

GLOBAL CLIMATE ACTION INTERRUPTED: THE FIRST U.S. WITHDRAWAL AND RESILIENCE OF THE PARIS AGREEMENT

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I. Introduction

The Paris Climate Agreement (the Agreement) is a landmark 2015 accord under the United Nations Framework Convention on Climate Change (UNFCCC) aiming to unite the world in addressing climate change.¹ Nearly every nation agreed to take part, making it a de jure legally binding treaty with flexible, nationally determined commitments.² This approach allowed each country to set its own goals based on individual circumstances, rather than imposing a strict global standard. Because countries could tailor their commitments, the Agreement encouraged broad participation across a multitude of nations.

This paper will highlight the role of the Agreement, by reviewing its key legal features, address the United States' withdrawal under the first administration of President Donald Trump and then provide a critical analysis of the consequences of that withdrawal, which undermined U.S. climate efforts and posed challenges to international momentum, in the hope that its short period will guide our subsequent re-entry. This paper will conclude with an overview of the Agreement's resilience. It will provide a brief analysis of the federal pull-out, and how domestic actors in the U.S. and the international community largely reaffirmed their commitments, mitigating some of those early negative impacts.

II. The Paris Climate Agreement is a Flexible and Inclusive Global Effort Designed to Ensure Broad Participation and Cooperation in an Effort to Combat Climate Change

The Paris Agreement was adopted on December 12, 2015 at the 21st Conference of the Parties (COP21) to the UNFCCC, with 196 Parties (countries and the EU) agreeing to its terms.³ It took effect on November 4, 2016, less than a year after its adoption, reflecting strong international consensus.⁴ This success built on decades of climate negotiations, including the Kyoto Protocol, which had binding targets but limited participation, and the Copenhagen Summit.⁵ Learning from past failures, negotiators in Paris

¹ *The Paris Agreement*, UNITED NATIONS: CLIMATE CHANGE, <https://unfccc.int/process-and-meetings/the-paris-agreement#:~:text=The%20Paris%20Agreement%20is%20a,force%20on%204%20November%202016>

² Id.

³ Id.

⁴ Id.

⁵ Id.



embraced a more flexible, inclusive approach that would appease both developed and developing nations.⁶ The result was a landmark global pact hailed as a turning point in combating climate change.⁷

Prior to the Paris Agreement, the Kyoto Protocol was a significant attempt to reduce global emissions.⁸ However, Kyoto was criticized because it mandated legally binding emissions targets only for developed countries, excluding developing countries like China and India, which were rapidly increasing their emissions.⁹ This exclusion led to tensions, as developed nations argued that climate action should be a universal effort, while developing countries maintained that historical emitters held greater responsibility.¹⁰ These debates halted international climate efforts for years and highlighted the difficulty of reaching universal agreements.¹¹

In 2009, the Copenhagen Summit attempted to create a successor to Kyoto but ultimately fell short of expectations. The new political accord provided for explicit emission pledges by a variety of major countries, developed and developing.¹² Despite this, there was no real path toward a treaty with binding commitments.¹³ Negotiations were marked by deep divisions between developed and developing countries over emission reduction responsibilities and final contributions.¹⁴ The failure to achieve a substantial, legally binding agreement in Copenhagen left many countries disillusioned. This context set the stage for Paris, where negotiators had already experienced the setbacks of prior agreements and recognized the need for a newer approach that could bridge the gap between the participating countries.

⁶ Id.

⁷ Id.

⁸ *What is the Kyoto Protocol*, UNITED NATIONS CLIMATE CHANGE, https://unfccc.int/kyoto_protocol (last visited Apr. 19, 2025)

⁹ Iqbal Tawakal, *The Failure of the Kyoto Protocol as an International Environmental Regime*, MODERN DIPLOMACY (June 27, 2024), <https://moderndiplomacy.eu/2024/06/27/the-failure-of-the-kyoto-protocol-as-an-international-environmental-regime/>

¹⁰ Id.

¹¹ Id.

¹² *COP 15 Copenhagen*, C2ES: CENTER FOR CLIMATE AND ENERGY SOLUTIONS, <https://www.c2es.org/content/cop-15-copenhagen/>

¹³ Id.

¹⁴ Id.



The Agreement's overarching goal is to limit global temperature rise to well below 2°C, with an ambition of 1.5°C above pre-industrial levels.¹⁵ Several necessary factors were included to help reach this goal, including Nationally Determined Contributions (NDCs), a five-year ambition cycle, transparency and accountability, and international cooperation.¹⁶ NDCs included the requirement that each party prepare and communicate its own climate action plan, setting targets for greenhouse gas reductions according to national circumstances.¹⁷ Although parties are legally obligated to submit new or updated NDCs every five years, the commitments themselves are not internationally enforceable quotas.¹⁸ Creating a bottom-up structure was a crucial part of encouraging broad participation, as countries are able to retain sovereignty over their targets.¹⁹ Further, every five years, parties are required to update their NDCs, with each successive NDC expected to be more ambitious than the last.²⁰

Another essential feature of the Paris Agreement is transparency. With the Agreement, countries established an enhanced transparency framework (ETF).²¹ Participating countries agreed to report regularly on their emissions and progress towards their goals, which would be reviewed and verified by independent experts.²² Since 2024, ETF has provided the framework for a system where countries transparently report on actions taken and individual progress in climate change mitigations, adaptation measures and support provided or received.²³ This transparency framework helps build trust and encourages accountability, as nations are more likely to uphold their commitments when their actions are

¹⁵ *The Paris Agreement*, *supra* note 1

¹⁶ *Id.*

¹⁷ *U.S. Leadership and the Historic Paris Agreement to Combat Climate Change*, THE WHITE HOUSE: OFFICE OF THE PRESS SECRETARY (Dec 12, 2015), <https://obamawhitehouse.archives.gov/the-press-office/2015/12/12/us-leadership-and-historic-paris-agreement-combat-climate-change#:~:text=,Targets>

¹⁸ Matti Goldberg, Dave McGlinchy, *Five things to know about the U.S. withdraw from the Paris Agreement*, WOODWELL CLIMATE RESEARCH CENTER (Jan 30, 2025) <https://www.woodwellclimate.org/us-withdrawal-paris-agreement/#>

¹⁹ *Id.*

²⁰ *Id.*

²¹ *The Paris Agreement*, *supra* note 1

²² *Preparing for the Enhanced Transparency Framework*, UNITED NATIONS: CLIMATE CHANGE, <https://unfccc.int/process-and-meetings/transparency-and-reporting/preparing-for-the-ETF>

²³ *Id.*



accessible to the public.²⁴ Additionally, the Paris Agreement established tools for international cooperation, such as climate finance and technology transfer to support developing nations in meeting their climate targets.²⁵ These mechanisms encourage developed countries to take the lead in providing financial assistance to developing countries, as well as fully realizing technology development and transfer for improving resilience to climate change and reducing GHG emissions.²⁶ Through these mechanisms, the Agreement has been able to recognize and accommodate the differing capacities of countries and the need for support to achieve global climate objectives.²⁷

Active U.S. participation was widely seen as crucial in order to shape and secure the success of the Paris Agreement.²⁸ The United States, under President Barack Obama, worked closely with other major emitters in the run-up to Paris to create a path towards a deal. U.S. diplomats played a key role in designing the NDC framework, which aligned with domestic constraints by avoiding a treaty requiring Senate ratification.²⁹ Instead, former President Obama accepted the Paris Agreement by executive action in 2016 on the premise that the Agreement did not impose new legally binding emissions targets and was consistent with the UNFCCC, which had been ratified by the Senate nearly thirty years earlier.³⁰ This allowed the U.S. to join quickly, bringing other countries along with it and helping the Agreement reach the required thresholds to enter into force by 2016.

Beyond diplomatic engagement, U.S. involvement was symbolically significant, signaling a global commitment from one of the world's largest emitters. The Obama administration's climate initiatives, including the Clean Power Plan, served as domestic backing for the international commitments

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ Id.

²⁸ Brendan Guy, *Why the Paris Agreement Is Good for the United States*, NRDC (Jan. 31, 2017), <https://www.nrdc.org/bio/han-chen/why-paris-agreement-good-united-states>,

²⁹ *Climate Change: Frequently Asked Questions About the 2015 Paris Agreement* (2025), <https://www.congress.gov/crs-product/R44609>.

³⁰ *History of UN Climate Talks*, C2ES: CENTER FOR CLIMATE AND ENERGY SOLUTIONS, <https://www.c2es.org/content/history-of-un-climate-talks/>



made in Paris.³¹ This internal policy alignment reinforced U.S. credibility on the global stage and encouraged other nations to solidify their own climate strategies. Moreover, President Obama's previous financial pledge to the Green Climate Fund further substantiated his commitment to the issue and the importance of addressing climate change as both an environmental challenge and a global equity issue. President Obama's continual action set the ideal stage for the U.S.'s swift entry into the Paris Agreement, acknowledging that developing countries often bear disproportionate impacts of climate change despite contributing least to global emissions.³²

The inclusive nature of the Paris Agreement also allowed smaller nations and those more vulnerable to climate impacts to have their voices heard. Small island states and low-lying countries facing greater threats from rising sea levels and extreme weather events were just a few of the most important factors for advocating for a 1.5 degree celsius goal.³³ The Agreement uniquely accommodates "subtle differentiation," which recognizes the differing capacities and responsibilities of countries without formally categorizing them as "developed" or "developing."³⁴ This approach allowed nations to set realistic targets that reflected their individual circumstances, both from an economic standpoint and a historical standpoint.³⁵ This framework helped create a more equitable framework, pushing more influential countries toward larger commitments, demonstrating the power of collaborative global governance and inclusive diplomacy.³⁶

³¹ *FACT SHEET: Overview of the Clean Power Plan*, EPA: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (May 9, 2017), <https://archive.epa.gov/epa/cleanpowerplan/fact-sheet-overview-clean-power-plan.html>

³² The Green Climate Fund (GCF) (2025), <https://www.congress.gov/crs-product/IF10382>.
<https://www.congress.gov/crs-product/IF10382>

³³ Martha Henriques, *Climate change: The 1.5C threshold explained*, BBC (Feb. 8, 2024), <https://www.bbc.com/future/article/20231130-climate-crisis-the-15c-global-warming-threshold-explained>

³⁴ Pieter Pauw et al., *Subtle differentiation of countries' responsibilities under the Paris Agreement* 1 (Palgrave Comme'ns ed., 5th ed. 2019). <https://doi.org/10.1057/s41599-019-0298-6>

³⁵ *Id.*

³⁶ *Id.*

Additionally, the Paris Agreement encouraged significant participation from private sectors and non-state actors.³⁷ Cities, businesses, and civil society groups worldwide committed to ambitious climate actions, independently supporting national targets.³⁸ The increased engagement of these non-state actors reinforced the global commitment to climate mitigation, highlighting the Agreement's flexibility in promoting participation beyond traditional diplomatic channels.³⁹

Overall, the Paris Agreement's flexible structure, emphasis on national circumstances, transparency, international support mechanisms, and inclusive diplomacy represent a significant evolution in global climate cooperation. It addresses the flaws of previous agreements by creating an adaptable framework capable of uniting differing nations around a common goal. The Agreement marked not just an environmental milestone but also a diplomatic achievement, demonstrating that international cooperation is possible even on highly complex and contentious global challenges like climate change.

III. Trump's First Withdrawal from the Agreement & the Resulting Consequences

Despite the U.S.'s fundamental role in Paris, the Agreement's terms allowed a party to withdraw after a certain period.⁴⁰ Article 28 of the Paris Agreement provides that a party may not give notice of withdrawal until three years after the Agreement enters into force for that party, and withdrawal then takes effect one year after the notice is delivered.⁴¹ For the United States, the Paris Agreement went into force on November 4, 2016, meaning the earliest possible date it could notify intent to withdraw was November 4, 2019. President Trump announced on June 1, 2017 that the United States would cease implementation of the Paris Agreement and eventually withdraw as soon as legally possible.⁴² The

³⁷ Melissa Danzo, *Can Non-State Actors Save the Paris Climate Agreement?*, MICHIGAN JOURNAL OF INTERNATIONAL LAW (Nov. 2018), <https://www.mjonline.org/can-non-state-actors-save-the-paris-climate-agreement/>

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015, T.I.A.S. No. 16-1104

⁴¹ *Id.*

⁴² *President Trump Announces U.S. Withdrawal From the Paris Climate Accord*, THE WHITE HOUSE ARCHIVES (June 1, 2017), <https://trumpwhitehouse.archives.gov/articles/president-trump-announces-u-s-withdrawal-paris-climate-accord/>

administration followed Article 28's process: although Trump declared the intention in 2017, the formal written notice of withdrawal was submitted to the U.N. Secretary-General on November 4, 2019, the first day allowed under the Agreement.⁴³ That notification began a one-year waiting period, so the U.S. withdrawal became effective on November 4, 2020, the day after the 2020 U.S. presidential election.⁴⁴

Trump did not, however, withdraw the U.S. from the underlying UNFCCC treaty. The United States remained a party to the UNFCCC of 1992, which is the parent framework convention.⁴⁵ Backing out of the UNFCCC would have required Senate approval, and this step was not taken by Trump.⁴⁶ By staying in the UNFCCC, the U.S. retained its seat and voting rights in the broader climate negotiations, even as it pulled out of the Paris Agreement and its specific commitments.⁴⁷ The choice to withdraw from Paris but not the UNFCCC demonstrated the Trump administration's use of executive powers; Trump could exit the Paris Agreement unilaterally due to former President Obama's decision to join via executive action, whereas the UNFCCC could not be exited quite so easily.

This legal maneuver exploited the flexibility of executive agreements, revealing a vulnerability in international climate cooperation when not underpinned by formal treaty ratification. Legal scholars have since debated whether environmental accords of this magnitude should require Senate approval despite political gridlock, to avoid abrupt reversals between administrations.⁴⁸ This concern became even more pressing given the Agreement's reliance on mutual trust and long-term policy consistency.⁴⁹

⁴³ Lisa Friedman, *Trump Serves Notice to Quit Paris Climate Agreement*, THE NEW YORK TIMES (Nov. 4, 2019), <https://www.nytimes.com/2019/11/04/climate/trump-paris-agreement-climate.html>

⁴⁴ *Id.*

⁴⁵ Taylor Pullins, Suzanne Knijnenburg, *US Withdrawal from the Paris Agreement: Impact and Next Steps*, WHITE & CASE (Jan 21, 2025) <https://www.whitecase.com/insight-alert/us-withdrawal-paris-agreement-impact-and-next-steps#:~:text=the%20Paris%20Agreement%2C%20the%20withdrawal,Agreement%20was%20negotiated%20and%20signed>

⁴⁶ *Id.*

⁴⁷ Matti Goldberg, Dave McGlinchy, *supra* note 5

⁴⁸ Harold Hongju Koh, *Presidential Power to Terminate International Agreements*, 128 YALE L.J. 432, 432-45 (2018).

⁴⁹ *Id.*

The distinction between the Paris Agreement and the UNFCCC raised important questions about the role of executive power in international climate commitments.⁵⁰ Because the U.S. joined Paris through executive action rather than Senate ratification, the exit was procedurally simple but substantively significant. Legal scholars pointed to this as a weakness in the structure of U.S. climate diplomacy; a reliance on executive discretion makes even major international obligations vulnerable to reversal with each election cycle.⁵¹ For this reason, some environmental law experts have suggested that future administrations seeking greater stability in international agreements might pursue bipartisan Senate support, despite the political challenges such efforts may pose.⁵²

President Trump's decision to withdraw the United States from the Paris Agreement marked a significant shift in the nation's climate policy.⁵³ This move was accompanied by a series of domestic policy changes that rolled back previous climate initiatives.⁵⁴ The administration's focus on promoting fossil fuel industries led to the repeal of regulations aimed at reducing greenhouse gas emissions.⁵⁵ For instance, the Clean Power Plan, which set ambitious targets for reducing emissions from power plants, was effectively dismantled.⁵⁶ Additionally, fuel efficiency standards for vehicles were relaxed, and environmental regulations were scaled back to facilitate oil and gas production.⁵⁷ These actions collectively signaled a prioritization of short-term economic gains over long-term environmental sustainability.⁵⁸

⁵⁰ Id.

⁵¹ Id.

⁵² Id.

⁵³ Justin Worland, *Trump's Paris Agreement Move is Unpopular. Here's How He's Trying to Spin It*, TIME (Nov 5, 2019), <https://time.com/5717881/paris-agreement-trump/>

⁵⁴ *Effect of the US withdrawal from the Paris Agreement*, CLIMATE ACTION TRACKER (Nov 11, 2019), <https://climateactiontracker.org/press/effect-of-the-us-withdrawal-from-the-paris-agreement/>

⁵⁵ Umair Irfan, *Trump's EPA just replaced Obama's signature climate policy with a much weaker rule*, VOX (June 19, 2019), <https://www.vox.com/2019/6/19/18684054/climate-change-clean-power-plan-repeal-affordable-emissions>

⁵⁶ Id.

⁵⁷ Nadja Popovich et al., *The Trump Administration Rolled Back More Than 100 Environmental Rules. Here's the Full List.*, THE NEW YORK TIMES (Jan. 20, 2021), <https://www.nytimes.com/interactive/2020/climate/trump-environment-rollbacks-list.html>

⁵⁸ Id.

This deregulatory push was framed as a means to strengthen U.S. energy dominance.⁵⁹ However, many economists and environmental policy analysts noted that the global market was already moving away from coal and toward cleaner alternatives.⁶⁰ The administration's environmental rollbacks often ignored the trajectory of private investment and consumer demand, which was increasingly favoring sustainability, not deregulation.⁶¹

The administration justified the environmental rollbacks by claiming that environmental regulations placed undue burdens on American workers and businesses.⁶² Although the coal industry was presented as an ever growing market, it continued to decline, largely due to competition from natural gas and renewable resources.⁶³ Simultaneously, jobs in the clean energy sector grew steadily during the same period.⁶⁴ Critics of the administration argued that these regulatory reversals ignored the long-term market trends and delayed the modernization of the American energy economy. There was, arguably, no real economic rationale for withdrawal.⁶⁵

Despite the federal rollbacks, the anticipated surge in greenhouse gas emissions did not fully materialize. According to the Climate Action Tracker, U.S. emissions were projected to be 2% lower than initial estimates made at the beginning of Trump's term, amounting to a 13% reduction below 2005 levels by 2030.⁶⁶ This unexpected trend can likely be attributed to market forces and state-level initiatives that

⁵⁹ Michael R. Pompeo, *On the U.S. Withdrawal from the Paris Agreement*, U.S. DEPARTMENT OF STATE ARCHIVES (Nov. 4, 2019), <https://2017-2021.state.gov/on-the-u-s-withdrawal-from-the-paris-agreement/>

⁶⁰ Christian Bogmans & Claire Mengyi Li, *A Greener Future Begins with a Shift to Coal Alternatives*, IMF BLOG (Dec. 8, 2020), <https://www.imf.org/en/Blogs/Articles/2020/12/08/blog-a-greener-future-begins-with-a-shift-to-coal-alternatives>

⁶¹ Ashley Reichheld et al., *Research: Consumers' Sustainability Demands Are Rising*, HARVARD BUSINESS REVIEW (Sept. 18, 2023), <https://hbr.org/2023/09/research-consumers-sustainability-demands-are-rising>

⁶² Michael R. Pompeo, *supra* note 59

⁶³ Ashley Reichheld et al., *supra* note 61

⁶⁴ *Powering the future: explore the rise of clean energy jobs*, UNIVERSITY OF PENNSYLVANIA (Apr. 29, 2024), <https://lpsonline.sas.upenn.edu/features/powering-future-explore-rise-clean-energy-jobs>

⁶⁵ Agnes Enochs, *The Trump Administration's Environmental Policies Make the United States an Outlier in the Global Shift to Clean Energy*, THE GEORGETOWN ENVIRONMENTAL LAW REVIEW (Jan 30, 2025), <https://www.law.georgetown.edu/environmental-law-review/blog/the-trump-administrations-environmental-policies-make-the-united-states-an-outlier-in-the-global-shift-to-clean-energy/>

⁶⁶ *Id.*

continued to favor cleaner energy sources.⁶⁷ The rapid decline in coal-fired power generation and the rise of renewable energy technologies played a crucial role in offsetting potential increases in emissions.⁶⁸

In fact, several state governments doubled down on climate policies following the federal pullback. California, New York, and Washington adopted or strengthened statewide emissions targets, effectively counterbalancing the regulatory gap left by the Trump administration.⁶⁹ Many of these states enacted climate legislation that mirrored or exceeded the Obama-era federal benchmarks, signaling a shift in leadership from federal to subnational actors.⁷⁰

At the same time, the private sector responded to Trump's withdrawal with renewed commitments of its own. Numerous Fortune 500 companies, including Google, Microsoft, and Walmart, publicly reaffirmed their climate goals.⁷¹ Many went even further, committing to science-based emissions targets or committing to achieving the U.S. goal of reducing emissions 26-28 percent from 2005 levels and meeting or exceeding the targets of the federal Clean Power Plan.⁷² These corporate actions were not purely altruistic; investors, consumers, and employees increasingly demanded that businesses address climate risks.⁷³ The Trump administration's retreat from climate diplomacy arguably created a vacuum that these companies attempted to fill, both to maintain their global reputations and to future-proof their operations.

The rise in private sector climate action reflected a growing understanding that environmental responsibility is closely tied to financial awareness and long-term strategy. Investment firms like

⁶⁷ Id.

⁶⁸ Id.

⁶⁹ Hiroko Tabuchi & Henry Fountain, *Bucking Trump, These Cities, States and Companies Commit to Paris Accord*, THE NEW YORK TIMES (June 1, 2017), <https://www.nytimes.com/2017/06/01/climate/american-cities-climate-standards.html>

⁷⁰ Id.

⁷¹ *New Subnational Coalitions Demonstrate Leadership After Paris Withdrawal*, GEORGETOWN CLIMATE CENTER: GEORGETOWN LAW (June 5, 2017), <https://www.georgetownclimate.org/articles/new-subnational-coalitions-demonstrate-leadership-after-paris-withdrawal.html>

⁷² Id.

⁷³ Merritt Melancon, *Investors forcing companies to confront climate risks*, UNIVERSITY OF GEORGIA: TERRY COLLEGE OF BUSINESS (Oct. 26, 2023), <https://www.terry.uga.edu/investors-forcing-companies-to-confront-climate-risks/>

BlackRock began requiring companies to disclose how climate change might affect their operations and to adopt more sustainable business practices.⁷⁴ This shift helped make climate concerns a regular part of corporate planning, even as federal climate policy remained halted.

IV. Global Repercussions and the Agreement's Resilience Following the First U.S. Withdrawal

When the Trump administration announced its intent to withdraw, some feared that other countries might follow suit or ease off their climate efforts. The U.S. retreat could have provided political cover for nations facing domestic opposition to climate policies to also abandon their commitments. However, no other country decided to leave the Paris Agreement.⁷⁵ In fact, rather than a domino effect, the opposite occurred: the remaining parties largely reasserted their dedication to the accord. At the 2017 G20 summit in Hamburg, 19 of the 20 members affirmed that the Paris Agreement was “irreversible” and non-negotiable, effectively isolating the United States on this issue.⁷⁶ Traditional U.S. allies publicly expressed their disapproval of the U.S.’s decision to withdraw, but reiterated their own commitments to the Agreement.⁷⁷ The only two nations that initially hadn’t joined, Nicaragua and Syria, joined the Agreement after Trump’s withdrawal announcement.⁷⁸

This global response reflected a deeper shift in international climate politics. Whereas the U.S. had historically been viewed as a necessary leader for environmental cooperation, other countries increasingly demonstrated a willingness to move forward without American participation. In the months following Trump’s announcement, several European Union member states began pushing for more

⁷⁴ *BlackRock Supports consistent climate-related disclosures; urges global coordination*, BLACKROCK (last visited Apr. 24, 2025).

⁷⁵ Robert N. Stavins, *What Trump’s Expected Exit From the Paris Agreement Will Mean*, HARVARD CLIMATE BLOG (Jan 13, 2025), <https://salatainstitute.harvard.edu/what-trumps-expected-exit-from-the-paris-agreement-will-mean/>

⁷⁶ *France, Italy, Germany defend Paris Accord, say cannot be renegotiated*, REUTERS (June 1, 2017), <https://www.reuters.com/article/business/environment/france-italy-germany-defend-paris-accord-say-cannot-be-renegotiated-idUSKBN18S6GN/#:~:text=The%20unusual%20French,plow%20ahead%20without%20Washington%27s%20support>

⁷⁷ *UN officially notified of US intention to withdraw from Paris climate pact*, UNITED NATIONS: UN NEWS (Aug. 4, 2017), <https://news.un.org/en/story/2017/08/562872-un-officially-notified-us-intention-withdraw-paris-climate-pact>

⁷⁸ *Id.*

ambitious EU-wide climate legislation, including a binding 2050 net-zero target.⁷⁹ Germany, France, and the Netherlands, in particular, used the moment to frame climate action as not just an environmental issue, but a matter of geopolitical credibility.⁸⁰ Additionally, the leaders of France, Germany, and Italy, released a joint statement in the wake of the U.S. pullout.⁸¹ Immediately following Trump's 2017 announcement, these leaders urged all partners to speed up their action to combat climate change regardless of the U.S. position.⁸² China willingly stepped up from co-leadership with the U.S. to sole leader of the Agreement, while other major carbon emitters like India remained firm in their initial pledges.⁸³ Trump's withdrawal seemingly brought the international community closer on the issue of climate change, with other countries publicly recommitting to emissions reduction plans as a sign of defiance against the U.S.

In the years following the U.S. withdrawal, China began emphasizing its role as a global climate leader, announcing in 2020 its intention to become carbon neutral by 2060.⁸⁴ Some critics saw this as an attempt to score diplomatic points rather than making a firm commitment to emissions cuts.⁸⁵ Despite this, the announcement marked a new chapter in China's climate diplomacy.⁸⁶ Beijing framed its leadership as essential in filling the gap left by the U.S. in the wake of the federal pullout, particularly in climate financing and renewable energy development.⁸⁷ Meanwhile, India continued to implement domestic clean energy programs, including the expansion of solar infrastructure under its National Solar

⁷⁹ Megan Darby, *Seven member states push for EU to raise climate targets*, CLIMATE HOME NEWS (Apr. 25, 2018), <https://www.climatechangenews.com/2018/04/25/seven-member-states-push-eu-raise-climate-targets/>

⁸⁰ Id.

⁸¹ *France, Italy, Germany defend Paris Accord, say cannot be renegotiated*, *supra* note 76.

⁸² Id.

⁸³ Robert N. Stavins, *supra* note 14.

⁸⁴ Steven Lee Myers, *China's Pledge to Be Carbon Neutral by 2060: What It Means*, THE NEW YORK TIMES (Sept. 23, 2020), <https://www.nytimes.com/2020/09/23/world/asia/china-climate-change.html>

⁸⁵ Sarah Colenbrander et al., *Five expert views on China's pledge to become carbon neutral by 2060*, ODI GLOBAL (Mar. 9, 2021), <https://odi.org/en/insights/five-expert-views-on-chinas-pledge-to-become-carbon-neutral-by-2060/>

⁸⁶ Steven Lee Myers, *supra* note 84.

⁸⁷ *The Ministry of Foreign Affairs and the Ministry of Ecology and Environment Hold a Media Briefing on China's Position Paper for the United Nations (UN) Summit on Biodiversity*, MINISTRY OF FOREIGN AFFAIRS THE PEOPLE'S REPUBLIC OF CHINA (Sept. 25, 2020), https://www.fmprc.gov.cn/eng/xw/wjbxw/202405/t20240530_11342108.html

Mission, which is noted as an initiative by the Government of India to promote solar power and establish India as a global leader in solar energy.⁸⁸

The 2020 U.S. presidential election changed the trajectory of the Paris Agreement, with President Joe Biden campaigning on rejoining Paris. Hours after his inauguration on January 20, 2021, he signed an instrument to re-enter the Agreement.⁸⁹ Due to a provision that rejoining only requires 30 days' notice, the United States formally rejoined on February 19, 2021.⁹⁰ The swift reversal was a welcome change among the international community, with the UN Secretary-General releasing a statement expressing his excitement at the prospect of welcoming the U.S. back into the Agreement.⁹¹ From a legal standpoint, the re-entry was straightforward because the Paris Agreement's withdrawal clause allows a party to rejoin by simply expressing consent again. The U.S. immediately picked up where it left off, regaining its vote in Paris Agreement meetings and re-engaging in negotiations over global climate rules. In April of 2021, the Biden administration submitted an updated NDC, committing the U.S. to a 50-52% reduction in emissions by 2030 compared to 2005 levels.⁹²

The simplicity of the legal process for rejoining was a deliberate feature of the Paris framework.⁹³ By allowing countries to re-enter without negotiation or approval hurdles, the drafters of the Agreement could ensure that short-term political shifts could be reversed without disrupting long-term goals.⁹⁴ This design choice helped stabilize the global climate regime during periods of uncertainty and demonstrated the resilience of multilateral structures when they are crafted with flexibility in mind.⁹⁵

⁸⁸ *Jawaharlal Nehru National Solar Mission (Phase I, II, and III)*, IEA: THE INTERNATIONAL ENERGY AGENCY (Aug 24, 2021), <https://www.iea.org/policies/4916-jawaharlal-nehru-national-solar-mission-phase-i-ii-and-iii>

⁸⁹ *UN Welcomes US Announcement to Rejoin Paris Agreement*, UNITED NATIONS (Jan 21, 2021), <https://unfccc.int/news/un-welcomes-us-announcement-to-rejoin-paris-agreement>

⁹⁰ Emma Newburger, *Biden will rejoin the Paris Climate Accord. Here's what happens next*, CNBC (Nov. 20, 2020), <https://www.cnbc.com/2020/11/20/biden-to-rejoin-paris-climate-accord-heres-what-happens-next.html>

⁹¹ *Id.*

⁹² The United States of America Nationally Determined Contribution, United Nations Framework Convention on Climate Change, May 9, 1992, 1771 U.N.T.S. 107.

⁹³ Dave Gilson, *The Paris Climate Deal Gives Countries Options. Leaving Isn't Meant to Be One.*, STANFORD BUSINESS (Jan. 21, 2025), <https://www.gsb.stanford.edu/insights/paris-climate-deal-gives-countries-options-leaving-isnt-meant-be-one>

⁹⁴ *Id.*

⁹⁵ *Id.*

America's re-entry restored optimism that the world's largest economies could work in tandem on climate action.⁹⁶ The Biden administration's quick decision to rejoin the Agreement showed how resilient the Paris framework was to political shifts. Trump's withdrawal did present setbacks to the international momentum, but it did not permanently damage the Agreement's overall stability. Domestic climate initiatives within the U.S., led by states, cities, and private companies, continued to progress despite the absence of federal support.⁹⁷ This created optimism that future administrations, even if they hold different views on climate change, might similarly support the Paris Agreement due to pressure from international partners and growing public demand for climate action. Because the Agreement has demonstrated that it can survive significant political disruptions, it is reasonable to expect future administrations to see the value in continuing U.S. participation, especially given how strongly the global community has reinforced its commitment to climate action.

Notably, the diplomatic impact of rejoining extended beyond climate talks. It signaled to allies that the United States intended to reassert itself in global governance more broadly.⁹⁸ Within the G7 and G20 Summits, the U.S. resumed a leadership role in environmental discussions, often collaborating with the EU to shape shared positions on carbon markets, climate finance, and adaptation assistance.⁹⁹ This renewed participation helped repair some of the reputational damage caused by the withdrawal, although skepticism remained in some areas about the long-term reliability of U.S. climate policy, given its recent swings between administrations.¹⁰⁰

The re-entry arguably helped encourage some other nations to increase ambition in 2021, with Canada strengthening its NDC, Japan announcing a higher target, and the EU finalizing its enhanced 2030

⁹⁶ *UN Welcomes US Announcement to Rejoin Paris Agreement*, *supra* note 89

⁹⁷ Hiroko Tabuchi & Henry Fountain, *supra* note 69

⁹⁸ *Id.*

⁹⁹ *FACT SHEET: The 2024 G7 Summit in Apulia, Italy*, THE WHITE HOUSE ARCHIVES (Jun. 14, 2024), <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/06/14/fact-sheet-the-2024-g7-summit-in-apulia-italy/>; *FACT SHEET: Continuing a Legacy of Leadership at the G20*, THE WHITE HOUSE ARCHIVES (Nov. 19, 2024), <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/11/19/fact-sheet-continuing-a-legacy-of-leadership-at-the-g20/>

¹⁰⁰ *Secretary-General welcomes US return to Paris Agreement on Climate Change*, UNITED NATIONS: UN NEWS (Jan. 20, 2021), <https://news.un.org/en/story/2021/01/1082602>

target into law.¹⁰¹ The return also signaled to the private sector and subnational actors that the federal government had returned to a “Pre-Trump” place, aligning domestic policies with international commitments, which may accelerate climate-related investments and innovation.¹⁰²

In the months following U.S. re-entry, the UNFCCC’s 2021 Conference of the Parties (COP26) served as a grounds for renewed global cooperation. There, the United States had the chance to co-lead initiatives on methane reduction, climate finance, and deforestation, signaling a strong return to multilateralism. The U.S. also pledged \$11.4 billion in climate finance annually by 2024 to assist developing nations. This was an ambitious target that aimed to rebuild trust with developing countries that had been previously abandoned by Trump’s pullout. These efforts demonstrated that the U.S. was not only rejoining the Agreement in name, but was attempting to reestablish connections with participants and regain trust through action.

Despite these developments, the experience of the U.S. withdrawal served as a warning to the rest of the world: that international agreements, even those based on consensus and transparency, remain vulnerable to political changes. This lesson has prompted ongoing conversations within the climate law community about the benefits and risks of non-binding agreements. Some legal scholars have suggested incorporating more binding mechanisms to make future agreements more resilient to politically charged acts taken out of impulse.¹⁰³ While the Paris Agreement has proven durable thus far, its long-term success will depend on how well it continues to absorb political shocks while maintaining its primary purpose.

Despite the efforts taken by the Biden Administration to mend the rift created by the prior administration, Trump’s second term in office has quickly unraveled a lot of that progress. On January 20, 2025, Trump was sworn into office for the second time. Later that same day, he signed an executive order to withdraw the United States from the Paris Agreement again, joining Iran, Libya and Yemen as the only

¹⁰¹ Dirk-Jan van de Ven et al., *The Impact of U.S. Re-engagement in Climate on the Paris Targets*, AGU: ADVANCING EARTH AND SPACE SCIENCES, Aug. 16, 2021, at <https://doi.org/10.1029/2021EF002077>

¹⁰² Id.

¹⁰³ Harold Hongju Koh, *supra* note 48

four countries not party to the agreement.¹⁰⁴ Trump signed and submitted a letter to the UN, notifying the organization of the withdrawal and starting the one year timer for the withdrawal to formally take effect.¹⁰⁵

V. Conclusion

The Paris Agreement represents a significant milestone in international environmental cooperation, offering a flexible and inclusive structure that encourages widespread participation while respecting national sovereignty. Unlike previous efforts like the Kyoto Protocol, the Paris Agreement succeeded in bringing nearly every country to the table by allowing them to craft their own commitments.¹⁰⁶ This approach not only strengthened global consensus, it also laid the foundation for a sustainable and adaptable framework that was capable of adjusting to the evolving political and economic landscapes of participating nations.

The United States played a key role in the negotiation and early success of the Agreement. Under President Obama, the U.S. helped shape the NDC system and demonstrated leadership by joining the accord and pledging financial support to assist developing nations.¹⁰⁷ However, the subsequent withdrawal by President Trump, which in retrospect proved to be less damaging than his second withdrawal, disrupted this momentum and exposed vulnerabilities in the legal and diplomatic structure of the Agreement. Because the U.S. had entered Paris through executive action rather than Senate ratification, the decision to withdraw required no legislative input.¹⁰⁸ This highlighted the fragility of executive agreements and raised concerns about the reliability of U.S. foreign policy on climate change.¹⁰⁹

Despite these challenges, the overall resilience of the Paris Agreement was evident in the global reaction to the U.S. withdrawal. Rather than triggering a collapse of international commitment, Trump's

¹⁰⁴ Max Bearak, *Trump Orders a U.S. Exit From the World's Main Climate Pact*, THE NEW YORK TIMES (Jan. 29, 2025), <https://www.nytimes.com/2025/01/20/climate/trump-paris-agreement-climate.html>

¹⁰⁵ *Id.*

¹⁰⁶ *Preparing for the Enhanced Transparency Framework*, *supra* note 22

¹⁰⁷ *Climate Change: Frequently Asked Questions About the 2015 Paris Agreement*, *supra* note 29

¹⁰⁸ Lisa Friedman, *supra* note 43

¹⁰⁹ Harold Hongju Koh, *supra* note 48

decision incentivized other nations to reaffirm their dedication to climate action. Key actors such as the European Union, China, and India not only maintained their pledges but in many cases increased ambition, filling the diplomatic hole that was left by the U.S.¹¹⁰ In this way, the international community demonstrated that while U.S. participation remains influential, it is no longer the sole driver of global environmental policy.

Domestically, the federal rollback of climate regulations during Trump's term did not result in the projected surge in emissions. Market forces, state-level policies, and private sector commitments helped offset the absence of federal leadership.¹¹¹ Coal plants continued to close, clean energy investments rose, and subnational actors took on an important role in sustaining climate progress.¹¹² These developments highlighted the complex nature of American environmental governance and suggested that long-term climate action in the U.S. does not depend solely on the will of the executive branch.

The decision by President Biden to rejoin the Paris Agreement reaffirmed the United States' commitment to multilateral climate cooperation and helped restore some measure of international trust.¹¹³ However, the abrupt policy reversal also highlighted a lingering concern: the potential for U.S. climate policy to continue to shift with each new administration.¹¹⁴ This inconsistency raises important legal and strategic questions for the future. Scholars have proposed a number of solutions, including making climate commitments more deeply integrated into domestic law or seeking bipartisan Senate support for major agreements like the Paris Agreement.¹¹⁵ While politically difficult, such measures could provide the kind of policy stability needed to reassure international partners.

Ultimately, the Paris Agreement has proven more durable than many anticipated. Its design, grounded in national flexibility, transparency, and ambition, has allowed it to withstand significant

¹¹⁰ Megan Darby, *supra* note 79 ; *France, Italy, Germany defend Paris Accord, say cannot be renegotiated*, *supra* note 76. ; *Jawaharlal Nehru National Solar Mission (Phase I, II, and III)*, *supra* note 88

¹¹¹ Hiroko Tabuchi & Henry Fountain, *supra* note 69

¹¹² *New Subnational Coalitions Demonstrate Leadership After Paris Withdrawal*, *supra* note 71

¹¹³ *Secretary-General welcomes US return to Paris Agreement on Climate Change*, *supra* note 100

¹¹⁴ Dirk-Jan van de Ven et al., *supra* note 101

¹¹⁵ Harold Hongju Koh, *supra* note 48

political disruptions.¹¹⁶ Its long term success, however, is still not guaranteed. Meeting the stated goals of limiting the global temperature rise to well below 2°C, let alone 1.5°C, will require not only policy consistency but also unprecedented levels of global coordination, funding, and technological innovation. The next decade will be critical in determining whether the Paris framework can move from a platform for pledges to a mechanism for real, enforceable progress.

Now, as we find ourselves in the midst of what can only be described as a second Trump withdrawal from the Paris Agreement—whether through formal exit or functional sabotage—we are reminded again of the fragility of international climate commitments in the face of domestic political upheaval. The U.S. experience offers a revealing case study in both the risks and the latent strengths of the Paris Agreement. The first withdrawal underscored how vulnerable global accords are to partisan shifts, while the global and domestic backlash it provoked demonstrated the growing institutional and civic maturity of the climate movement.

Today, we confront a similarly precarious moment. As climate change continues to shape geopolitics, global health, economic development, and national security, the endurance—and enforceability—of the Paris Agreement will be a decisive factor in the world’s capacity to mount a coherent response to the climate crisis. What is at stake is not just participation in an international treaty, but the credibility of collective global governance. Whether nations are prepared to defend this framework from political regression will determine whether the Paris Agreement is merely aspirational—or truly resilient.

¹¹⁶ *The Paris Agreement*, *supra* note 1