The Role of Sub-state and Non-state Actors in International Climate Processes: Subnational Governments
Summary

- ‘Subnational governments’ – including municipal, regional and provincial authorities – lack the formal status of negotiating parties to the United Nations Framework Convention on Climate Change (UNFCCC). But they have a vital role to play in informing and helping to shape international climate action, as they are often the key delivery partners for on-the-ground policies.

- Subnational governments are often closer to climate problems than the UNFCCC parties themselves, and have experience, expertise and peer influence that can support the development of progressive policies and increased ambition.

- Many subnational governments have joined or formed various groupings to share information and experience, and to increase their collective profile and voice. Notable initiatives and collaborations include the Under2 Coalition, ICLEI, C40 and the Global Covenant of Mayors for Climate & Energy.

- Subnational governments are highly diverse. In some cases, politically high-profile administrations – the US state of California being a notable example – have exploited their visibility and policy successes to engage in wider climate debates. Equally, however, subnational agendas can encounter resistance from national governments anxious to ensure the primacy of their negotiating positions in the UNFCCC system.

- One of the advantages that subnational governments enjoy, subject to resources, is their ability to join with peer groups to take a fresh approach to mitigation or adaptation policies. Groups of cities or subnational regions can, through collaborative organizations, explore new approaches that might be less attractive within a national context.

- To maintain and build on their current achievements and influence, subnational governments need, among other things, to: improve the credibility of their experience through evaluation of the success of their climate policies; use membership of appropriate international groups to share experience and boost their leverage; continue to create collaborative relationships with progressive businesses to increase influence at a national level; build on cross-regional relationships in climate adaptation and resilience; and work with other subnational actors to build momentum ahead of the first post-Paris revision of climate commitments in 2020.
The Role of Sub-state and Non-state Actors in International Climate Processes: Subnational Governments

Introduction

This paper looks at the role of subnational governments in influencing global climate ambition, and makes recommendations for how these actors can increase their influence in the future. For the purposes of this paper, the term ‘subnational government’ encompasses a wide variety of public authorities sharing a common characteristic: they are not negotiating parties within the United Nations Framework Convention on Climate Change (UNFCCC). The definition includes cities, towns, regional authorities, local states and provinces. For convenience, it is also applied in this paper to actual countries and principalities that are excluded from the UNFCCC negotiating process (for example, Scotland, which comes within the remit of the UK).

Subnational administrations matter because they are usually among the key delivery partners for climate policy. While the range of their individual authority varies significantly, many have particular responsibility in crucial areas such as building standards, transport, water and waste policy, as well as climate adaptation. They are often closer to climate problems – and to the solutions – than the UNFCCC parties themselves. At the same time, they often lack clear lines of influence to enable the sharing of lessons with other actors that may face similar climate challenges. Notwithstanding this constraint, subnational governments have the potential to provide valuable input and information on climate policy implementation – and thus to empower a range of actors.

Subnational governments have formed groupings to share information and experience, and to increase their collective profile and voice – not just on mitigation policies and measures, but also on adaptation and resilience. Some of the most prominent groupings involved in influencing climate ambition are described in Box 1. There is, naturally, a large degree of overlap between membership of these groups, and also, unfortunately, some attrition as political conditions and policy priorities change in different states, cities and regions.

Box 1: Subnational government international networks

Under2 Coalition.1 Launched at the Paris Climate Conference in 2015, the Under2 Coalition comprises more than 220 governments from 43 countries. The coalition claims to represent over 1.3 billion people and account for 43 per cent of the global economy. An explanatory brief states: ‘To join the coalition, governments sign the ‘Under2 Memorandum of Understanding’ (MOU), a commitment to reduce their greenhouse gas (GHG) emissions by 80-95% on 1990 levels, or to two annual metric tons per capita, by 2050. The Under2 MOU is also open to endorsement by national governments.’2

ICLEI - Local Governments for Sustainability. ICLEI describes itself as ‘the leading global network of more than 1,500 cities, towns and regions committed to building a sustainable future’, and claims to cover more than 25 per cent of the global urban population.3

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1 https://www.under2coalition.org/
The Role of Sub-state and Non-state Actors in International Climate Processes: Subnational Governments

Interaction with the international negotiations on climate change

The groups representing subnational governments have worked to develop a profile at the annual Conference of the Parties (COP), where international climate ambition is negotiated. Despite their responsibilities for implementing policy, subnational governments are not parties to the UNFCCC. They are not normally included in national delegations and therefore have no more access to the formal negotiations than do other sub-state and non-state actors. They join groups and collaborations both to share experience and also often to achieve a presence at COP meetings. The groups use the annual conference to host side events, to raise the profile of members’ activities, and to hold bilateral discussions with national and subnational governments.

Some individual administrations are large enough to justify sending delegations of their own to the COP even without a formal role in the negotiations. Officials from the US state of California, for example, have attended COP meetings since that state’s earliest forays into climate policy over 10 years ago. They use the meetings to build relationships with subnational and national governments, and as platforms to showcase Californian policies to other actors. Because of their state’s size, economic importance and high national and international profile, Californian officials have been able to influence non-US actors even when, under the George W. Bush and Donald Trump administrations, their objectives have been in direct opposition to those of the US federal government.

These sorts of collaborative groups are often able to bring representatives of subnational governments to speak at COP events who wouldn’t otherwise have the resources to get their voices heard. This can alert other governments – whether national or subnational – to the progress being made on climate action in different contexts, though it must be noted that national negotiators have typically been too deeply involved in the detail of climate diplomacy to absorb such information during the COP meetings.

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C40. C40 positions itself as ‘a network of the world’s megacities committed to addressing climate change’, with 96 affiliated cities accounting for 25 per cent of global GDP. C40 seeks to help cities ‘to collaborate effectively, share knowledge and drive meaningful, measurable and sustainable action on climate change’.4

Global Covenant of Mayors for Climate & Energy. This organization was formed in 2016 through a merger of the Compact of Mayors and the Covenant of Mayors. It describes itself as ‘the broadest global alliance committed to climate leadership’, and claims commitment from ‘over 9,000 cities and local governments from six continents and 127 countries representing more than 770 million residents’.5
The Role of Sub-state and Non-state Actors in International Climate Processes: Subnational Governments

The ‘Talanoa Dialogue’ and the ‘Cities and Regions Talanoa Dialogues’

A significant outcome of the Paris Climate Conference in 2015 was the recognition of the need to include a broader range of actors in discussing the climate change regime without creating more complexity in the formal negotiations. The vehicle for greater inclusion was the ‘Talanoa Dialogue’, launched at the Fijian-led COP 23 meeting in Bonn in 2017. The initiative ‘invites everyone to engage in finding a solution, first by preparing submissions in response to three questions: Where are we? Where do we want to go? How do we get there?’

The Talanoa Dialogue followed the Marrakech Partnership for Global Climate Action, established at COP 22 in 2016 to enable and encourage collaboration between governments, cities, business and investors to act on climate change and implement the Paris Agreement. This in turn had been preceded by the Lima–Paris Action Agenda, launched at the Lima Conference in 2014, which was aimed at mobilizing non-state actors, including cities, to work together to fight climate change. The latter used the Non-state Actor Zone for Climate Action (NAZCA) portal to showcase ‘game-changing actions being undertaken by thousands of cities, investors and corporations’.

To date, very few subnational administrations have made direct submissions to the Talanoa Dialogue (with California, Nagano Prefecture, the city of Kyoto and the Scottish government among those to have done so). Instead, most have preferred to use associations such as ICLEI, C40 and the Global Covenant of Mayors (see Box 1) to represent their collective views. That said, more organizations representing cities have made submissions to the Talanoa process than have other types of subnational administration.

Within the global Talanoa Dialogue initiative, there now exists a series of in-country climate consultations known as the ‘Cities and Regions Talanoa Dialogues’, which started in 2018. ICLEI notes that ‘[w]hat distinguishes these dialogues is that they examine the urban dimension of climate action and look at how multilevel governance – coordinated action across all levels of government – strengthens the NDCs’.

The Cities and Regions Talanoa Dialogues tailor the global Talanoa questions to look at the urban and subnational aspects of climate action:

1. Where are we? Participants review national commitments, their current national greenhouse gas emissions profile, the impact of interventions, and subnational commitments and actions. They also look at whether sustainable urban development is adequately reflected in their country’s national climate policy.

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9 Ibid.
2. Where do we want to go? Participants identify possible links between climate action, the Sustainable Development Goals and national urban development policy. They consider how to strengthen Nationally Determined Contributions (NDCs) by integrating commitments and actions from local and regional governments. They also consider how local and regional governments can support implementation of current NDCs.

3. How do we get there? Participants look at how national, regional and local governments can work together to mobilize technical, financial and policy resources to deliver on and strengthen the NDCs. They explore potential models for collaboration across different levels of government, through new or existing institutional mechanisms and structures.

These Cities and Regions events bring together the experiences of stakeholders at different levels of government. They can lead to implementation of more effective policies, with the impact reflected in greater national ambition. However, while some subnational governments have identified very inclusive processes and close relationships that enable different layers of administration to collaborate, others have described the difficulty of getting their voice heard at a national level. Following the Cities and Regions Talanoa Dialogue of 2018, ICLEI reported that:

Despite the scale of local climate ambitions, they are not always fully incorporated into the NDC implementation process. In many NDCs, there is no explicit mention of the role subnational governments play in achieving national climate goals. This is the case even though many cities are the ones with the legal responsibility to provide electricity distribution, waste management and other public services which have direct climate impacts.10

On the other hand, ICLEI also points to the Cities and Regions Talanoa processes in Indonesia, Japan and Africa as being particularly and positively noteworthy. As discussed below, the relations between national and subnational governments are not always conducive to collaboration, and the dynamic shifts over time. The challenge is to develop robust processes and habits that can minimize the impact of political differences and maximize the benefits of working at all levels of government for the best policy outcomes. Indonesia’s Talanoa-related initiatives and technical processes show signs of addressing this. Japan, host of the G20 in 2019, is also notable for its number of subnational direct responses to the Talanoa agenda. Nagano Prefecture will host the G20 energy ministers’ meeting (the prefecture hosted the Local Renewables Conference of 2017, and is committed to working towards 100 per cent renewable energy).11 At the same time, African regions have taken up the Talanoa challenge with enthusiasm and commitment, with seven countries having hosted dialogues to date.

Relationships with national governments

Within their own jurisdictions, some national governments consult extensively with some subnational authorities but much less so with others – giving credence to the reported political dimension to climate collaboration. Subnational governments vary greatly in their size, scope and

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autonomy, and their influence and experiences reflect this. For example, some cities have enormous control over transport or housing regulations but may be limited in their ability to raise finance. Some provincial governments, in contrast, have significant powers to raise finance and put policies in place, yet the effectiveness of these policies may be limited by challenges of scale — for example, carbon trading/cap-and-trade programmes often require cross-border scale for liquidity and effectiveness. All subnational governments will be concerned about the impacts on business competitiveness of unilaterally introducing local policies to mitigate climate change if neighbouring states and cities have no equivalent measures.

That said, concerns over the impact of climate policy on business competitiveness have diminished over recent years as the opportunities of ‘green investment’ have become apparent, and as major businesses have increasingly supported climate ambition. Competency issues are always an obstacle — including for subnational governments, such as Scotland’s, that may be constrained in terms of some of the measures they can undertake. In short, the relationships between subnational and national governments can be highly diverse, depending on each country’s constitutional arrangements, party politics, competitive landscape and openness to collaboration at any given moment. Alongside political tensions, it is necessary to consider a range of other factors — resources, competency and scale — that influence the extent to which subnational governments can both set their own ambition and disseminate their experience.

In some cases, a national government can be uncomfortable with subnational authorities raising the profile of their local climate mitigation initiatives, in case this undermines its negotiating position in international climate talks. This can lead to a reluctance to allow regions to share best practice beyond national boundaries.

Yet while many interviewees for this paper pointed to the difficulty that some regional and city governments face in terms of feeding into national climate strategies and ambition, some also pointed to serendipitous moments of political alignment and opportunity when progressive, ambitious cities or regions gain that access. Examples include when California began operating under a climate-sympathetic Obama administration, rather than the hostile Bush administration; and the experience of Buenos Aires in positively influencing Argentina’s strategy. Buenos Aires is a climate leader in C40 and its mayor, Horacio Rodriguez Larreta, is a long-standing political ally of the Argentinian president, Mauricio Macri (who hosted the G20 in 2018).

The changing nature of subnational governments

In a 2016 policy briefing, Moore notes that as more cities have directly elected mayors, they have greater political autonomy for the prioritization of local issues. They may also have a greater drive to publicize their achievements, though this may increase tension with national governments. In the discussions that have informed this paper, differences in political ideology were cited as the primary cause of rifts between national governments developing climate ambition and their domestic subnational counterparts, but there was also reference to competition between

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political rivals (sometimes of the same political persuasion). The higher profile of elected mayors raises their influence but also, potentially, increases the opposition to them.

**The benefits of subnational government experience**

One of the advantages that subnational governments enjoy, subject to resources, is their ability to join with peer groups to take a fresh approach to mitigation or adaptation policies. Groups of cities or subnational regions can, through collaborative organizations, explore new approaches – specific to global megacities, for example – that might not be available within a national context.

Groups such as C40, ICLEI and the Under2 Coalition provide a useful focus for research that might be otherwise difficult to coordinate. For example, in collaboration with the University of Leeds, the University of New South Wales and the engineering and construction consulting firm Arup, C40 has investigated the potential consumption-based emissions of cities13 – this approach differs from those of more traditional studies that look at greenhouse gas emissions from the emissions-production standpoint alone. C40’s novel approach is apt for many cities, which often have largely service-based economies and are therefore less carbon-intensive in terms of their direct output.

**Influencing others**

While political dynamics and the high profile of some subnational governments are sometimes obstacles to national influence, these issues may be less relevant when engagement is directed beyond national borders. Indeed, such issues can be a positive boon for some subnational actors, depending on their visibility. California, for example, is large enough to form alliances and rich enough to provide expertise and assistance. Moreover, the high profile of the state’s then governor, Arnold Schwarzenegger, in the late 2000s increased receptiveness in many parts of the world to understanding California’s climate policy experiences. The states and provinces of many countries have international offices intended to build trade alliances; these offices may also be used for climate diplomacy or the sharing of policy expertise. In the years since the Paris Agreement in 2015, there has been a greater appetite to hear from new and fresh voices, in particular voices from developing-country regions, some of which have real ability to influence regional forums in their geographical area.

**The benefits of working with business**

Subnational administrations may have mixed opportunities for influencing their own national governments – and enjoy mixed results when attempting to do so – but they often have one key element in their favour: access to local business and employers that may be far more capable of getting a hearing at national government level. Climate alliances between business organizations and local governments can help overcome some of the gaps in influence that each group experiences; sharing analysis and success stories can help to drive understanding and ambition at a national level.

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Monitoring, reporting, verification and review

Many state, regional and city governments have signed up to the emissions-reporting mechanism of CDP (formerly the Carbon Disclosure Project) as a means of tracking progress against ambition. Around 500 cities and more than 100 states and regions have opted to report their emissions and actions via CDP’s portal: https://data.cdp.net/Governance/2018-Full-Cities-Dataset/vzxs-ejjs. In addition, many of the organizations working with subnational governments require their members to report emissions to provide a baseline for assessing action; some such organizations are able to help with the resources needed to do this vital work.

Robust assessment of policies is needed

Subnational governments are the primary implementers of policies to both mitigate climate change and ensure appropriate adaptation to its effects. As such, they potentially offer an enormous amount of experience that could be tapped by others as to what works and why – and equally what does not. To date, insufficient resources have been directed to properly evaluating policies and their effectiveness. In addition to resource constraints, the problem may reflect conflicts of interest around the frank appraisal of policy design and implementation. Politicians and officials building their careers are keen to be associated with success, and find it difficult to admit that policies they have been identified with have not worked as well as hoped.

National governments are also often reluctant to praise and replicate the policies, however successful, of political opponents and competitors from subnational governments. Ways to overcome this include the focused use of media and leveraging the international attention that groups working with subnational authorities are able to provide. Even where a national government was not directly involved in the design of a successful policy or intervention, international praise is hard to ignore. This may encourage a greater willingness on the part of national governments to take ‘ownership’ of and replicate subnational successes. Moreover, even when disagreements occur within national boundaries, an element of national pride may produce solidarity in terms of positioning towards the outside world.

A further difficulty for coordination between national and subnational governments is that there are often genuine difficulties in scaling up city-level or regionally developed policies to fit the broader economy, and this can lead either to gaps in policy or to double regulation.

Succession planning

As with chief executives of major corporations, when high-profile political leaders move on, whether at the national, regional or local level, it can be very difficult for their successors to follow their initiatives with any great enthusiasm. A former employee of the state of California described how Jerry Brown (governor from 2011 to January 2019) was not noted for strong climate advocacy in the first couple of years of his administration, following his predecessor Arnold Schwarzenegger’s very high profile on the same issue.

However, major events and global attention can help to reverse such initial reluctance. This was illustrated when the build-up to the 2015 Paris talks – culminating in the Paris Agreement – provided a fillip for California’s launch of the Under2 Coalition. Similarly, the Global Climate
The Role of Sub-state and Non-state Actors in International Climate Processes: Subnational Governments

Action Summit of 2018 will have sent a strong signal to Brown’s successor as governor of California, Gavin Newsom. The summit, which brought more than 5,000 participants from over 100 countries to San Francisco, demonstrated that continued climate leadership by California will attract global support and an attractive international profile if its governor remains engaged in the climate debate.

Box 2: California’s successful climate change activism

California is one of the world’s largest economies and has a population of almost 40 million people. It has been at the forefront of climate advocacy, not just in the US but internationally. Its proactive engagement began while Arnold Schwarzenegger was governor (2003–11), and despite a few dips has continued through the leadership of Jerry Brown (2011–19) and into the new administration of Gavin Newsom. California’s leadership has been amply demonstrated through the climate summits and conferences started under Schwarzenegger, and most recently at the Global Climate Action Summit hosted by Brown in San Francisco in September 2018.

The history of California’s climate engagement trajectory is illuminating. Encouraged by Fran Pavley, a state senator in California, Schwarzenegger took up the baton on climate change. Pavley was responsible for the three very significant pieces of Californian legislation on climate and clean air: starting with car standards; then the Global Warming Solutions Act (which laid the basis for California’s cap-and-trade programme); and, most recently, 2016 legislation on the state’s emissions reduction target (40 per cent below 1990 levels by 2030). Pavley is a Democrat and Schwarzenegger a Republican, but nevertheless she persuaded him to pursue climate change policies in the face of scepticism from the George W. Bush White House.

In the absence of climate leadership in Washington, California was big enough, and glamourous enough, to fill the void, despite the obvious hurdle of not being a party to the UNFCCC. While developing its own climate regime, California also took a proactive approach to international relationships and collaboration across borders. Early on, the Western Climate Initiative (WCI) included not just US states but also Canadian provinces working (albeit with limited success) to develop cross-border carbon trading. The International Carbon Action Partnership (ICAP) was another initiative put forward by California (alongside the German government) to share knowledge and experience between officials from national and subnational governments who were running, implementing or developing cap-and-trade programmes and other climate policies.

Most recently, and perhaps most impressively, an initiative led by California (with the German province of Baden-Württemberg) to form the Under2 Coalition was launched in Paris during COP 21 in 2015. As mentioned in Box 1, the Under2 Coalition comprises more than 220 participant subnational administrations.

Box 3: C40 and the growing impact of cities

This group has its origins in an effort, initiated in 2005 by London’s then mayor, Ken Livingstone, to convene mayors of cities deemed especially significant (by virtue of money, population, influence etc.) for climate change policy. The group has grown in size and importance since that time, formally becoming C40 under the chair of David Miller while Miller was mayor of Toronto in 2008. It was strengthened again in
Conclusions

States, regions and cities have gained significant ‘bottom-up’ experience of creating and implementing climate policies – experience that is valuable for informing international negotiations. Their diversity in terms of geography, population, finances and policy track record has, at times, muted their voice. Changes in political fortunes and allegiances, and resistance from national governments worried that local-level policymaking may undermine international negotiating positions, have at times muffled the influence of subnational governments.

Recent international initiatives, such as the Cities and Regions Talanoa Dialogues, may fill some of the gap between practice and position, though some cities and regions still find it hard to get their voices heard. The organizations that have sprung up to fill this gap – such as the Under2 Coalition, C40, ICLEI and the Global Covenant of Mayors for Climate & Energy – have a vital role to play in facilitating the sharing of expertise and providing a platform for alternative voices. In a post-Paris world, the fresh experience of the developing world is very much in demand at an international level, and the above-mentioned groups will need to continue to expand to ensure they are truly representative at a global scale.
Recommendations for ensuring the experiences of subnational governments are reflected in future global climate ambition

To maintain and build on their current achievements in influencing international climate processes, subnational governments (and their convenors) need to do the following:

- Introduce robust monitoring, reporting and verification at a local level to provide a baseline for assessing the effectiveness of policies and progress in achieving targets.

- Commission rigorous independent analysis of policies, and develop measures to understand their effectiveness and any need for adjustment.

- Use membership of the appropriate groups to learn, share experience, improve leverage and influence, and develop pilot schemes for policies and measures.

- Use media – such as newspapers, opinion pieces and social media – to share information on genuine policy successes.

- Put in place global and regional support systems for succession planning and continuity. Groups such as the Under2 Coalition and ICLEI can help demonstrate the support, public/political profile and investment opportunities that pursuit of appropriate climate policies can attract.

- Create collaborative relationships between subnational authorities and progressive businesses – the latter have a particular role to play in influencing national governments when local government voices struggle to be heard.

- Build on the cross-regional relationships that have developed in climate adaptation and resilience. Water resilience is one area highlighted by members of the Under2 Coalition.

- Use organizations such as ICLEI, the Under2 Coalition, C40 and the Global Covenant of Mayors not only as conduits for sharing good practice, but also for disseminating the aims and objectives of actors involved in on-the-ground implementation of climate policy. These organizations have engaged in the Talanoa Dialogue and can provide a platform for sharing some of the real experience that subnational administrations have gained.

- Work with other subnational government organizations to use key moments to start momentum-building up to the first formal opportunity to revise the commitments under the Paris mechanism in 2020, so that enhancements to NDCs are maximized. These key opportunities include, but are not limited to:
  - Resilient Cities: Bonn, Germany, June 2019.
About the author

Jill Duggan is an independent consultant and the founder of Carbon Policy Associates Ltd, and has long experience of working on climate and energy issues. From May 2016 to February 2018, she was director of The Prince of Wales’s Corporate Leaders Group and director of the European Green Growth Platform. Jill has been deeply involved in the development of climate policy with the UK government and at the European Commission, and has worked extensively in the US and Canada. She was an executive committee member of Doosan Babcock, a technology provider to the energy industry, from 2011 to 2014. She has also been a board member of a diverse range of organizations, from the European Power Plant Suppliers Association to Sandbag, a global climate think-tank. She has a broad understanding of the opportunities and obstacles encountered in tackling climate change. Jill has recently been appointed to the Advisory Group of the Economic and Social Research Council’s Centre for Climate Change Economics and Policy.
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