

# UNDENIABLE OBLIGATIONS TO GAIA: U.S. REMAINING INVESTMENT OBLIGATIONS AFTER ITS WITHDRAWAL FROM THE PARIS AGREEMENT

*Ching-Wen Hsueh\**

## ABSTRACT

*The hostility of the United States (hereinafter “U.S.”) toward the Paris agreement comes mainly from the fear that it will somehow lose its competitiveness and be taken advantage of by the rest of the world. The environmental concerns that make the Paris agreement necessary are recognized on the condition that the U.S. can take the lead and renegotiate a new deal. Otherwise, the U.S. will seek to be “the cleanest and most environment friendly country on Earth” solely by itself. Two messages from the U.S. withdrawal are clear: The U.S. policy will favor the conventional energy sector over green energies and prefers a unilateral approach to environmental protection. A policy change in environmental protection, featuring a more economic-oriented and “America First” outlook, will follow. The U.S. withdrawal echoes the presidential executive order to reverse or review climate change policies adopted by the Obama administration. This policy change will have legal consequences under both domestic and international legal frameworks. This essay explores whether or to what extent the withdrawal alleviates U.S. obligations concerning global warming.*

---

\* Assistant professor, Department of International Business, National Chengchi University. The author can be reached at: [cwh@nccu.edu.tw](mailto:cwh@nccu.edu.tw).

**KEYWORDS:** *Paris Agreement, climate change, energy policies, U.S. BITs, protections for investors*