

# **The Paris Agreement in Crisis: Legal and Environmental Consequences of the US Withdrawal**

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## **Abstract**

The United States' withdrawal from the Paris Agreement in 2017 created a significant impact on the international environmental legal order. As one of the largest carbon-emitting countries and a global leader, this decision sends a negative signal to other countries regarding the collective commitment to combat climate change. This article analyzes the domino effect that the move has had on countries' compliance with international environmental agreements. Using a normative approach and policy analysis, the research highlights how the US action affected the legitimacy and legal binding power of the Paris Agreement. The study finds that the US withdrawal weakened developing countries' incentives to comply with agreed emissions targets, given the absence of promised financial and technological support. Moreover, it exacerbates the trend of “free-riding,” where some countries are reluctant to contribute fully due to a lack of example from developed countries. On the other hand, the article also notes the positive response from non-state actors, such as local



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governments and multinational corporations, who are committed to furthering the goals of the Paris Agreement even without US federal support. The article concludes with recommendations to strengthen the international environmental legal framework to make it more adaptive to global political dynamics. In this way, the sustainability of such agreements depends not just on one country but on the collective commitment of the entire international community.

**KEYWORDS** *Paris Agreement, United States, International Environmental Law*

## Introduction

Climate change is one of the most pressing challenges facing humanity today. This phenomenon not only impacts the environment, but also affects health, economy, and social security around the world. With rising global temperatures, changing weather patterns, and increasing frequency of natural disasters, the need to address these issues through international cooperation is increasingly urgent. In this context, the Paris Agreement, adopted in 2015, is an important milestone in global efforts to limit global warming and reduce greenhouse gas emissions. The agreement requires participating countries to set and report ambitious emission reduction targets, as well as commit to improving their efforts over time.<sup>1</sup>

The Paris Agreement is designed to create a flexible and inclusive framework, where each country can set a contribution that is appropriate to their conditions and capabilities. This reflects the understanding that there is no single solution to the problem of climate change, and that each country has different responsibilities in addressing these challenges. Thus, the Paris Agreement serves not only as a legal instrument, but also as a

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<sup>1</sup> United Nations Framework Convention on Climate Change (UNFCCC). 2020.

*platform* for international dialogue and cooperation in the face of climate change. However, in 2017, the United States, as one of the world's largest emitters, announced its withdrawal from the Paris Agreement.<sup>2</sup> This decision not only came as a surprise to many countries, but also raised concerns about its impact on compliance with international environmental laws. The U.S. withdrawal sets a precedent that could influence other countries' perceptions of their commitment to international treaties. In the context of international law, compliance with treaties such as the Paris Agreement relies heavily on the belief that all countries, especially large ones, will meet their obligations. When one major country backs down, this can trigger a domino effect, where other countries may feel freer to ignore their commitments.

The impact of the US withdrawal is not only limited to legal aspects, but also includes political and social dimensions. Other countries may feel pressured to adjust their climate policies, either to follow in the U.S. footsteps or to show that they remain committed to global goals despite uncertainty. In some cases, countries may use the U.S. withdrawal as an excuse to reduce their ambitions in tackling climate change, which could hinder global progress in achieving the emissions reduction targets needed to limit global warming. In addition, the U.S. withdrawal also raises questions about the effectiveness of international legal mechanisms in maintaining compliance. While there are various legal instruments designed to encourage compliance, such as periodic reports and international assessments, challenges remain in ensuring that countries remain committed to the agreed goals. In this context, it is important to explore how other countries might respond to the U.S. withdrawal and how they might adapt to maintain the integrity of existing international agreements.

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<sup>2</sup> U.S. Energy Information and Administration "Today in Energy".

Meanwhile, several countries and international organizations have sought to fill the void left by the US. For example, the European Union and China have committed to strengthening cooperation in efforts to tackle climate change, emphasizing the importance of transitioning to renewable energy and reducing emissions. These initiatives show that despite the U.S. backing down, there are other countries that remain committed to leading the global effort against climate change. On the other hand, the US withdrawal also opens up opportunities for developing countries to take a more active role in international negotiations. These countries are often the most affected by climate change, and they have a strong interest in ensuring that their voices are heard in the decision-making process. With increasing awareness of the impacts of climate change, developing countries can collaborate to strengthen their positions in international negotiations and encourage developed countries to fulfill their responsibilities in helping mitigate and adapt to climate change.<sup>3</sup>

Against this background, this article aims to analyze the legal implications of the U.S. withdrawal on other countries' compliance with international agreements, as well as the challenges and opportunities faced by the global community in maintaining environmental sustainability amid political uncertainty. Climate change is not only an environmental issue, but also an issue related to social and economic justice. Developing countries are often the most vulnerable to the impacts of climate change, even though they contribute the least to global emissions. Therefore, it is important to ensure that mitigation and adaptation efforts not only focus on developed countries, but also provide adequate support to the most affected countries. In this context, the Paris Agreement provides a framework that allows countries to collaborate and share resources in the face of these challenges.

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<sup>3</sup> Aisha, I know you. "The dilemma of Indonesia's position in the Paris agreement on climate change." *Indonesian Perspective* 4, no. 2 (2019): 118-132.

Additionally, it is important to consider the role of civil society and the private sector in efforts to address climate change. Many companies and non-governmental organizations have taken the initiative to reduce their carbon footprint and invest in environmentally friendly technologies. With increasing awareness of the importance of sustainability, the private sector can be a driver of significant change in reducing emissions and promoting more responsible business practices. In facing these challenges, education and public awareness also play an important role. Communities that are educated about climate change and its impacts are more likely to support sustainable policies and participate in mitigation efforts. Therefore, effective education campaigns can help build support for collective action in the face of climate change.<sup>4</sup>

Overall, while the U.S. withdrawal from the Paris Agreement poses a significant challenge to global efforts to address climate change, it also opens up opportunities for other countries to strengthen their commitments and take proactive steps to address these challenges. With strong international cooperation, support for developing countries, and private sector involvement, the global community can work together to achieve sustainability goals and protect the planet for future generations.

## Methods

This study uses a normative approach with qualitative analysis to examine the impact of the United States' withdrawal from the Paris Agreement on compliance with international environmental law. A normative approach is used to analyze the relevance of the principles of international law set out in the Paris Agreement as well as their legal implications for participating countries. The data used consisted of

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<sup>4</sup> Maulidna, Firma, and Aprizon Putra. "The Role of Change Agents in the Implementation of the SDGs for Climate Change Action: A Review of Community Awareness and Responsibility." *Journal of Population and Environmental Development* 3, no. 3 (2022): 142-148.

secondary sources in the form of international legal documents, reports from international bodies related to climate change, case studies from Paris Agreement member countries, and relevant academic publications.

This study also involves a policy analysis to assess changes in the behavior of state and non-state actors after the US withdrawal. The analysis method was carried out in a descriptive-analytical manner. First, the study identified the legal consequences of the U.S. withdrawal on the structure and legitimacy of the Paris Agreement. Second, the study analyzes its impact on the behavior of developing and developed countries in meeting emission targets and climate commitments. Third, the research explores the role of non-state actors in supporting the sustainability of the goals of the Paris Agreement. The results of this analysis are expected to provide insight into the weaknesses and potential of strengthening the international environmental law framework, especially in ensuring the sustainability of multilateral agreements despite global political fluctuations.

## **The Impact of the United States' Withdrawal on the Legitimacy and Implementation of International Environmental Law**

*The Paris Agreement* is an international agreement under the auspices of the United Nations that aims to address global climate change and maintain the balance of the world's ecosystems. This agreement develops the principles previously contained in the Kyoto Protocol, namely *common but differentiated responsibilities*, into *common but differentiated responsibilities and respective capabilities, in light of different national circumstances*. The principle emphasizes that all participating countries have a shared responsibility in solving environmental problems, but still take into account the national capacity and conditions of each country. This is in contrast to the Kyoto Protocol which divides member states into

groups with different responsibilities. The <sup>5</sup> *Paris Agreement* comes in response to the weakness or ineffectiveness of the Kyoto Protocol in addressing climate change for the sustainability of human life and other living things.

The United States was one of the countries involved in the *Paris Agreement* negotiations and officially ratified the agreement on September 3, 2016, during the leadership of President Barack Obama. However, on June 1, 2017, President Donald Trump announced his withdrawal from the treaty in a speech at the White House. The reason given is that the *Paris Agreement* is considered detrimental to the United States economy because it restricts the use of energy, including the coal-fired power plant, industry, and mining sectors. Despite this, the United States has managed to reduce various types of emissions while improving its economy and ensuring affordable energy access for its citizens. From 1970 to 2018, emissions of air pollutants that impact humans and the environment were reduced by 74%. In addition, the United States' greenhouse gas emissions also declined by 13% between 2005 and 2017, even though the country's economy grew by more than 19%.<sup>6</sup> As the subject of international law, a state can take international action based on an agreed agreement. However, the decision to withdraw the United States from the *Paris Agreement* raises issues related to the clarity of its membership status, as stipulated in Article 28 of <sup>7</sup> the *Paris Agreement*. This article states that countries cannot exit the *Paris Agreement* before 2020. Therefore, the unilateral steps taken by the United States require legal certainty that binds countries in the world, especially within the framework of global climate protection cooperation as stated in the *Paris Agreement*.

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<sup>5</sup> Ridha, H., et al. (2016). *International Environmental Law and Its Implementation*. Bandung: PT Alumni.

<sup>6</sup> Pompeo, M. R. (2019). *U.S. Climate Policy: Economic Growth and Environmental Leadership*. Washington DC: U.S. Department of State.

<sup>7</sup> Kurnia, S., & Hidayatullah, R. (2020). *Implications of Countries' Withdrawal from International Treaties*. Jakarta: Rajawali Press.



Withdrawals can only be made after three years since the *Paris Agreement* came into force, with formal notice submitted in writing. Withdrawals will be effective one year after written notice is received by the *Depositary*, unless there are other conditions agreed in such notice. If a party withdraws from the main convention (UNFCCC), then that party is automatically considered to have withdrawn from the *Paris Agreement*, without the need to follow the mechanism in paragraphs (1) and (2). However, the argument put forward by the United States—that the *Paris Agreement* is considered to hinder economic growth and employment in their country—is unacceptable. This argument does not meet the criteria for fundamental change of circumstances as set out in the 1969 VCLT. Therefore, the withdrawal of the United States is considered legally invalid because it is based solely on feelings of being harmed by the obligations set forth in the treaty.

The withdrawal of the United States from the *Paris Agreement* had a significant impact. The Chairman of the *African Group of Negotiators Council* stated that this situation has the potential to reduce or even eliminate opportunities to address the acceleration of climate change. This has a great influence on various aspects of life, given that the *Paris Agreement* was designed for global interests in dealing with climate change.<sup>8</sup>

Developed countries in the agreement have an obligation to provide financial assistance to developing countries in efforts to mitigate climate disasters. They are also responsible for leading climate finance mobilization efforts through various mechanisms, while keeping in mind the contribution of public funds. Therefore, the United States' decision to withdraw from this agreement hampered global mitigation efforts due to reduced funding sources, considering that the United States is one of the developed countries that has an important role as a donor. In addition, the

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<sup>8</sup> Constitution of the Republic of Indonesia. (2016). *State Responsibility in Environmental Protection*.



United States is the second largest emitter of carbon in the world, so their involvement in this agreement plays a major role in efforts to stabilize the global climate.

Developed countries have an obligation to provide funding for developing countries to mitigate and adapt to climate change. The withdrawal of the United States, which is one of the largest donors of funds, has led to reduced financial resources, so global mitigation efforts could be hampered. With the US exit, other countries, especially G20 members, will face a greater burden in meeting emissions reduction targets. This has the potential to cause dissatisfaction and an imbalance in contributions.

The withdrawal of the United States from *the Paris Agreement* undeniably has a significant impact on other developed countries that are members of the agreement. Based on Article 9 paragraph (1) of *the Paris Agreement*, developed countries have an obligation to provide funding to developing countries to support climate change mitigation and adaptation efforts. With the exit of the United States, the burden of this funding will be even heavier for other developed countries that are still bound by the agreement. In addition, Article 9 paragraph (3) emphasizes that developed countries are obliged to lead the mobilization of climate finance from various sources. The withdrawal of the United States would certainly have an impact on the implementation of this provision and could hinder the effectiveness of the *Paris Agreement* as a whole. The consequences of this withdrawal are felt mainly by other developed countries, which have to bear the funding obligations that were originally also the responsibility of the United States. Furthermore, this action has the potential to affect relations between the United States and other developed countries that are still committed to the *Paris Agreement*, both in terms of political, economic, and climate diplomacy cooperation.

Developing countries that are members of the Paris Agreement will also be affected by the United States' decision to withdraw from the Paris

Agreement. To return to Article 9 paragraph (1) of the Paris Agreement, it is stated that developed countries provide funding sources to assist developing countries in implementing mitigation and adaptation to continue the obligations that have been set by the climate change convention. The article clearly states that developing countries will carry out their obligations with funding sources provided by developed countries. Furthermore, Article 10 paragraph (6) states that in order to implement this article, including to increase cooperation in development and transfer, parties from developing countries must receive support, including financial support. This includes strengthening cooperation efforts in the development and transfer of technology at various stages in the technology cycle, while still paying attention to achieving a balance between support for mitigation and adaptation.

As set out in Article 14, information on efforts and support for the development and transfer of technology for parties from developing countries should be considered in the global stocktake. With the help of funds from developed countries, developing countries are responsible for adaptation and mitigation. In addition, as stated above, developing countries should provide financial support to implement the obligations listed in Article 10 which demonstrates the importance of comprehensive technology development and transfer to improve resilience to climate change and reduce greenhouse gas emissions. In addition, financial support from developed countries is also used to encourage cooperation in the development and transfer of technology. Undoubtedly, as a developing country, it is still entitled to financial assistance from developed countries.

The withdrawal of the United States from *the Paris Agreement* has hampered the mitigation and adaptation process due to reduced funding sources from developed countries. Although in the agreement, developing countries also have an obligation to provide financial support to strengthen cooperation in technology development and transfer while maintaining a

balance between support for mitigation and adaptation, this still has an impact on the implementation of the agreement. Historically, although the United States has refused to ratify the Kyoto Protocol, its influence and productive power have remained due to its involvement in the COP (*Conference of the Parties*) under the Convention on Climate Change. In the context of *the Paris Agreement*, the withdrawal of the United States has no significant impact on the rest of the membership, as it does not necessarily encourage the parties to follow the same steps. In other words, the withdrawal of the United States does not affect the commitments of other countries that remain members of the treaty.

## **Factors Causing the Domino Impact of U.S. Decisions on Other Countries' Attitudes and Compliance with International Agreements on the Environment**

The decision in June 2017, in which President Trump declared the US withdrawal from the Paris Agreement that came into effect in 2020,<sup>9</sup> marking one of the most important moments in the history of international environmental law. The Paris Agreement, agreed in 2015, aims to reduce global greenhouse gas emissions and keep the increase in the earth's average temperature below 2°C compared to pre-industrial levels. As one of the world's largest emitters, the United States' role is crucial in achieving the agreement's targets. This withdrawal not only has consequences for climate change mitigation efforts, but also has a significant impact on the legitimacy and sustainability of the agreement itself. The concept of "domino effect" in the context of international law describes a situation in which a decision or action of one country,

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<sup>9</sup> Aisya, Naila Sukma, "The dilemma of Indonesia's position in the Paris agreement on climate change." *Indonesian Perspective* 4, no. 2 (2019): 118-132. DOI: <https://doi.org/10.14710/ip.v4i2.26698>

especially one that has a great political, economic, and environmental influence, creates a wave of change in the attitudes and obedience of other countries. In the case of the US withdrawal from the Paris Agreement, there are concerns that such a move could undermine the collective spirit of countries in meeting global climate commitments. This is due to the role of the US as a global economic leader as well as a major contributor to climate finance, which makes it a benchmark in international commitments. As a result, U.S. decisions could prompt other countries to reconsider their compliance with similar agreements, triggering a chain of reactions that hamper the effectiveness of international cooperation in addressing environmental crises.

As one of the world's largest economic and political powers, the United States plays a central role in the dynamics of international environmental law. This influence can be seen from the large contribution of the US to global emissions and its position as a leader in the negotiation and funding of environmental programs. Historically, the United States has been responsible for about 25% of global cumulative emissions since the industrial era began. With such a significant contribution to emissions, U.S. compliance or non-compliance with international agreements, such as the Paris Agreement, has a major impact on the effectiveness of climate change mitigation efforts at the global level. In addition, prior to the withdrawal from the Paris Agreement, the United States was known as one of the main actors in supporting the environmental framework, both through international diplomacy and financial contributions. The initial U.S. commitment of \$3 billion to *the Green Climate Fund* (GCF) demonstrates its role as a key proponent of climate finance for developing countries. The U.S. withdrawal from the Paris Agreement and the cessation of financial support created a significant funding gap, making it difficult for developing countries to implement climate change adaptation and mitigation obligations.

In addition, U.S. domestic environmental policy also has a broad influence on global policy, especially when it undergoes drastic changes. During President Donald Trump's administration, environmental policy was fundamentally changed with the withdrawal from the Paris Agreement in 2017. This decision is based on claims that the *Paris Agreement* is detrimental to the United States because it can disrupt the stability of the United States economy<sup>10</sup> and hinder traditional energy sectors, such as coal and petroleum. The Trump administration also canceled domestic policies related to reducing carbon emissions, such as *the Clean Power Plan*, and encouraged increased fossil energy production. This policy created a domino effect, with other countries, particularly fossil energy producers such as Brazil, Australia, and Saudi Arabia, setting a U.S. move as a precedent to relax their environmental commitments. Furthermore, the absence of the US as a leader on environmental issues creates a "*leadership vacuum*" at the global level. Although the European Union and China are seeking to fill the vacuum by strengthening their leadership in climate cooperation, the impact of weakening US influence is still being felt. This U.S. decision not only slows down the collective process of addressing climate change, but also casts doubt on the effectiveness of international agreements as binding legal instruments. Thus, the dominance of the United States in the framework of international environmental law is reflected not only in its emissions contribution, but also in the influence of its domestic policies that have a major impact on the attitudes of other countries in fulfilling their global obligations.

The United States' withdrawal from the Paris Agreement created a variety of factors that drove the domino effect on other countries' compliance with global environmental commitments. One of the main

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<sup>10</sup> Hakiem, Fadhlun Nur, "The Productive Power of the United States and the Post-Paris Agreement Climate Change Convention." *Dauliyah: Journal of Islam and International Affairs* 3, no.2 (2018): 147-170. DOI: <https://doi.org/10.21111/dauliyah.v3i2.2500>

factors is the psychological and symbolic effects. As the country with the largest contribution of emissions, the U.S. withdrawal from this agreement diminishes the collective spirit of other countries in complying with environmental commitments. The US actions give the impression that the individual contribution of a country is insignificant without the support of a great power like the US. Further, this gives rise to the perception that international treaties, including the Paris Agreement, are weak and do not have the force to be legally binding. This perception undermines the legitimacy of the agreement and raises doubts about the effectiveness of global cooperation in addressing climate change issues. In addition to psychological effects, financial inequality is also an important factor driving the domino effect. The United States previously played a major contributor to global climate finance through various mechanisms, one of which was the *Green Climate Fund* (GCF). This financial support is vital for developing countries in implementing climate change adaptation and mitigation programs. However, the U.S. withdrawal from the Paris Agreement was followed by the cessation of its financial contributions, resulting in a reduction in the availability of funds for developing countries. Without adequate financial support, poor countries tend to be more reluctant to participate in global efforts due to limited resources and technology. This lack of funding further widens the gap between developed and developing countries in addressing global environmental issues.

Furthermore, the US decision also opens up opportunities for other countries to reduce compliance with environmental agreements. Countries with fossil-fuel-based economies, such as Russia, Saudi Arabia, and Brazil, are using the U.S. move as a form of "legitimacy" to relax their policies on carbon emissions. With the US withdrawing, these countries feel freer to prioritize economic growth based on fossil energy resources over climate commitments. For example, some countries have again increased their exploitation of coal and petroleum and ignored the clean

energy transition plan previously proposed in the framework of the Paris Agreement. This further weakens the global collective effort to achieve emission reduction targets. Finally, the shift in global leadership dynamics has also triggered a significant domino effect. The U.S. withdrawal creates a "*leadership vacuum*," where no single power is in control of leading international efforts to address the issue of climate change. This vacuum is prompting developing countries to look for leadership alternatives, such as China or the European Union, which seek to take a greater role in environmental diplomacy. However, while China and the European Union have shown strong commitments, their influence has not completely replaced the U.S. position as a global leader. As a result, some countries that initially doubted the effectiveness of international commitments became increasingly skeptical and tended to back down or ignore their obligations. This shift underscores that the absence of U.S. leadership on environmental issues undermines the spirit of global cooperation and encourages inconsistent patterns of compliance.

The withdrawal of the United States from the Paris Agreement has a different impact on the countries of the world, both developing and developed. The withdrawal of the United States certainly has an impact on the funding performance that will be carried out by other developed countries.<sup>11</sup> Developing countries, especially in Africa and Asia, are the most affected by the loss of financial support from the US. Many developing countries rely on climate finance, such as the *Green Climate Fund* (GCF), to fund climate change adaptation and mitigation programs. When the U.S. stopped its contributions, the availability of funds for those countries declined dramatically. As a result, poor countries have difficulty meeting the targets that have been set in the framework of the Paris

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<sup>11</sup> Kurnia, Mahendra Putra, and Syukri Hidayatullah, "The Actions of the United States in Withdrawing from the Paris Agreement in the Framework of International Law." *Legal Treatise* 16, no.2 (2020): 115-135. DOI: <https://doi.org/10.30872/risalah.v16i2.158>



Agreement. In Africa, for example, countries such as Kenya and Ethiopia that rely on international funding for renewable energy projects face obstacles in the implementation of such programs. Similarly in South Asia, countries such as Bangladesh and Nepal, which are vulnerable to the impacts of climate change, are increasingly lagging behind in mitigation efforts due to limited funding and technology. The loss of financial support from the US exacerbates inequality between developed and developing countries, as well as erodes the motivation of poor countries to remain in global commitments.

On the other hand, developed countries responded to the US decision in a variety of ways. Some countries are following in the U.S. footsteps by relaxing their environmental policies. Examples are Australia and Brazil, which show a similar tendency to prioritize domestic economic interests over environmental commitments. Australia, as one of the world's largest coal producers, is under pressure from the domestic industrial sector to maintain its dependence on fossil energy. The US withdrawal from the Paris Agreement was used as an excuse to relax clean energy policies and increase coal exports to the global market. Meanwhile, in Brazil, the government of President Jair Bolsonaro adopted a similar approach by increasing the exploitation of natural resources, including deforestation in the Amazon forest, under the pretext of national economic interests. This step was taken by ignoring global criticism related to its impact on climate change. The responses of countries such as Australia and Brazil reflect how the U.S. decision can set a precedent for other countries to put economic interests above environmental commitments. Meanwhile, developing countries that rely on financial support are finding it increasingly difficult to implement their climate programs. Thus, the domino effect of the US withdrawal not only affects the dynamics of global compliance, but also exacerbates the gap between developed and developing countries in dealing with the environmental crisis.

The domino effect that emerged from the withdrawal of the United States from the Paris Agreement did not stand alone, but was the result of the interconnectedness of symbolic, economic, and global leadership factors that reinforce each other. The symbolic effect of the U.S. decision creates a negative precedent in which countries with great economic and political influence suggest that compliance with international agreements is optional. This psychologically weakens the global collective spirit and reduces the motivation of other countries to meet their commitments. When a country as large as the U.S.—as the largest emitter and world leader—voted to back down, there was a perception that global commitments to climate change were ineffective and not legally binding. This symbolic effect is further exacerbated by economic factors, particularly related to the funding gap that has arisen due to the US withdrawal. Reduced financial support makes it difficult for developing countries to meet their environmental obligations. The unavailability of funds, as originally promised through the *Green Climate Fund* (GCF), undermines the ability of poor countries to implement climate change mitigation and adaptation projects. In these conditions, developing countries tend to lose motivation to participate actively due to limited resources. This creates a vicious cycle, where the weak compliance of some countries encourages others to adopt a similar attitude.

Furthermore, the vacuum left by the U.S. in global leadership creates a shift in leadership dynamics that is not entirely effective. Although China and the European Union are trying to take a leadership role on global environmental issues, the previously dominant US position is difficult to replace in a short period of time. This vacuum provides an opportunity for countries with fossil energy-based economies, such as Brazil, Russia, and Saudi Arabia, to ignore their climate obligations and prioritize domestic economic growth. With the indirect legitimacy of U.S. actions, these countries feel more free to relax their environmental policies without fear of international pressure. This interaction between symbolic,

economic, and leadership factors creates a synergistic effect that weakens global compliance with international environmental agreements. When symbolic effects diminish collective morale, economic factors limit the capacity of developing countries to act, and leadership vacuums provide loopholes for other countries to reduce compliance, the effectiveness of the Paris Agreement as an instrument of international law is increasingly threatened. Thus, the linkage between these factors strengthens the domino impact which leads to the weakening of global cooperation in dealing with the environmental crisis.

The withdrawal of the United States from the Paris Agreement created a significant domino effect on compliance with international environmental law. The main factors driving this domino effect include the symbolic effect, where U.S. decisions weaken the global collective spirit and create the perception that commitments to international agreements are weak and non-binding. In addition, the financial gap that has arisen due to the cessation of US contributions, especially to funding such as *the Green Climate Fund (GCF)*, makes it difficult for developing countries to carry out their obligations. This factor is exacerbated by other countries' opportunities to reduce compliance, where fossil-economy-based countries are using U.S. moves as a justification to relax their environmental policies. Finally, shifting global leadership dynamics are creating a vacuum that has not been fully filled by other powers such as the European Union or China, thereby weakening international coordination and cooperation in addressing climate change.

## **Geopolitical Implications of the United States Decision on the Future of the Paris Agreement**

The United States (US) plays a key role in global environmental governance as one of the largest industrialized countries and a significant contributor to carbon emissions. Decisions taken by the United States, whether to support or withdraw from international treaties, have a far-

reaching impact on the pattern of international cooperation. The United States' moves often shape global dynamics, influence the policy direction of other countries, and trigger a change approach in an effort to address environmental issues. This reality has made environmental issues the third important topic in international relations, after international security and global economic issues.<sup>12</sup> One of the most striking examples of the United States' decisions affecting environmental cooperation was its exit from the 2015 Paris Agreement under Donald Trump's administration in 2017. The Paris Agreement, which aims to limit global temperature rise to below 2°C above pre-industrial levels, depends on the active participation of major emitter countries, including the United States. With the withdrawal of the United States, several significant consequences emerged:

**Global Leadership Crisis:** The United States was previously seen as a leader in mobilizing developed and developing countries to work together to confront climate change. The withdrawal of the United States creates a leadership vacuum and dampens global enthusiasm, particularly among developing countries that need financial and technological support.

**Domino Effect in Other Countries:** The United States' decision sends a negative signal for other countries to relax their commitments to environmental issues. Some countries that rely on carbon-based economies have the potential to delay the clean energy transition, arguing that big players like the United States are not meeting their obligations.

**Changes in the Direction of Developed Countries' Policies:** On the other hand, the absence of the United States is encouraging developed countries such as the European Union, China, and Canada to strengthen their position as leaders in global climate action. The European Union, for example, launched the *Green Deal* as an ambitious effort to achieve carbon neutrality by 2050. However, this situation changed when the United States reagreed to the Paris Agreement under Joe Biden's administration

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<sup>12</sup> Robert Jackson and Georg Sorensen, *Introduction to International Relations Studies*, (translation of Dadan Suryadipura), Yogyakarta: Pustaka Siswa, 2005, p. 324.

in 2021. The return of the United States brings new energy to international cooperation and restores global optimism. This shows how the United States' decisions are able to direct global dynamics, both positively and negatively.

The United States' decisions on environmental issues also affect economic and technological cooperation in dealing with climate change. As the country with the largest economy, the policies of the United States have a direct impact on investment and development of green technology. With policies that support the clean energy transition, such as tax incentives for renewable technologies and investments in energy research, the United States is able to lead technological innovations that other countries can adopt. The United States' withdrawal from the climate agreement is hampering cooperation in technology transfer between developed and developing countries. Developing countries that rely on technology support to reduce emissions face difficulties when commitments such as the United States weaken. This policy creates new opportunities for cross-border cooperation, for example through trade in green technologies such as solar, wind and electric car energy. If the United States chooses not to prioritize environmental issues, multinational corporations could lose the incentive to invest in sustainable practices. This could slow down global efforts to reduce carbon emissions. Conversely, the active involvement of the United States creates a positive effect on environmental and sustainability standards in the global industrial sector.

The United States' decision also changed the pattern of international alliances in addressing environmental issues. When the United States withdraws from international cooperation, other countries often form new blocs or supports to fill the void. In the context of the Paris Agreement, countries such as China and the European Union are strengthening bilateral and regional cooperation to lead climate action. Developing countries have also formed forums such as *the Climate Vulnerable Forum*

to fight for their interests in global negotiations. The United States has traditionally used diplomacy to influence environmental policies in other countries.

When it retreats from the global stage, the United States loses its influence, giving opportunities for other countries like China to step up its climate diplomacy and strengthen its position in global geopolitics. The inconsistency of U.S. policies poses challenges in global coordination to address environmental issues. Changes in political leadership in the United States often lead to drastic changes in policy priorities. This uncertainty has made other countries hesitate to draw up long-term plans to tackle climate change. Effective global coordination requires stable commitments from major countries, including the United States.

The inconsistency of United States policies poses challenges in global coordination to address environmental issues. Changes in political leadership in the United States often lead to drastic changes in policy priorities. This uncertainty has made other countries hesitate to draw up long-term plans to tackle climate change. The United States has traditionally been considered one of the leaders in international cooperation on environmental issues. The United States is again involved in international technology cooperation, such as the Mission Innovation project and partnerships with developed and developing countries in renewable energy research and energy efficiency. Strong support from the United States often encourages other countries to step up their commitments. However, when the United States withdrew from the Paris Agreement in 2017 under Donald Trump's administration, there was a global leadership vacuum that disrupted the momentum of the fight to tackle climate change. Effective global coordination requires stable commitments from major countries, including the United States. The United States' decision has a significant influence in shaping the pattern of international cooperation in dealing with global environmental issues.

As one of the world's largest emitters and economic leaders, U.S. policies can mobilize global collective action or, conversely, stifle progress.

The United States' withdrawal from the Paris Agreement has raised and disrupted global dynamics, but the return of the United States provides new hope for environmental cooperation. Going forward, the stability of the United States' commitment will be key to ensuring the success of international cooperation in addressing increasingly pressing environmental challenges. With consistent steps and strong leadership, the United States has the potential to be a key driving force in creating a sustainable future for the rest of the world. However, if the United States' decisions continue to change, global coordination will face major challenges in achieving common environmental goals.

## **The Role of International Law in Addressing the Challenges Resulting from the United States' Withdrawal from the Paris Climate Agreement**

International law plays an important role in addressing various global challenges, including in mitigation and adaptation efforts to climate change. As a legally binding framework, international legal instruments such as the Paris Agreement aim to build a shared commitment among the world's nations in the face of environmental threats that transcend national borders. In this context, international law serves not only as a guideline for countries to achieve emissions targets, but also as a means to encourage accountability, cooperation, and sustainability in the face of increasingly complex climate change challenges.

The United States officially pulled out of the Paris Agreement on November 4, 2020, a long-planned move by President Donald Trump to withdraw the world's second-largest greenhouse gas emitter from an



international agreement aimed at tackling climate change.<sup>13</sup> As one of the countries with the highest levels of greenhouse gas emissions in the world, the presence of the United States in the treaty has a great influence on the legitimacy and stability of the Paris Agreement. This withdrawal not only weakens the U.S. position as a leader on global environmental issues but also creates a domino effect, such as increasing uncertainty among other countries in continuing their commitments.

This situation reflects a major challenge for international law to remain relevant and effective in maintaining the sustainability of global environmental commitments. With the diminished contribution and leadership of one of the key countries, international law is faced with the daunting task of maintaining legitimacy, strengthening solidarity between countries, and developing new mechanisms capable of dealing with these geopolitical challenges.

International legal instruments play a vital role in addressing the global challenges caused by climate change. One of the most significant instruments is the Paris Agreement, as a binding legal framework to mitigate the impacts of climate change. The agreement aims to limit global temperature rise to below 2°C, while continuing to work to contain the temperature rise at 1.5°C above pre-industrial levels. To achieve this goal, the Paris Agreement relies on the *Nationally Determined Contributions* (NDC) mechanism, which allows each country to set its own emission reduction targets according to its national capacity. In addition, the agreement pays special attention to developing countries by providing financial assistance through mechanisms such as *the Green Climate Fund* (GCF). However, the withdrawal of the United States from this agreement puts great pressure on the legitimacy and sustainability of the framework,

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<sup>13</sup> "America Officially Pulls Out of the Paris Climate Agreement," *VOA Indonesia*, November 4, 2020, <https://www.voaindonesia.com/a/as-resmi-keluar-dari-perjanjian-iklim-global/5647779.html>.

given the position of the United States as one of the largest emitters and significant providers of international funding.

As the parent framework underlying the Paris Agreement, the *United Nations Framework Convention on Climate Change* (UNFCCC) is also a very important international legal instrument. Established in 1992, the UNFCCC provides a foundation for global cooperation in tackling climate change through the *annual Conference of the Parties* (COP) conference. The Convention encourages member states to take collective steps to reduce greenhouse gas emissions, increase resilience to the impacts of climate change, and support developing countries through technology transfer and financial assistance.

In addition to the Paris Agreement and the UNFCCC, a number of other international instruments contribute to supporting global climate action. The Kyoto Protocol, for example, is a precursor to the Paris Agreement that focused on reducing greenhouse gas emissions from developed countries. Although its scope is limited due to the absence of several key countries, the Kyoto Protocol remains an important first step in building a global commitment to climate change issues.

The "*SDGs 17 Goals to be Attained by 2030*" agenda is also relevant, especially on *Goal 13* which focuses on *Climate Action*. To mitigate climate change, rapid, deep and sustainable reductions in greenhouse gas emissions across all sectors, starting now, are essential. This requires climate-resilient development actions globally, accelerating adaptation and mitigation measures, and leveraging the synergy of the SDGs. Greater funding, political commitment, coordinated policies, international cooperation, ecosystem management, and inclusive governance are all urgently needed for effective and equitable climate action.<sup>14</sup> This agenda emphasizes the

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<sup>14</sup> United Nations, *The Sustainable Development Goals Report 2023: Special Edition* (New York: United Nations Publications, 2023), 38, <https://unstats.un.org/sdgs/report/2023/>.

importance of integrating climate change policies into sustainable development programs.

*The Stockholm Declaration*, adopted in 1972, also served as an early foundation in the development of international environmental law. The declaration sets out basic principles that recognize the importance of global cooperation to protect the environment. These principles became the basis for the formation of subsequent legal instruments, including the UNFCCC and the Paris Agreement. Through the combination of these instruments, the international community has a complementary legal framework to address the challenges of climate change.

Global cooperation in dealing with climate change cannot be separated from the important role of authoritative international organizations. These organizations are a key pillar in ensuring the successful implementation of international environmental law, particularly in the face of the challenges arising from the United States' withdrawal from the Paris Agreement.

The United Nations (UN) plays a central role through its various bodies and programs, including the UNFCCC. As the secretariat of the Paris Agreement, the UNFCCC is responsible for overseeing the reporting and transparency of countries' commitments, facilitating annual meetings (COPs), and providing technical and financial support to developing countries through the GCF. The UNFCCC also manages important mechanisms such as *Global Stocktake* to evaluate the achievement of global emissions targets based on NDCs reported by member countries.

*The United Nations Environment Programme* (UNEP) also has a crucial role to play in facilitating environmental impact assessments and developing innovative solutions to climate change challenges. UNEP publishes important reports such as *the Emissions Gap Report*, which identifies the discrepancies between emissions reduction targets and commitments that have been made. In addition, UNEP encourages the adoption of green policies and technologies aimed at accelerating the

global transition to a low-carbon economy. UNEP programmes focus on ecosystem-based approaches to climate mitigation and adaptation.

On the other hand, the *Intergovernmental Panel on Climate Change* (IPCC), as a provider of scientific data that is the basis for international policymaking. IPCC reports, such as the *Special Report on Global Warming of 1.5°C*, provide strategic guidance for setting limits on global temperature rise and the steps needed to achieve it. The report also identifies the impacts of climate change as well as mitigation and adaptation options based on the latest research, which is a key reference, including under the framework of the Paris Agreement. Currently, existing national commitments to mitigation and adaptation are insufficient to keep temperature rise below the limits of the Paris Agreement and achieve its adaptation goals.<sup>15</sup>

In addition to the specialized agencies of the United Nations, *the World Trade Organization* (WTO) also has relevance in the context of climate change. The WTO plays a role in aligning international trade rules with sustainability principles, including encouraging the removal of trade barriers for environmentally friendly products. The WTO also handles environmental policy-related disputes, such as cross-border carbon tariffs, that can affect global economic dynamics.

These organizations serve as key drivers in strengthening international solidarity and maintaining the stability of global environmental law, even when one of the key countries such as the United States withdraws from international commitments. Through frameworks,

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<sup>15</sup> IPCC, *Special Report on Global Warming of 1.5° C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. (Cambridge, UK and New York, USA: Intergovernmental Panel on Climate Change, 2018), 315, <https://www.ipcc.ch/sr15/>.

scientific reports, and dispute resolution mechanisms, these organizations work to ensure that collective efforts against climate change continue despite geopolitical challenges.

International law has a strategic role in dealing with global challenges arising from the withdrawal of the United States from the Paris Agreement. One important aspect is dispute resolution involving environmental agreements. *The International Court of Justice* (ICJ) is the main mechanism that countries can use to resolve legal disputes related to violations of environmental treaties, including disputes related to greenhouse gas emissions or cross-border pollution. For example, the ICJ may examine cases involving claims that a country has failed to meet its obligations under the framework of international law, such as those set out in the Paris Agreement or other environmental law instruments. With its global jurisdiction, the ICJ is able to render legally binding rulings and encourage countries to comply with their commitments.

In addition to dispute resolution, international law also plays a role in ensuring the implementation of global commitments despite political instability such as the withdrawal of the United States. One of the mechanisms used is moral and diplomatic sanctions, which can be pressure from the international community on countries that fail to meet their obligations. On the other hand, incentives are also given to developing countries that remain committed to climate change mitigation efforts despite uncertainty from developed countries. Financial and technical assistance through mechanisms such as GCF is a form of support that helps developing countries maintain their efforts in dealing with climate change.

International law also encourages increased cooperation through bilateral and regional agreements as an alternative to maintain the momentum of global collaboration. Agreements like *the European Green Deal* show how certain regions can take collective steps to reduce emissions and improve climate adaptation without relying entirely on the

participation of the United States. Bilateral cooperation between countries, for example in terms of green technology transfer or renewable energy investment, is an effective substitution strategy to sustain progress despite geopolitical constraints.

Overall, international law serves as a driver of stability in the face of challenges arising from global political dynamics. By prioritizing dispute resolution, providing incentives, and strengthening regional cooperation, international law ensures that collective efforts to tackle climate change can continue despite the immense pressure of the withdrawal of one key country such as the United States.

The United States' withdrawal from the Paris Agreement during President Donald Trump's administration was a major blow to global efforts to address climate change. However, this situation is prompting various international actors, such as the European Union, China, and developing countries, to take over leadership on the climate change agenda. The European Union, for example, strengthened its commitment through the launch of the *European Green Deal*, an ambitious plan aimed at achieving carbon neutrality by 2050. The initiative includes a range of integrated policies, such as a cross-border carbon tax and major investments in clean energy technologies. The EU's move not only shows a determination to replace the leadership role of the United States but also sets a clear example for other countries of how to address the challenges of climate change independently.

On the other hand, China is also increasing its contribution by setting a target to achieve carbon neutrality by 2060. As the world's largest carbon emitter, China's role is crucial in maintaining the momentum of the Paris Agreement. In addition to domestic commitments, China also leverages the *Belt and Road Initiative* (BRI) to promote sustainable development in partner countries through investments in renewable energy. This shows how other major countries can leverage the

international legal framework to ensure the sustainability of global commitments even if one of the key actors withdrew.

Developing countries also showed significant adaptation after the withdrawal of the United States. Despite often facing resource constraints, these countries continue to strive to meet their commitments in the NDC with the support of international law. Mechanisms such as the GCF play a crucial role in providing financial and technical assistance to developing countries, enabling them to continue climate mitigation and adaptation programs. For example, some African countries and small islands in the Pacific have used the funds to implement renewable energy projects and disaster risk management programs.

International law plays a role in maintaining the sustainability of global commitments through mechanisms that ensure collaboration continues despite the absence of key parties. The UNFCCC, for example, serves as a key forum to facilitate dialogue and coordination between countries, while IPCC reports provide a scientific basis to ensure all parties remain focused on long-term targets. In this case, international law succeeded in becoming an instrument that ensured that the withdrawal of the United States did not stop collective efforts in the fight against climate change, but rather motivated other countries to strengthen their commitments.

International efforts to address the challenges of climate change are supported by a range of reports and mechanisms designed to strengthen the implementation of international environmental law. One of the most significant reports is the *Emissions Gap Report* published by UNEP. Countries should not only fully implement, but also exceed their current NDC targets for 2030 in order to keep the possibility of limiting global warming to 1.5°C with little or no *overshoot*. Accelerating implementation in the short term will also allow countries to propose more ambitious mitigation targets for 2035 in the next NDC. This will also make



achieving these targets more possible.<sup>16</sup> The report provides an in-depth analysis of the differences between the emission reduction targets that countries have pledged in the NDC and the reductions needed to reach the global temperature rise limit of 1.5°C or 2°C. By providing concrete guidance, the report helps countries to evaluate and improve their commitments to closing the global emissions gap. In addition, *the Emissions Gap Report* also encourages the implementation of innovative policies to ensure a faster transition to a low-carbon economy.

In addition to UNEP, reports from the IPCC also play an important role in supporting international cooperation. The IPCC compiles reports based on the latest scientific research, such as *the Sixth Assessment Report* (AR6), which identifies the impacts of climate change, emerging risks, and mitigation strategies that countries can adopt. Strengthening climate change mitigation actions requires a faster transition and higher initial investments, but brings the benefits of avoiding climate change damage and reducing adaptation costs.<sup>17</sup> The IPCC report is not only a key reference in the negotiation process under the UNFCCC but also serves as a basis for setting climate policy at the national level. The scientific data provided by the IPCC gives legitimacy to international actions and ensures that decisions taken are based on strong scientific evidence.

Meanwhile, *the Paris Rulebook* is one of the real efforts in clarifying the implementation mechanism of the Paris Agreement. This document was adopted at COP24 in Katowice, Poland, to provide operational guidelines for member states in implementing their commitments. *The*

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<sup>16</sup> United Nations Environment Programme, *Emissions Gap Report 2024: No more hot air ... Please!* (Nairobi: United Nations Environment Programme, 2024), 32, <https://www.unep.org/resources/emissions-gap-report-2024>.

<sup>17</sup> IPCC, *Climate Change 2023: Synthesis Report. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Core Writing Team, H. Lee and J. Romero (eds.)]. (Geneva, Switzerland: Intergovernmental Panel on Climate Change, 2023), 88, <https://www.ipcc.ch/assessment-report/ar6/>.

*Paris Rulebook* includes rules on emissions reporting, transparency mechanisms, as well as collective evaluation procedures through *Global Stocktake*. With this guideline, the Paris Agreement has a stronger foundation to ensure that all countries, both developed and developing, can carry out their responsibilities fairly and transparently.

These reports and mechanisms reflect the international community's efforts to ensure that the global challenges posed by climate change can be addressed collectively. By providing scientific data, technical guidance, and clear rules, international law further strengthens the solidarity and commitment of countries in the face of the global environmental crisis.

## Conclusion

The conclusions that can be drawn confirm that the United States' withdrawal from the Paris Agreement in 2017 has created a far-reaching impact that has shaken the international environmental law order. As one of the largest carbon emitters and a major contributor to climate finance, the decision affects global confidence in collective commitments to combat climate change. The absence of U.S. contribution, both financially and politically, weakens the incentives of developing countries to meet their emissions targets, especially in the absence of promised financial and technological support. In addition, this action exacerbates the trend of "free-riding," in which a number of countries take advantage of the situation to reduce their level of compliance with environmental commitments.

However, the article also underscores the positive response from non-state actors, such as local governments and multinational corporations, who continue to continue mitigation efforts even without federal support from the US. The commitment of these actors is proof that the success of global efforts against climate change does not depend entirely on the contribution of one country, but on more inclusive cross-sectoral collaboration.

In addition, this article highlights the urgent need to strengthen the international environmental legal framework to be more resilient to global political dynamics. By adopting more adaptive mechanisms, such as increased transparency, financial incentives, and effective sanctions, international environmental law can be a key driver in maintaining the sustainability of multilateral agreements such as the Paris Agreement. In conclusion, the success of the fight against climate change depends on the collective commitment of the international community to be coordinated, the support of various actors, and a flexible but firm legal framework.

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