between 1.3% and 1.5% in total GHG emissions of the world, Mexico is amongst the first fifteen largest GHG emitters worldwide but it is rapidly corroborating the executive and legal institutions in the area of climate change.

The Last Status of Group 20's Climate Change Performance in 2017

2017's results have reported an index for the climate change performance based on the measurement of the effectiveness of the efforts for confronting climate change and clarification of the countries' performance in regard of GHG reduction (Jun et al, 2017 and German Watch, 2017). This index is an image of every country's weak and strong points for reducing GHG emissions and its performance in comparison to the other studied countries. The related indicators are: the levels of GHG emissions (with a 40% weight), per capita of energy consumption (with a 20% weight), development of renewable energies (with a 20% weight) and national and international climate change policies of every country (with a 20% weight) that are assessed based on the experts' ideas; in the end, the rank of every country is evaluated based on these four indices; up to now, Italy has had the best rank and Saudi Arabia has had the weakest rank amongst the group 20 countries. The last ranking of group 20 countries' climate change performance is in the following order:

Italy with a score of 73.48 (rank 1), Brazil with a score of 70.88 (rank 2), France with a score of 70.68 (rank 3), Germany with a score of 70.67 (rank 4), England with a score of 69.83 (rank 5), India with a score of 68.95 (rank 6), EU with a score of 68.08 (rank 7), Mexico with a score of 60.76 (rank 8), South Africa with a score of 57.87 (rank 9), Indonesia with a score of 55.87 (rank 10), Argentina with a score of 55.76 (rank 11), China with a score of 54.26 (rank 12), Turkey with a score of 52.22 (rank 13), Canada with a score of 43.22 (rank 14), Australia with a score of 43.22 (Rank 15), Japan with a score of 40.61 (rank 16), Russia with a score of 39.59 (rank 17), Iran with a score of 35.18 (rank 18), USA with a score of 31.62 (rank 19) and Saudi Arabia with a score of 13.32 (rank 20).

CONCLUSION

Paris's 2015 climate change agreement has climate change as its main topic and it pays a particular attention to the general obligations and responsibilities of the governments for reducing carbon emissions as well as the human concerns like human rights and sustainable development and it also underlines the importance of healthy environments' conservation and

protection. Iran, as well, is one of the members of this agreement and it has endorsed it. In Paris's 2015 climate change agreement, the effects and legal outcomes have been taken into consideration based on the mechanisms existent therein. Despite the fact that Iran has made efforts to consider positive legal obligations in favor of the country in its intended nationally determined contribution plans, it has been drawn on the obligations mentioned in Paris's 2015 agreement in terms of the validation of the national emission reduction program, voluntariness of the interventions, capacity-building and financial aids, Iran's energy sector-related technological needs, calculation method and evaluation and reporting process; after investigations, it was made clear that the abovementioned cases are amongst the flawed and dangerous obligations accepted by Iran in its intended nationally determined contribution plan.

Amongst the important and essential problems of the operationalization of Iran's legal obligations in respect to Paris Agreement is the commitment of the developed countries to the financial aids and cost of capacity building in line with lowering economies' dependency on the oil incomes and substantially in relation to the development of renewable energies and use of modern technologies and making of counteractive interventions regarding climate changes. In fact, the priority is the granting of financial aids by these countries as ruled in Paris Agreement to the poor and small peninsular countries. It has been shown in the past records that the developed countries have not fulfilled their legal obligations in this regard. Considering the status of the smart and currency embargos against Iran, the performance of the developed countries has been indicative of the idea that they do not have any legal responsibility before Iran for granting financial aids, building capacity and transferring technology as mentioned in Paris's 2015 Agreement; so, the acceptance of Paris Agreement is followed by a lot of financial costs for Iran under the status quo of the economic conditions.

One of the other important and essential problems of the operationalization of the legal obligations set in Paris Agreement for Iran is the national regulations' shortfalls and lack of paying attention to the country's high-level documents and development programs related to environment and their effects on the national economy. Considering the procedures of the group 20 countries in a time span till 2015 regarding their obligations in Paris's 2015 climate change agreement, it can be seen that the national and economic interests of some of the group 20 country members is envisioned superior to the obligations of Paris's 2015 climate change convention that has been drawn on the international laws and that the national and economic interests of some of the other countries of the group are aligned with the goals of Paris's 2015 climate change agreement. It seems that the international responsibility of the governments has not been considered in Paris's 2015 agreement as a binding document and Iran's join to Paris's 2015 agreement under the current conditions that the country needs development, progress and employment is dangerous and followed by the allowance of responsibilities and commitments. In case of its being accepted, Iran would be having heavy duties and obligations before the developed countries and, especially, group 20 countries. From the perspective of the international laws, this agreement is in conflict with the permanent governance and independence of the countries over their natural resources. The present study confirmed the aforesaid assumption considering the substantiations made on Paris Agreement.

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