

INTRODUCTION

Rationale of the Study

This book combines the analysis of two topics that have immensely gained in political importance over the past two decades: the foreign and external policies of the European Union (EU) and global climate change. The EU is still a relatively recent player on the global scene, even when it comes to the environment, arguably *the* domain – beyond trade – in which it has made the first and most visible steps to become acknowledged as a foreign policy actor in its own right (Bruyninckx 2005: 213–214). Yet, especially since the entry into force of the Maastricht Treaty in 1993, the EU’s capacity and ambitions to shape global politics have grown considerably. This is especially true in an area that has equally obtained ever-increasing attention in the past twenty years: climate change – one, if not “the defining challenge of our generation” (United Nations Secretary General Ban Ki-moon, Reuters 2007a). Following the first compelling natural scientific insights into the risks associated with anthropogenic interference with the global climate, this collective action challenge was for the first time politically tackled at a global level in the early 1990s. Initial negotiations under United Nations (UN) auspices led to the adoption of the UN Framework Convention on Climate Change (UNFCCC, in force since 1994). Since then, attempts to complement the soft legal framework convention so as to foster durable global solutions to the climate problematique have been ongoing in the UN regime, with the intermediate results embodied in the Kyoto Protocol (in force since 2005) and the Cancun Agreements of 2010.

By bringing these two topics together, the study intends to provide an in-depth understanding and explanation of how the European Union behaves, and what effects its behaviour yields, in global climate politics. In so doing, it conceives of climate change as an ever more “important foreign policy issue” (Ott 2001a). It consequently treats the EU’s activities targeted at the global climate regime not simply as the external dimension of intra-EU climate and energy policies – and thus as a part of its external relations – but as genuine foreign policy.¹ EU foreign policy is understood as “that area of [EU] politics which is directed at the external

¹ This approach is particularly justified by the fact that the EU was a *foreign* climate policy player even before it had a domestic climate policy *acquis* (Pallemaerts 2004).

environment with the objective of influencing that environment and the behaviour of other actors within it, in order to pursue interests, values and goals” (Keukeleire/MacNaughtan 2008: 19). Indeed, the primary objective of EU activities in the global climate regime has been, rather than maintaining *external relations* with third parties, that of *influencing* this regime and the behaviour of other actors within it for the purpose of protecting the climate in line with EU interests, values and goals. If one considers the EU thus as a foreign policy player in global climate politics and intends to scrutinize its activities, influence becomes a key measure for its effectiveness.

Closely accompanying the evolution of the EU’s external and foreign environmental policies, the political and academic debates about the EU’s role on the global scene have regularly observed that the Union was “recognized as a leader” (Sbragia 2000: 312; Zito 2005) with “extensive influence in the politics of the global environment” (Vogler 2005: 848). In the academic debate on the EU’s role in global climate politics more specifically (see, above all, Bäckstrand/Elgström 2013; Wurzel/Connelly 2010; Oberthür *et al.* 2010; Parker/Karlsson 2010; Lindenthal 2009; Costa 2009; Schreurs/Tiberghien 2007; Harris 2007; Groenleer/van Schaik 2007; Pallemmaerts/Williams 2006; Pallemmaerts 2004), the scrutiny of its proactive approach in this domain has led to claims that “EU leadership in international climate policy over the past 15 years or so has remained largely unrivalled” (Oberthür 2007: 79). Such claims have regularly been based on studies that employ the analytical concept of “leadership” (Gupta/Grubb 2000; Gupta/Ringius 2001). Most importantly, the notion of *directional* leadership has repeatedly been used to describe how the EU attempts to show the way, employing “perceptions and solutions developed domestically as a ‘model’ to diffuse internationally” (Grubb/Gupta 2000: 21). The Union’s “model” first took shape in the late 1990s and early 2000s, partially as a result of internal regime creation aimed at strategy-building in reaction to international developments (Pallemmaerts 2004: 42–56). A flagship initiative in this regard was the establishment of an Emissions Trading System (ETS) that has been in operation since 2005 (Skjaereth/Wettestad 2008). In 2008/2009, a major climate and energy package was then adopted, lifting the EU’s *acquis* to a new level of harmonization in these domains (Morgera *et al.* 2011). In the face of these evolutions, claims about EU “leadership by example” have resonated well with popular intra-EU political discourse about the Union as a “green power” and global climate leader, notably prior to the 2009 Copenhagen climate summit (e.g. Barroso 2008).

In stark contrast to much of these debates and to the European Union’s apparently persistently high and, at least until the 2009 Conference of the Parties in Copenhagen (COP 15), even steadily increased level of

proactivity as a global climate player, the effects of its activities have, at first sight, been limited across time. For the early 1990s, it had been observed that “the EU had a comparatively limited impact on the UNFCCC and the Kyoto Protocol” (Oberthür/Roche-Kelly 2008: 36). After years of stalemate in the global regime, it then seemingly suffered a severe setback regarding both its reputation and objectives when it became partially sidelined in the final stages of the 2009 COP 15 where none of its major proposals made it into the “Copenhagen Accord”. The most striking observation from these debates, and *prima facie* from the evolution of EU participation in the global climate regime more generally, is thus a strong discrepancy between an almost linear increase in EU activity as a global climate player and the apparently limited impact it has had over time. This observation forms the major puzzle that this book addresses. To do so in a systematic manner, the study responds to three closely intertwined research questions:

- **Question 1:** *How did/does the European Union attempt to exert influence on the multilateral negotiations pertaining to the development² of the global climate regime?*
- **Question 2:** *Did the European Union actually exert influence on the multilateral negotiations pertaining to the development of the global climate regime?*
- **Question 3:** *Why did/does the European Union exert influence on the multilateral negotiations pertaining to the development of the global climate regime?*

The responses to these questions contribute to the current political and academic debates in four main ways. *First*, the study adds to these debates by providing comprehensive *empirical* knowledge about what the Union has done and does in global climate negotiations and what effects this has (had), especially in answer to questions 1 and 2. To this end, a longer, discontinued time frame is considered necessary so as to overcome the “presentism bias” of many EU foreign policy analyses (Jørgensen 2007). Cross-time comparisons allow for a clearer understanding of the EU’s influence on the global climate regime, which has gone through several phases. After negotiations on the Framework Convention itself (1991–1992), the regime awaited its formal confirmation (1992–1995). Ratification of the UNFCCC was followed by a novel negotiation phase resulting in the Kyoto Protocol (1995–1997). Subsequently, several conferences of the parties had to prepare for the ratification of the Protocol (1997–2005). Finally, post-2012 negotiations were started, first loosely (2005–2007) and then more intensely, with the intermediate outcome of the Copenhagen

² Regime development refers to the formation of the regime and its evolution.

Accord (2007–2009), later formally integrated into the UN regime by the Cancun Agreements (2010). The 2011 Durban Package and the 2012 Doha Gateway then re-started negotiations on a legally binding global agreement. These time periods are regrouped into five phases that are analysed in depth (1991–1995, 1995–1997, 1998–2007, 2007–2009, 2010–2012). *Second*, the study contributes to the debates in *conceptual-theoretical* terms by advancing the understanding of why the EU does or does not have an impact on global politics. Within the discipline of EU foreign policy analysis, the study thus inserts itself into emergent debates on the EU's performance/external effectiveness as a foreign policy actor by developing the concept of influence as a measure of effectiveness and by providing, in answer to questions 2 and 3, a better understanding and explanation of the Union's impact in the studied regime (Jørgensen *et al.* 2011; Dee 2013). To this end, explanatory factors from the EU and international levels of analysis are considered and combined. Moreover, a close scrutiny of the instruments and resources the Union utilizes as a foreign policy player advances the state of the art on the link between EU foreign policy tools, influence and, ultimately, foreign policy effectiveness. This closely ties in with the *third* contribution made by this work, which concerns *methodology*. By developing a method that integrates the mapping of EU activity and the assessment and explanation of its impact, the study refines the toolbox of the discipline of (EU) foreign policy analysis. A *fourth* contribution results from the *normative and political-practical relevance* of the research. The study produces insights into the EU's performance in global politics that allow for an appreciation of whether it actually lives up to the expectations it creates by evoking certain conceptions – such as “leadership” – of its own global role, notably in the significant policy domain of climate change.

By precisely tracing the EU's activities and their effects on the global climate regime across time, the study challenges and nuances some of the claims made in current debates. It demonstrates how the EU has gradually made itself the champion of the global fight against climate change, trying hard, and through various means, to get a grip on the regime. It also shows, however, how and why the Union has oftentimes failed to effectively do so. Although the study demonstrates that the EU has, at least since the mid-1990s, indeed been a very, if not the most proactive foreign climate policy player, its activities qualify best as *attempted* – but regularly unsuccessful – leadership. A number of reasons related to both the external context and internal prerequisites for EU activities, but especially the often underestimated interplay between these two, conceptually embodied in the very notion of foreign policy, can account for this lack of success.

The EU, Climate Change and Global Climate Politics

Analysing the contents and effects of the EU's foreign policy represents a general interest of many EU foreign policy specialists, as illustrated by Karen Smith (2007: 12–13, 2010):

Much more research needs to be done on the EU's influence in the wider world, and particularly on the EU's impact on the international system (...), and its actual impact on outsiders (...) (does the EU influence them and how?). Too often, we lapse into assertions that the EU has either considerable or little influence, without the backing of clear, substantial evidence for such influence. 'Proving' the EU has influence (or not, and what sort and why) requires considerable empirical research (...) but unless we try to get to the bottom of this, we are left with unsubstantiated assertions about the EU's place/role/influence in the world. (...) Debates about whether the EU is or is not a civilian power, a normative power, a superpower and so on, are not really leading us anywhere right now. (...) We should instead engage in a debate about what the EU does and why it does it and with what effect, rather than what it is.

In striving to address this interest, the present study focuses on an emblematic concern of EU (foreign) policy, a key domain in which the EU has – following the principle of precaution – the long-standing intention to influence its environment and other actors: global climate politics (Van Schaik/Schunz 2012). Its foreign policy activities and the global politics in this area cannot be understood without a basic understanding of the issue of climate change itself.

When it comes to this issue, the Fourth Assessment Report (FAR) of the Intergovernmental Panel on Climate Change (IPCC), published in 2007, provided a comprehensive summary of the state of the art of scientific knowledge.³ It is expected that many trends that the FAR documented will be confirmed in the Fifth Assessment Report in 2014.⁴ The 2007 Report gathered much evidence for the existence of climate change. The most striking observations were (IPCC 2007a: 2–4):

- A rise in average global air temperature by around 0.75°C and an increase in the heat content of the world's oceans during the century from 1906 to 2005.

³ The IPCC regularly synthesises the state of the art of climate science and is widely considered as an authoritative and reliable source, even after controversies about its functioning following the discovery of several mistakes in the FAR in 2009. The stir that "Climategate" caused was settled quickly when independent advisory committees found no major flaws in the science reported by the IPCC (Ball/Johnson 2010).

⁴ First releases of parts of the Fifth Report, which is work in progress at the time of writing, clearly point into this direction, see <http://www.ipcc.ch/report/ar5/wg1/>.

- A widespread melting of ice both in the Arctic sea and on mountain glaciers all over the planet, and of snow in mountainous areas in the Northern and Southern hemispheres.
- A rise in sea levels by an average of 1.8 mm per year since 1961 and by 3.1 mm per year since 1993.

The root causes of these trends have been attributed in large part to the “*enhanced* greenhouse effect” (IPCC 2007c: 946). Resulting from the fact that greenhouse gases (GHG) – essentially carbon dioxide (CO₂) and methane (CH₄) – absorb parts of the solar energy that the earth deflects back into space, the *natural* greenhouse effect is beneficial to human living conditions on Earth (Wigley 1999: 4, 44–45).⁵ An amplification of this effect, however, enhances GHG concentrations in the atmosphere. It is such an increase in GHG emissions and concentrations that climate scientists have been witnessing in the recent past (IPCC 2007b: 36–37). The atmospheric concentration of the main GHG, carbon dioxide, has risen by about 30% above pre-industrial levels, from 270–280 parts per million (ppm) before 1750 to over 360 ppm in 2006 (Wigley 1999: 5; IPCC 2007a: 5). When it comes to the key driver for this increase in GHG concentrations, the FAR singles out the combustion of fossil fuels, noting that there was “*very high confidence* that the global average net effect of human activities since 1750 has been one of warming” (IPCC 2007b: 37, 2007a: 5).⁶ The identified warming effect of human activity appears to have already – with varying degrees of certainty – numerous negative repercussions for the planet (altered weather patterns, degradation of water quality and arable lands, shifts in eco-systems and adverse effects on human health such as heat-related deaths and the spread of tropical diseases) (IPCC 2007b: 31–33).

This study parts from these natural scientific parameters of the debate about climate change. It also assumes that dealing with or preventing its negative consequences necessitates urgent political action involving mitigation, i.e. the tackling of various anthropogenic sources of GHG emissions, and adaptation, which involves changes in practices and/or structures “to moderate or offset potential damages or to take advantages of opportunities related to climate change” (Toth 2008).

Since the planet’s atmosphere represents a “global common”, i.e. a constitutive element of a single ecosystem which is simultaneously used and shared by everyone and escapes anyone’s exclusive sovereignty or jurisdiction, global climate politics amounts essentially to the intricate challenge of solving a highly complex collective action problem (Held *et al.*

⁵ Without the natural greenhouse effect, the average surface temperature on earth could lie at –18°C (Pidwirny 2006).

⁶ “Very high confidence” means that the chance that a finding is correct is 9 out of 10 (IPCC 2007b: 27).

1999: 384). Since the 1980s, policy-makers have actively attempted to provide a response to this challenge. A formal negotiation process was initiated in December 1990 when the UN General Assembly (UNGA) endorsed the creation of an “Intergovernmental Negotiating Committee for a Framework Convention on Climate Change” (INC), which was charged with delivering an international climate treaty by mid-1992 (UNGA 1990). Negotiated between February 1991 and May 1992, the resulting UNFCCC was opened to signature at the Earth Summit in Rio de Janeiro in June 1992 (Betsill 2005: 108). It entered into force on 21 March 1994 and by 2011 had been ratified by 195 parties (194 states and the EU). Between 1995 and 1997, parties negotiated a protocol to the Convention, introducing novelties like quantified emission reductions targets for industrialized, so-called “Annex I”, parties and “flexible mechanisms” into the process. This treaty entered into force in February 2005. Ever since, attempts to reform the regime have been undertaken, but with limited success. By tracing EU activities through the five different time periods of regime evolution introduced above, the study provides a detailed account of these developments.

The Structure of the Study

Apart from this introduction, the study is divided into seven chapters and a conclusion. *Chapter 1* provides the *analytical framework* that serves as the basis for conducting the study. To design a comprehensive case study, it parts from a discussion of (i) the central concepts of influence and influence attempts, (ii) theoretical insights on the EU’s foreign policy and the climate regime and (iii) methodological considerations on influence analysis. The longitudinal study relies on a combination of foreign policy analysis and influence analysis techniques. This allows a link to be made between the thick description of EU activities to a determination and subsequent explanation of its influence in the global climate regime. The description is facilitated by a theory-based selection for two embedded units of analysis: EU influence is traced with regard to (i) the emissions targets as the key norm of the regime and (ii) common but differentiated responsibilities (CBDR) as its main principle.

Chapters 2 to 6 comprise the *empirical study* of the EU’s activity in and impact on the development of the global climate regime from a longitudinal perspective, offering analyses of five periods in the evolution of the regime, with a particular focus on the periods that were marked by major regime reform negotiations (1995–1997, 2007–2009).

Chapter 2 covers the period 1980s to 1995. It begins with a brief discussion of the historical foundations of the global climate regime, which predate the onset of negotiations on a Framework Convention in 1991. Subsequently, it examines the foreign policy behaviour and impact of the

European Union and its member states during these negotiations, which led to the adoption of the UNFCCC. It concludes that it was not so much the EU as such, but several of its more active member states that engaged in substantial climate diplomacy *vis-à-vis* the major player in these talks, the US. In the end, the strong engagement of these states guaranteed the Union on the whole some leverage over key provisions of the Convention. In the period between the adoption of the treaty and its entry into force, the need for a more binding approach emerged.

Chapter 3 engages in a detailed analysis of the EU's behaviour and influence during the talks leading from the first COP and the adoption of the "Berlin Mandate" in 1995 to the last-minute deal brokered essentially between the EU, the US and Japan on the Kyoto Protocol, adopted at COP 3 in late 1997. It shows how the Union attempted to lead the negotiation process through proactive proposals centred on its new narrative, adopted in 1996, of keeping global temperature rise below 2°C. This allowed it to gain some leverage over the magnitude of the emission reduction targets for industrialized countries enshrined in the Protocol. In return, it had to give in to US demands regarding provisions on the use of flexible mechanisms for reaching these targets. Attributing the EU a medium degree of influence during this period, the chapter explains the limits of its leverage essentially with a discrepancy between its external ambitions and internal disagreements.

The period from 1998 to 2007 marked, in many ways, a transition phase in the global climate regime, which is traced in *Chapter 4*. In the immediate aftermath of COP 3, efforts in this regime were concentrated on operationalizing key provisions of the Kyoto Protocol to prepare for its ratification. This process was not completed before late 2001, when COP 7 concluded the Marrakech Accords. In the run-up to these Accords, the EU had first been obliged to step up its diplomatic efforts, after the 2001 withdrawal of the US from the Kyoto Protocol ratification process. Later, it had to give in to the flexibility demands of Japan, Australia and Russia. It took until 2005, then, to finalize the ratification of the treaty. Convincing Russia proved particularly difficult, and the Union had to promise the country support for its WTO membership bid in return for the Duma's ratification. As soon as this was accomplished, the EU pushed for a renewed reform of the entire regime, in view of the expiration of the first commitment period of the Kyoto Protocol in late 2012. Several instances of successful influence-wielding during this period demonstrate the Union's capacity to mobilize other parties whenever its members act in unison and choose foreign policy tools suited for the context. Yet, the limits of leadership by example also crop up, as illustrated by COP 7, where it had to give up on its "environmental integrity" concerns when accepting watered down provisions operationalizing the flexible mechanisms of the Kyoto Protocol.

Chapter 5 analyses in detail how the EU attempted to influence the post-2012 negotiations which kicked off in December 2007 at COP 13 in Bali, Indonesia, and provisionally ended in December 2009 at COP 15 in Copenhagen. To begin with, special consideration is given to the context for global climate politics in the late 2000s. The IPCC's 2007 Fourth Assessment Report served to heighten the urgency with which the problem was perceived, while the rise of GHG emissions in China and other emerging countries made regime reform ever more necessary. In this context, the EU again tried to position itself as a global front-runner, issuing detailed proposals even before the official start of negotiations. The chapter traces the stream of EU foreign policy attempts to set the agenda and to determine the provisions discussed in the regime. At key moments in the negotiations, however, and especially during the final deal-making phase at the Copenhagen summit, it failed to convey its messages, being even physically excluded from some of the decisive meetings. The Union's comparatively low influence during this period is explained with reference to the altered geopolitical context and its own incapacity to strategically adapt to this evolving environment.

Chapter 6 addresses the EU's struggle to find its place in the regime during the three years after COP 15 (2010–2012). It traces the EU's efforts to (re)gain leverage over the global climate negotiations after a year (2010) marked by a more pragmatic diplomatic strategy. Following the incorporation of the Copenhagen Accord into the UN framework through the 2010 "Cancun Agreements", the Union stepped up its efforts again and was arguably instrumental to the adoption, at COP 17 in Durban, South Africa, of a new roadmap toward the conclusion of a climate agreement by 2015. Obstacles on the road toward this agreement appeared, however, as early as 2012 in the run-up to COP 17 in Doha. The chapter concludes with an assessment and explanation of the Union's influence on the resumed post-2012 talks.

Chapter 7 summarizes key findings and extracts patterns of EU influence on the global climate regime across time as a prerequisite for an *explanation* of this influence. It specifies a number of determinants of EU influence related to its actor capacity, foreign policy behaviour and to the external context in which it operates. It links these explanatory factors through several propositions formulated in the form of conjunctive causality statements, which distinguish between EU influence through bargaining and EU influence through arguing.

The *concluding part* of the book explicitly answers its three research questions and sets the findings into a broader academic and policy context, notably by considering the future of the EU's participation in global climate politics and exploring ways scholars can make sense of it.

