

# “Targets and Timetables”

Explaining the European Union’s Approach to International  
Climate Agreements

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# Abstract

For well over two decades, the European Union (EU) has been an important actor in climate change policy. It has developed a wide range of tools for its external and internal climate policy. This thesis examines the EU's view on international climate agreements. The EU promotes a relatively stable approach to deal with the problem of climate change which is characterised by efforts to conclude *legally binding* and *fair multilateral* agreements, establishing *ambitious long-term targets*, allowing the EU to *lead by example*. This paper aims at identifying the underlying factors that drive this specific model. Through a qualitative case study of the EU's climate approach it develops three categories of explanations. With the help of neo-institutionalist theories this thesis sheds light on the implications deriving from the internal dynamics and institutional settings of the EU. Thus, the central argument is that a mixture of factors that can be classified as *institutions*, *interests* and *ideas* determines the EU's view on international climate agreements.

*Key words:* EU climate policy, climate policy architectures, institutions, ideas, international climate agreements.

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# 1 Introduction

The European Union (EU)<sup>1</sup> declares itself a “frontrunner” in combating climate change and is committed to become the “most climate friendly region in the world” (CEC 2010a p. 8). It promotes a self-image of an ambitious actor in global climate agreements, seeking for a pivotal role in international climate policy with a strong focus on legally binding treaties (Kelly et al. 2010 p. 13). This is reflected in both EU proposals for global action and the measures the Union itself takes. Since the beginning of international efforts to fight global warming, the EU has indeed been at the forefront and was instrumental in the development of the two United Nations climate treaties, the 1992 UN Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, agreed in 1997. Besides, the EU has also been taking extensive domestic action to limit its greenhouse gas emissions since the early 1990s.

Against this background, it is rather astonishing that the EU was relatively marginalised at the 15th Conference of Parties (COP) in Copenhagen in December 2009 where the international community negotiated a potential successor regime of the Kyoto Protocol. The Copenhagen Accord, which constitutes the essential outcome of the conference, neither conceptually nor substantively reflected the EU’s original position (Curtin 2010 p.1). Therefore EU policy-makers made no secret of their frustration after the end of the conference. The Swedish Prime Minister Fredrik Reinfeldt on behalf of the Council Presidency revealed: “Let us speak plainly, I would have liked more. This will not solve the threat of climate change. But it is a first step, an important step” (Swedish Presidency 2009). The President of the European Commission José Manuel Barroso phrased it even clearer: “[T]his accord is better than no accord. This was a positive step but clearly below our ambition”, he stated and added: “I will not hide my disappointment regarding the ambition in terms of the binding nature or non-binding nature of the future agreement” (Barroso 2009a p. 2).

The EU’s disappointment becomes even more evident if one contrasts it with the statements made by the United States. The US seems to be more content with the results, as President Barack Obama made clear in his concluding remarks: “Today we’ve made meaningful and unprecedented breakthrough (...)” (The White House 2009). The fact that the results are generally seen in a more favourable light for the US than the EU can be traced back to their different expectations and perspectives (Alessi et al. 2010 p. 2, Egenhofer and Georgiev 2009 p. 1).

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<sup>1</sup> The terms European Union and European Community will be used interchangeably throughout this thesis knowing that the Lisbon Treaty abolishes this strict distinction. Furthermore the term “Community level” is frequently used with regard to the supranational institutions of the EU.

Hence, this also has severe implications for their views on how the global climate architecture and international agreements shall be formulated.

## 1.1 Purpose and Contribution

In order to explain the EU's view on multilateral climate agreements<sup>2</sup>, the general purpose of this thesis is to gain an in-depth understanding of the inner workings of the EU in international climate policy: namely its development, its institutional framework and the principles that structure the interplay of the various actors that operate within it. This will be followed by the identification of the drivers of EU climate policy. Exploring and understanding these factors will strengthen the understanding of how the EU behaves in international climate agreements and will help to build more elaborated explanations for the promotion of its specific approach to international climate policy. In this context it is important to mention the need for including EU perspectives into the research, knowing that existing studies on global environmental politics have mostly dealt with questions that fall into the domain of international relations (IR) (Barkdull and Harris 2002 p. 64).

Placing the emphasis on the internal aspects that determine the EU position means that its performance in international negotiations or the puzzle of the EU as an international actor will be given subordinated consideration (Bretherton and Vogler 2006). Nor does this thesis strive to discuss the actual policy-making process of the European Union or include an analysis of the implementation policies. These aspects are, however, not completely excluded from the analysis, since previous research suggests that international developments deeply affect the inner workings of the EU and that at the same time the internal disposition of the EU has an impact on the international arena (Jordan et al. 2010b p. 5). However, this thesis does seek to show that different factors – institutions, interests and ideas – affect the EU's view on international climate agreements. With the help of the theoretical framework, these factors will be identified, structured and integrated in the broader debate on the EU's role in global climate change policy.

The EU position in international climate politics and climate negotiations in general have been studied from different perspectives. Some of these relate to European foreign policy (Harris 2007b, Andresen and Agrawala 2002, Schreurs 2004). Further research focuses on the governance of climate change, but most of these studies assess either the international agreement itself (Yamin and Depledge 2004), its negotiations (Van Schaik 2010) or its associated commitments and national policy dynamics (Compston and Bailey 2008a, Helm 2009). Upcoming book-length studies show the importance of the topic by exploring the emergence of climate policy in the EU and identifying the key governance choices for the design of its climate policies (Jordan et al. 2010a). They also provide an overview

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<sup>2</sup> The terms “international”, “global” and “multilateral” climate agreements will be used interchangeably throughout the study.

and assessment of the evolution of the new European climate policies and systematically evaluate both internal policies and their external drivers and implications (Oberthür and Pallemmaerts 2010).

Previous research has been conducted on EU internal decision-making structures and how they affect its external behaviour in environmental policy (Delreux 2008, Delreux 2009b). However, this has not been broadly applied to climate policy as it is a rather new policy field within the EU policy framework. Yet findings from the study of EU environmental policy can be very fruitful for the analysis of the EU climate policy especially when it comes to its institutional structure which evolved and is inspired by its experiences in environmental policy. Other perspectives within the field of EU studies can be positioned within the literature on the EU as a global actor or global environmental actor. Related to the literature on the EU in global climate politics, most of the studies either address the issue from the angle of “leadership” (Gupta and Grubb 2000, Gupta and Ringius 2001, Oberthür and Kelly 2008) or use the concept of “actorness” (Bretherton and Vogler 2006, Vogler 2005, Groenleer and Van Schaik 2007). Most of these studies try to explain the external negotiation position of the EU with the help of one of these concepts. Although many of these studies do use the institutional and historical background of the EU as explanatory factors, this remains related to the leadership role and they do not give direct implications for the design of climate policy architectures.

In effect, little has been written about the internal factors that explain the position of the EU in global climate policy. Such a perspective can thus broaden the explanatory power of why the EU is proposing a self-image of an ambitious front-runner in global climate change politics. With regard to the commitments deriving from the international climate agreements, existing research has been undertaken with the focus on EU climate policy implementation including concepts like “policy learning” or studying specific issues, e.g. the European Union Emission Trading Scheme (EU ETS) (Skjærseth and Wettestad 2010, Christiansen and Wettestad 2003, Damro and Méndez 2005).

In general, this thesis can be positioned at the interface of different aspects of EU climate policy, between external (foreign policy, negotiations) and internal (regulation, implementation) dynamics. Although the focus lies on the institutional interplay within the EU, it can still be fruitful for this analysis to take account of considerations from both levels. On the one hand, this paper can benefit from studies that address foreign policy analysis with the help of domestic factors such as existing policies (Barkdull and Harris 2002 p. 79). On the other hand, the thesis makes use of EU integration theories as it seeks to explain the internal development of the EU’s position. More precise, the different aspects of new institutionalism (Hall and Taylor 1996, Aspinwall and Schneider 2000, Baker 2006) are taken into account in order to structure the effects that the internal institutional dynamics have on the EU’s behaviour in international climate policy. Especially ideational approaches to EU climate policy have been neglected so far and can thus be an innovative way of assessing EU behaviour in this policy field.

Another strand of research is also very valuable for this thesis, namely studies on the different approaches to climate change agreements. Papers in this field

show that there actually exist different approaches to international cooperation in climate policy. Various scholars have addressed the perceptions of climate agreements and tried to categorise and assess those (Carraro et al. 2007). The different approaches to global climate policy are usually classified as two overall climate policy approaches: “top-down” and “bottom-up” approaches. These two rough categories are often attributed to the EU versus the US approach to climate change.

Probably the most comprehensive academic efforts with this focus have been undertaken by the Harvard Project on International Climate Agreements (Aldy and Stavins 2010a) which proposes alternative approaches to the existing Kyoto Protocol’s top-down “targets-and-timetables” approach (Egenhofer and Georgiev 2009 p. 4). For the purpose of this study it is important to be aware of the fact that different actors in the international arena seek to combat global warming with comparatively different approaches. This does not only comprise the form of international climate agreements but also the means for climate change mitigation. In contrast to the above-mentioned research, this thesis does not seek to contribute to the debate about which approach can be assessed the most effective or successful one. It shall rather shed light on the special EU approach and why it evolved as it did, in order to understand the ongoing dynamics of international climate architectures and the associated mechanisms of negotiations.

## 1.2 Research Problem

Compared to other countries or regions, the EU indeed has its very specific view on the global climate policy architecture and the design of multilateral climate agreements. It has a tradition of targets and timetables, prefers legally binding agreements and strives for ambitious reduction commitments. During the history of international cooperation to fight climate change, the EU has sought to take a leading role pushing the negotiations towards “a comprehensive, ambitious, fair and science-based global agreement that is legally binding” (CEC 2010b).

Against this background, this thesis seeks to shed light on the development of the EU’s position on international climate agreements and seeks to explain this view with factors rooted in the internal structure of the EU. Thus, the study will be guided by the following research question:

*How do the internal dynamics and institutional settings of the European Union explain its approach to international climate agreements?*

The answer will be compiled in a two-step analysis. The first step is to identify the EU’s approach by finding specific patterns in the formulation of the EU’s position on international climate negotiations. The second step is to discover the possible causes for the EU’s position. The underlying hypothesis is that the institutional and ideational complexities of the European Union’s structure define its position on international climate agreements. Thus, the main part of the analysis makes use of theoretical insights from institutional perspectives on the EU integration proc-

ess. Given its domestic and international activity, the EU provides an interesting case in which multiple causes interact on different levels. The aim is to identify the main driving factors in the EU internal structure that determine its external behaviour in global climate policy.

A better understanding of the EU and international climate agreements is also relevant because it addresses such an important topic. Global warming will have drastic impacts on individuals, societies and states in the future (Harris 2007a p. 4). This is one reason why the issue of global climate change ranks high on the EU's political agenda and continues to be a focal point of foreign as well as internal policy for the European Union (Lacasta et al. 2007 p. 211, Wurzel 2008 p. 82).

Because of its severe implications it is indispensable to gain knowledge about how key actors intend to deal with the climate change problem. Moreover, the EU constitutes an interesting case since it is a major emitter of greenhouse gases (GHGs), a key actor in international climate policies, and represents to some extent a micro-cosmos of the international climate negotiations (Skjærseth and Wettestad 2010 p. 314). In addition, an enhanced understanding of the EU's approach to climate change is also crucial as it says much about how Europeans see the world and what they would like to see done with it (Schmidt 2008 p. 94). Finally, the climate change problem – due to its global nature – calls for international co-operation and thus creates a need for understanding the design of climate policy architectures that can effectively address these global challenges (Aldy and Stavins 2007 p. 5).

Although the academic debates on the EU leadership role are outside of the analytical focus of this thesis, at several points this study still makes use of these insights. Especially with regard to the ongoing debates on the types of agreements that will follow the expiration of the Kyoto Protocol in 2012, one cannot avoid discussions about EU ambitions to take a leading role (Damro et al. 2008 p. 181). The fact that the EU was marginalised at the COP15 negotiations indicates a need for understanding the reasons that form the basis of EU behaviour in climate policy (Curtin 2010 p. 1). Many observers demand a re-evaluation of the EU approach in order to match its rhetoric of leadership on climate protection with real influence. Therefore it is essential to identify the factors that explain the EU's view prior to discussing possible modifications. By analysing these factors, the study may also give general indications about the prospective developments of EU policy-making in the area of climate change.

### 1.3 Analytical Guidelines

The analytical perspective of this study is based on *institutions*, *interests* and *ideas*. The thesis focuses on the institutional and ideational dimensions of the EU in formulating a common position on the architecture of international climate agreements. To analyse the development of this EU approach, the theoretical argument of this thesis is that the EU's view on international climate agreements is

best understood as a result of inner EU factors that comprise institutional considerations, interest-based arguments and ideational explanations.

This thesis asserts that the conditions for the formulation of the EU's position can be conceived by tracking a number of historical institutional developments that have occurred at EU level. While these changes have created opportunities for the EU to engage in multilateral climate change politics, the internal dynamics have also increased internal policy-making complexity which in turn affects the development of a specific EU approach to international agreements (Damro et al. 2008 p. 181). Hence the study of the institutional framework facilitates a better understanding of these factors and provides a basis for further evaluation of the EU position on international climate negotiations.

To explain the emergence of the EU approach, the study adopts institutional perspectives assuming that both formal and informal institutions have a determining effect on the formulation of the EU position and thus indirectly influence the EU's capacity to act in the international arena (Groenleer and Van Schaik p. 973). To use institutionalist approaches to EU environmental or climate policy is nothing new, but the focus usually lies on the internal policy-making and policy analysis (Zito 2005). This paper rather seeks to link the external with the internal perspective by exploring the source of EU's position through internal institutional factors. The variety of factors that might explain this view requires an adaptation of the different aspects of institutionalist approaches – recognising that various institutionalist theorists admit that a combination of different strands of new institutionalism can be fruitful (Hall and Taylor 1996, Aspinwall and Schneider 2000, Jupille et al. 2003, March and Olsen 2004).

The study proceeds in six parts and is structured as follows. After this introduction, the next section provides a brief empirical account of the evolution of climate policy, the aim being to identify the constitutive elements of the EU's approach. Chapter 3 lays down the theoretical foundations of the study and elaborates on the methodological guidelines. Thereafter, Chapter 4 deals with the architectures of international climate agreements and covers the first part of the analysis by providing a detailed assessment of the EU's view. Chapter 5 comprises the central part of the analysis which develops explanations for the EU model on multilateral climate agreements. The study will be completed by concluding remarks in Chapter 6.

## 2 Climate Policy – A Brief Background

### 2.1 The Global Answer to Climate Change

Climate protection is often described as a “public good” (Curtin 2010 p.1) or the “ultimate global-commons problem” (Aldy and Stavins 2010b pp. 1f) which means that it poses questions for collective action. Its causes, effects and potential solutions transcend state boundaries and thereby create a special need for international cooperation (Betsill 2005 p. 103).

Thus, the nature of climate change requires a global-cooperative answer since there are few incentives for unilateral mitigation (Kernohan and De Cian 2007 p. 75). One reason for this is that damages in the atmosphere are completely independent of the location of emissions’ sources as the GHG mix uniformly in the upper atmosphere (Aldy and Stavins 2010b pp. 1f). Other characteristics which climate change also shares with other environmental issues are scientific uncertainty, public ambivalence, significant lag effects between policy intervention and environmental outcomes and inter-generational asymmetries. Moreover, it is highly cross-sectoral including that it cuts across international borders, intensifying existing tensions between richer and poorer states (Jordan et al. 2010b p. 4). Hence, to effectively address the problem of climate change, a multinational response is required. In this context, the greatest challenge lies in designing an international policy architecture that can guide such efforts. This study adopts the definition of Aldy and Stavins and uses the term “international policy architecture” to refer to the “basic nature and structure of an international agreement or other multilateral (or bilateral) climate regime” (Aldy and Stavins 2010b pp. 1f). This comprises both the content and the form of international climate agreements.

While international climate agreements face many similar complications with other international agreements – in particular other multilateral environmental agreements – Carraro identifies a number of peculiarities that make a climate agreement notably demanding. Firstly, as already stated above, the problem is global by nature. Secondly, it has a long-term orientation. Thirdly, there is no narrowly defined technological solution available. Fourthly, GHG emissions and their reductions fundamentally affect all economic activities including agriculture, transport, manufacturing and services, and by extension human lifestyles. Fifthly, the climate change problem is surrounded by pervasive uncertainty. While there is a global consensus that the knowledge is comprehensive enough to justify action,

there is disagreement on almost every other aspect, notably the rate of climate change, the necessary level of stabilisation of concentrations, impacts and their probabilities, mitigation and adaptation costs, and even on the causes of climate change. Sixthly, combating climate change is an urgent problem while at the same time demanding long timescales, accompanied by the fact that changes, if they occur, most likely will be non-linear and irreversible. And lastly, there is no global institutional framework able to deal with the many complexities associated with climate change (Carraro et al. 2007 pp. 1f).

Arising from these characteristics, the main political strategies currently being used by governments can be also divided into seven broad categories. (1) efforts to reach global agreements; (2) reports and targets; (3) climate policies on which all major relevant actors can agree; (4) incremental policy changes; (5) taking advantage of weather-related natural conditions; (6) framing climate policies in terms of other desired policy objectives; and (7) in terms of policy instruments, a focus on information provision, technological fixes, renewable energy, energy efficiency, voluntary agreements, and, in some countries emission trading and carbon/energy taxes (Compston and Bailey 2008b p. 268). Assembling these items together, each with a specific occurrence adds up to an individual policy mix in every country which depends on the specific domestic conditions of individual states and the variety of public actors involved in the political processes (Damro and MacKenzie 2008 p. 74).

Although all of the above-mentioned aspects of addressing climate change have an influence on EU climate policy, the emphasis of this study lies on the examination of the EU view on multilateral climate agreements. Thus, the object of analysis will be the agreements negotiated under the United Nations framework since these are the most important and most visible international initiatives, and they constitute the current climate policy architecture (Damro et al. 2008 pp. 184f, Aldy and Stavins 2007 pp. 1f). The term “international climate negotiations” or likewise “multilateral climate agreements” in this study denotes the negotiations that are conducted under the United Nations Framework Convention on Climate Change. The UNFCCC, initiated in 1992, provided the arena for the subsequent negotiations that occur as the regular, so-called Conferences of the Parties. It created a global policy architecture which can be described by four main features: a general long-term environmental goal, a near-term environmental goal with specific quantitative targets, considerations of equity and preference for cost-effective implementation (Aldy and Stavins 2007 p. 6). Milestones of UNFCCC negotiations include the Berlin Mandate, the Marrakesh Accords the Bali Roadmap and first and foremost the Kyoto Protocol, signed in 1997, which constitutes the most important international agreement on climate change (Groenleer and Van Schaik 2007 p. 983). It establishes emission commitments for industrialised countries for the 2008-2012 timeframe, the so-called first commitment period (Helm 2008 p. 212). As the Protocol expires in 2012, the world’s current focus is on negotiating a new agreement for the post-Kyoto period.

It is important to know about the international institutional frameworks since Europe’s action on global warming has always taken place within the milieu of international negotiations and has subsequently grown in intensity (Harris 2007a p.

10, Davenport 2008 p. 48). Moreover, the international initiatives proved to be springboards for an active and dynamic EU policy-making on climate change which will be examined within the next section.

## 2.2 The EU's External and Internal Climate Policy

The EU's climate policy developed in parallel and in close interaction with the multilateral regime-building process described above. Therefore it is nearly impossible to comprehend its international position without some appreciation of the development of its internal climate strategy (Yamin 2000 p. 48). Accordingly, the next part briefly outlines the main features and achievements in the history of the EU climate policy where these have impacts for its international activity. This is especially interesting for a system that is usually described as an "entity in its own right", but which includes a wide range of political actors. Thus, the term "EU climate policy" in fact refers to a combination of policies and measures decided and implemented by the supranational institutions of the EU and by national (and, in some cases also sub-national) institutions in the 27 member states. Climate policy in the EU is a typical case of what is referred to as multi-level governance and involves a complex distribution of powers and responsibilities between the EU and the member states (IEEP and NRDC 2008 p. 8).

Besides the implications from the international level, EU climate policy emerged on the basis of its experiences in environmental policy (Damro et al. 2008 p. 182). In fact, it originated as part of the Union's external environmental policy in the early 1990s (IEEP and NRDC 2008 p. 9). Today, the EU has established some of the strongest and most innovative environmental protection measures in the world and has increasingly taken initiatives on international environmental issues. Some scholars even hold that environmental protection in principle now enjoys equal importance as economic development in EU policy-making (Axelrod et al. 2005 p. 200).

The EU's extensive authority in environmental policy is especially noteworthy given that environmental policy was not included in the Treaties until the Single European Act in 1986 (Zito 2005 p. 366). Traditionally, the EU was based on economic cooperation through the liberalisation of trade. However, it has developed an expansive range of policies and institutions directed to the protection of the environment (Benson and Jordan 2010 p. 358). The Maastricht Treaty additionally granted the EU competence to conclude environmental agreements, and the Amsterdam Treaty subsequently drew new policy principles – such as sustainable development and precaution – into the founding Treaties (Damro et al. 2008 p. 183). The legal underpinnings of environmental policy have essentially been settled by the late 1990s since the Nice and Lisbon Treaties were for the most part lacking new environmental content (Benson and Jordan 2010 pp. 362f). Nevertheless, one major change can be identified related to the Lisbon Treaty. EU environmental policy will be charged with the objective of "promoting measures at international level to deal with regional or worldwide environmental problems, and

in particular combating climate change” (Article 191 (1) TFEU<sup>3</sup>). Although not providing a new legal power per se, this provision has been regarded as giving the EU and in particular the European Commission an even clearer mandate to participate in international climate change discussions and demonstrate greater leadership by the Union (Benson and Jordan 2008 p. 280).

This brief overview shows that the EU has constantly built the legal and political capacity to play a significant role in international environmental policy-making as well as to determine domestic legislation (Damro and MacKenzie 2008 p. 66). Through this process, environmental concerns have shifted from being a marginal aspect of the European integration process to one that regularly attracts attention and also receives strong political support from the European citizens (Benson and Jordan 2010 p. 358). Within this development, climate policy can be regarded as a driving force whose importance has transformed environmental issues from the periphery to the core (Helm 2009 p. 222). EU climate policy was initiated in the 1980s but especially gained momentum after the adoption of the Kyoto Protocol in 1997 and the Marrakech Accords in 2001 (Damro and Méndez 2005 p. 260). In this context, the 2003 EU Emissions Trading Directive (2003/87/EC) forms the centrepiece of the EU’s new climate policy based on the European Climate Change Programme (ECCP), which was launched by the European Commission in 2000 (Oberthür and Kelly 2008 p. 40).

Concerning the external representation of the European Union in climate policy there are three main actors involved. Firstly, the Council of Ministers (particularly for the Environment) is the supreme body deciding on substantial negotiating guidelines, the adoption of the results and any implementing European legislation. Secondly, the rotating Council Presidency has significant influence on the priority of issues on the internal agenda. Thirdly, the European Commission represents the Community in the framework of international regimes, initiates internal implementing legislation and also monitors its implementation (Oberthür 2000 p. 99). Although the European Parliament (EP) has no say in the external positioning of the European Union towards international climate change agreements it is an important player with regard to the internal EU climate policy-making and the implementation process. Due to the fact that this often means the implementation of commitments from the global level the EP is nevertheless linked to EU foreign climate policy.

When multilateral negotiations on climate change started in the UN, the EU member states decided to participate in these negotiations as a single block on the basis of a common position. Thus the EU became one of the main actors in the global negotiations, even though, at the time the UNFCCC was signed, it had not yet adopted any internal legislation to deal with climate change. Its common position was based on a political consensus between the member states and an aggregation of their emerging national policies (IEEP and NRDC 2008 p. 9). Today, climate change as part of the environment chapter of the current EU Treaty is an area where the EU’s legal competence is based on “shared (or mixed) compe-

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<sup>3</sup> Treaty on the Functioning of the European Union

tence” (Damro et al. 2008 p. 183). This means that both the European Community (represented by the European Commission) and the individual member states take part in international climate negotiations. Accordingly, the implementation involves the competencies of both the Community and the member states, and both are signatories to the agreements (Sbragia 2005 p. 206). In this context, the European Court of Justice (ECJ) has been an important actor in deciding the division of competence between the EU and its member states in cases of dispute and has, through its rulings, generally influenced the interpretation of the distribution of competence (Oberthür 2000 p. 99).

In an area of mixed competence such as climate change, the need for close coordination between the Community and its member states to ensure that they speak with one voice is evident. The member states and the European Commission indeed coordinate their strategy for international negotiations closely. The half-yearly rotating Presidency of the EU is the main representative of the EU flanked by the next (incoming) Presidency and the European Commission. It forms the so-called “troika”, which conducts the most important negotiations for the EU. The Presidency and the troika operate with a relatively strict mandate from the Environment Council of Ministers (Van Schaik and Egenhofer 2005 p. 2). This “dual representation” thus incorporates both the “supranational” and the “intergovernmental” character in the Community’s external face (Sbragia 2005 p. 210).

A successful coordination facilitates that the various actors largely act jointly and are often recognised as one unitary actor (Van Schaik 2010 p. 251, Delreux 2009a p. 190). Yet this view has often been questioned and the relative strength of the respective actors has been interpreted differently. For the purpose of this thesis it is important to be aware of the fact that shared competence challenges achieving unity in external climate policy due to the EU’s nature as a multiple actor. However, the EU will mainly be regarded as one actor negotiating on the basis of a common consensus. This common position consists of statements of all three respective actors, notably Council conclusions, Presidency conclusions as well as Commission communications.

This chapter has shown that both the external positioning of the EU and the internal developments in climate policy determine the way the EU views multilateral climate agreements and thus are important building blocks to understand the factors that drive the EU’s approach. The next section will establish the methodological foundations and theoretical assumptions that will enable to study these factors in more detail.

# 3 Methodology and Research Design

## 3.1 Case Study Method

The empirical analysis of the EU's position on international climate agreements is designed as a qualitative case study. This implies that the emphasis lies on the understanding, discovery and interpretation of the dynamics present within single settings (Eisenhardt 1989 p. 534). A case study design is particularly useful when seeking a better understanding of the dynamics of political outcomes. As the aim of the thesis is to explain and create deeper understanding of one case, a qualitative case study design is most appropriate, despite some known limitations of this method (Reischl 2009 p. 21).

As Yin states, “the design is the logic sequence that connects the empirical data to a study's initial research questions and, ultimately, to its conclusions” (Yin 2003 p. 20). To put it simply, the research design is a “logical plan for getting from here to there, where here may be defined as the initial set of questions to be answered, and there is some set of conclusions (answers)” (Yin 2003 p. 20). Covering the elementary components of a research design will in effect require the construction of some preliminary theoretical assumptions related to the topic of study (Yin 2003 p. 28). The formulation of an initial theory thus requires the formulation of initial hypotheses as a vital starting point for the analysis.

Hence, the central hypothesis of this thesis is that the institutional framework and the inner workings of the EU machinery explain its position in international climate negotiations and its view on climate agreements. Although the different factors that will be identified can be labelled as independent variables, they should rather be seen as critical operating conditions for the analysis (Zito 2000 p.9). To be more precise, *institutions*, *interests* and *ideas* are regarded as providing the context for the EU to develop its position in international climate policy. In addition, the dependent variable of the analysis focuses on EU climate policy outcomes related to international negotiations. In this complex set of variables, this thesis seeks to identify the possible causes – having in mind that case studies in general remain much stronger at assessing whether and how a variable matters to the outcome than at assessing how much it matters (George and Bennett 2005 p. 25).

Primarily, this thesis has explanatory ambition and in pursuing this ambition it uses explanations derived from institutionalist approaches to European integration. Therefore, the approach of this paper can be seen as an attempt to map the field of explanatory factors and possible causes of EU climate policy in order to

gain a better understanding of the EU's view on international climate agreements. Thus, the purpose is rather theory-developing than theory-testing.

In general, case studies are a preferred research strategy when “how” and/or “why” questions are being posed, since they are explanatory by nature. This comprises situations in which the investigator has little control over events, and when the focus is on a contemporary phenomenon within some real-life context (Yin 2003 p. 1). This is especially true for the European Union and the research question at hand which focuses on the circumstances and dynamics under which the EU position on climate agreements is developed. According to George and Bennett, this is a common approach for case study research as “case study researchers are more interested in finding the conditions under which specified outcomes occur, and the mechanisms through which they occur, rather than uncovering the frequency with which those conditions and their outcomes arise” (George and Bennett 2005 p. 31). It is also in accordance with the theoretical concept that is applied. The traditional methodology of institutionalist approaches in EU integration studies has been empirical and case-study oriented (Aspinwall and Schneider 2000 p. 24).

The empirical foundations of this study are based on a combination of primary and secondary sources, in terms of political texts, documents, and previous research. In order to identify the EU position on international climate architecture, the empirical focus is on the EU's officially stated view on international climate agreements, namely within the context of the important UN climate negotiations in Kyoto and Copenhagen. The analysis of these two conferences in the history of climate negotiations will show that the EU has a rather stable attitude towards the design – both the format and the content – of international climate agreements over time. In doing so, the study will primarily focus on the official EU's position which is formulated in the Council conclusions and constitutes a relatively strict mandate for all EU actors that have influence in the negotiation process (Van Schaik and Egenhofer 2005 p. 2). This includes both the choice of policy instruments and the prevailing rhetoric. However, this does not mean that the role of the Presidency or the Commission in preparing the official negotiation position of the EU is completely disregarded.

Methodologically, this common position will be identified through a qualitative text analysis of the Council conclusions, Presidency conclusions as well as Commission communications. These political texts are a fundamental source of information about the policies, preferences, and positions of the political actors (Benoit et al. 2009 p. 495). They are the concrete by-product of strategic political activity and have a widely recognised potential to reveal important information about the policy positions of their authors (Laver et al. 2003 p. 311). At this point, it is important to admit that the statements and records of the EU are taken as authentic, assuming the EU to be honest in its statements of intent (Baker 2006 p. 78). Nevertheless it is vital to critically consider the quality of any document that is used for the analysis (Scott 1990 p. 6)<sup>4</sup>. It is assumed that the EU documents

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<sup>4</sup> See Scott 1990 for an enumeration of crucial criteria to assess the quality of documents.

fulfil these requirements sufficiently. However, this empirical investigation comes with a methodological risk. As Baker states, often a gap exists between declaratory intent and actual practice. While the EU may declare itself to be guided by particular norms and principles, these may be undermined by actions derived from a wider set of pragmatic considerations. Furthermore, the gap between intent and outcome may change across time, policy issues, within different institutional contexts, or within different negotiations settings (Baker 2006 p. 78). This reasoning acknowledges the fact that documents are not just a simple representation of facts or reality. The author, i.e. the institutions, produces them for some practical purpose and for some form of use which also includes a definition of who is meant to have access to them. The documents should therefore always be regarded as a means for communication (Flick 2006 p. 248).

A prime advantage of case study research is that it provides a distinct descriptive richness of the studied phenomenon. Moreover, case studies are quite precise in their explanation of unique events. However, they suffer from the defect that the very detail may weaken the ability to distinguish the importance of causal variables (Aspinwall and Schneider 2000 p. 24). Other scholars describe case study method as a “trade-off among the goals of attaining theoretical parsimony, establishing explanatory richness, and keeping the number of cases to be studied manageable” (George and Bennett 2005 p. 31). The latter is of course less fundamental for this thesis as it comprises a single-case study. The single-case design is an appropriate design under several circumstances. Yin identifies five rationales for using this research method: The critical case; the extreme or unique case; the revelatory case; the longitudinal case; the representative or a typical case. This study can be assessed as the representative or typical case since the objective is to capture the circumstances and conditions of an everyday or commonplace situation (Yin 2003 p. 42f). Within the EU machinery, the climate policy is a good case that represents a typical “project” – i.e. policy – among many other policies of the EU. Thus the lessons learned from this case are assumed to be informative for other cases, for example the position and behaviour of the EU in other international agreements.

Despite the many advantages of case study methods, criticisms about case studies – especially about single-case studies – are usually concerned with the uniqueness or artificial condition surrounding the case (Yin 2003 p. 54). One of the greatest shortcomings that is frequently mentioned is the lack of precision in case study research. A second common concern about case studies is that they do not permit valid scientific generalisations (Aspinwall and Schneider 2000 p. 24). This criticism can be countered with the argument that the aim of a case study is to expand and generalise theories (analytical generalisation) and not to enumerate frequencies (statistical generalisation) (Yin 2003 p. 10). However, it is definitely fruitful to use the preliminary construct arrived at from a first case to confront it with another case that may suggest ways of amending and improving the construct and achieve better case interpretation. This helps enabling to use the findings of a single-case study more expansively (Eckstein 2000 p. 137).

## 3.2 Theoretical Foundations: Institutions, Interests, and Ideas

The underlying theoretical framework that will guide the empirical analysis is based on *institutions*, *interests* and *ideas*. It is assumed that the factors that influence the EU position on climate change can be classified into these three categories. The categories can be traced back to the three strands of new institutionalism and will enable the study to give a broad picture of potential explanations to the EU's view on climate change agreements. Of course all factors are intertwined and related to each other but with the help of the theoretical framework it will be possible to identify, structure and eventually assess them.

In general, this thesis offers a perspective on the role of institutional structures in the formulation of EU climate policy and their impact on policy processes and outcomes. This is consistent with the basic premise of neo-institutionalist approaches which states that “institutions affect outcomes” (Aspinwall and Schneider 2000 p. 3). The analysis is based on the understanding that institutions encompass both formal organisational structures and informal rules and norms that influence actors' behaviour. In other words, “the institutional framework shapes the flow of ideas, the construction of interests, the nature of power relations and the form of interaction between (competing) actors/interests” (Lenschow and Zito 1998 p. 419).

Since the EU is heavily institutionalised, it is important to define the level of analysis. The EU possesses both a distinctive set of supranational institutions and a number of intergovernmental bodies (Rosamond 2010 p. 109). Without necessarily embracing all the assumptions and arguments of the multi-level governance approach, this study does acknowledge that important elements of the process occur across various levels of the EU (Zito 2000 p. 14). Nevertheless, the thesis' focus is on the intergovernmental and supranational level, namely with the policy processes of the Council and the Commission which determine the EU's position in climate negotiations. This does not mean that the analysis will completely ignore the fact that eventually the member states influence and formulate the Council position, but the study will rather concentrate on the result of these negotiations – i.e. the Council conclusions. The same applies to the European Parliament which will not be completely absent from the analysis but which has no competence in the formulation of the EU position. However, the role of the European Parliament in the interplay of the institutions and its attempt to be one of the “greenest” EU institutions will be of importance. The fact that multiple actors are present throughout the policy process is an important argument not to use state-centric approaches as they are for example less capable to explain the strong role of the European Commission in EU climate policy.

Although there has been a great amount of studies on the relative power of institutional actors, examinations of the complexities of bargaining between actors from different levels, and evaluations of the role that norms and socialisation play in the process of European integration, no common understanding of European in-

stitutions has been achieved (Aspinwall and Schneider 2000 p. 2). It is still conventional to distinguish three different varieties of institutionalism: rational choice institutionalism, historical institutionalism and sociological institutionalism (Thelen 1999 p. 369). These three schools will provide the overall structure for the analysis.

*Institutions* constitute the first category of the analysis and will lean on assumptions derived from historical institutionalist approaches. Within this strand of institutionalism institutions are seen as “relatively persistent features of the historical landscape and one of the central factors pushing historical developments along a set of ‘paths’” (Hall and Taylor 1996 p. 941). Whereas rational choice theorists tend to view institutions in terms of their coordinating functions, historical institutionalists see institutions as the legacy of concrete historical processes (Thelen 1999 p. 382). Therefore the analysis of factors that fall under this category will comprise treaty obligations as well as institutional principles that govern the policy process such as regulation as a mode of governance and the precautionary principle. The hypothesis is that these principles, once laid down in the treaties, now govern the policy-making of the EU. This assumption is theoretically motivated by historical institutionalist assumptions that stress the role of prior commitments and institutional stickiness in the process of European integration.

Within this strand European integration is seen as a cumulative process, where prior decisions form a basis upon which new decisions are made (Aspinwall and Schneider 2000 p. 18). This thought is also reflected in the concept of “feedback effects” which is widely used by historical institutionalist theorists. It states that once a set of institutions is in place, actors will adapt their behaviour and their strategies in ways that not only reflect but also reinforce the “logic of the system” (Thelen 1999 p. 392). This also means that actors will try to embed their own values and ideas in the institutional apparatus in a way that these frame perceptions and choices to the future (Lenschow and Zito 1998 p. 420).

Scholars using this approach “typically seek to locate institutions in a causal chain that accommodates a role for other factors, notably socioeconomic development and the diffusion of ideas” (Hall and Taylor 1996 p. 942). Moreover, they are especially concerned with the integration of institutional analysis and the contribution that other factors – for example norms and beliefs – can make to political outcomes (Hall and Taylor 1996 p. 938). In contrast to rational approaches which are more concerned with preferences and consciousness of rules, the historical institutionalists often include ideas in the analysis. Whether or not ideas serve as disguises for individual preferences is less interesting to historical institutionalists than the fact that ideas serve as mobilising forces for collective action to create or change institutions (Sanders 2006 p. 42). In this context, it is also important to note how historical institutionalists define the role of actors. They do not deny that actors might seek to maximise their interests (Pierson 1998 p. 30) just as they acknowledge the role of ideas and principles in shaping actors’ preferences.

*Interests*, the second category, labels factors that are inspired by rational institutionalist thinking. Rational choice institutionalism generally uses, in comparison

with the other strands of neo-institutionalism, a rather narrow definition of institutions. Within the rationalist approach to European integration, institutions are formal and informal rules that regulate and shape human interactions (Aspinwall and Schneider 2000 p. 10). Rationalists see institutions mainly as “long-lived equilibrium patterns of rational behaviour and thus realized outcomes in a strategic game that society plays” (Aspinwall and Schneider 2000 p. 4).

Rational choice research on the EU builds on the assumption that actors on all relevant decision-making levels behave strategically to reach their preferred outcome (Hall and Taylor 1996 pp. 944f). Thus, actors are seen as utility-maximisers who are able to rank their priorities in accordance with fixed, exogenous preferences. Actors are therefore also conceived as more independent of context (Aspinwall and Schneider 2000 p. 10). This theoretical approach can be very fruitful when analysing the interplay of different actors in climate policy and especially the role of the European Commission. Interest-based institutionalist approaches are especially strong in explaining why some actors are very eager to engage in climate policy by assuming that they are trying to maximise their competences. Thus the main hypothesis following from this perspective is that the actor’s strive to expand their competences determines how the EU formulates its vision of the global climate architecture.

The third category, called *ideas*, subsumes all factors that are related to norms, values and beliefs. In this context, explanations are mostly inspired by what is called sociological/constructivist or normative institutionalism. Scholars of this approach argue that “political institutions influence actors’ behaviour by shaping their values, norms, interests, identities and beliefs” (Lowndes 2002 p. 95). In contrast to rational choice or historical institutionalism, sociological institutionalists do not define institutions as the product of strategic bargaining or historical evolution. Instead, institutions have ideas built into them, which then influence actors’ behaviour. Within the analysis of EU climate policy, values such as solidarity and the commitment to multilateralism will be detected as being important cornerstones that guide EU behaviour.

Sociological institutionalism is a strand of literature that is closely linked to the constructivist “turn” in international and European studies (Rosamond 2010 p. 112). Both share assumptions about how social facts as norms and culture construct the interests and identities of actors. Following their ontological orientation, these interests and identities are not primarily built on a strategic choice but rather on dynamic processes of persuasion or social learning (Jupille et al. 2003 p. 15).

From the sociological institutionalists’ perspective institutions influence actors’ behaviour not by indicating what one should do but also by specifying what one can imagine oneself doing in a given context (Hall and Taylor 1996 p. 948). In addition to that, sociological approaches assume that some solutions are inherently more likely to emerge because actors believe that others prefer them too. These beliefs are based not on rational calculations about strategic interests but rather in expectations that are likely to be functions of culture, past practices, existing institutions and organisational routines (Garrett and Weingast 1993 p. 183). This does not mean that sociological institutionalism completely denies that indi-

viduals behave purposively, goal-oriented or rationally. It is rather assumed that actors' perceptions about what is feasible, legitimate, possible, and desirable are shaped both by the institutional environment in which actors find themselves and by existing policy paradigms and world-views. Therefore strategic conduct is conceptualised and ultimately assessed through such cognitive filters (Hay 2006 p. 65). However, sociological institutionalists emphasise that what an individual will see as "rational action" is itself socially constituted (Hall and Taylor 1996 p. 949). In this regard, the thesis seeks to make use of sociological approaches as the analysis seeks to show that norms and ideas are important as they can provide the "focal points" that allow rational actors to converge on one among many possible equilibria (Hall and Taylor 1996 p. 956). Moreover, other findings showing that ideas and principles matter for policy, even when actors behave rationally to achieve their ends will be included by using arguments that state that ideas, once institutionalised, continue to guide the action of all relevant actors (Goldstein and Keohane 1993 p. 5).

This thesis will focus on the declared values and principles underlying EU climate change policy which can be found in policy statements and documents. Baker gives useful explanations of how values and principles are interconnected: "Values are organising concepts that give meaning to our world. These values become principles once they become translated into general norms that govern behaviour" (Baker 2006 p. 78). Therefore a central hypothesis of the analysis will be that values and principles affect outcomes when they become embedded in political institutions. Another aspect why ideas can be a very interesting lens for analysing EU climate policy is the fact that actors, in situations where they do not know with certainty the consequences of their actions, rely on the expected effects of their actions. Especially under conditions of uncertainty, expectations depend on ideas and institutional arrangements for authoritative decision-making. They help to provide actors with strategies and determine which of many means will be used to reach desired goals (Goldstein and Keohane 1993 p. 14). This is notably interesting in climate policy where political action highly depends on scientific knowledge about future developments and consequences. When this scientific certainty is absent, ideas come into play.

On the one hand, each of these three schools represents a comprehensive literature characterised by immense internal diversities. Thus, it is often very difficult to draw hard and fast lines between them (Thelen 1999 p. 370). On the other hand, it reveals that there are important areas of agreement between the three approaches. Aspinwall and Schneider therefore suggest that it would be "more appropriate to think of them not as discrete conceptual categories but as points along a continuum, or as independent nodes with areas of commonality" (Aspinwall and Schneider 2000 p. 3). Each of the three approaches has some aspects in common with the two others which allows for convergence in certain respects.

Therefore it can be very fruitful to borrow or adapt some of the insights from each of them since each of these literatures reveals related but autonomous dimensions of the effects of institutions (Hall and Taylor 1996 p. 955). This idea of a greater interchange between the three institutionalisms is not uncommon. Various

scholars have shown that analyses can profit from borrowing and mutual inspiration (Thelen 1999 p. 371). Thus, a fruitful dialogue between the different approaches considers that each theory can explain some sub-set of empirical reality, so that, for example, utility-maximising and strategic bargaining prevail in certain circumstances, while socialisation and norms dominate in others (Pollack 2005 p. 24). In other words, “[t]he fact that we observe both strategic or calculative and persuasive or other-regarding behavior in the process of European integration encourages us to capture these facts in our theories” (Jupille et al. 2003 p. 16).

## 4 Architectures of International Climate Agreements

As illustrated in Chapter 2, climate change is a global problem and its nature calls for multilateral action. Although there is broad acceptance for global action, states have different perceptions on the design of an international agreement. This chapter contributes to the analysis by examining different architectures of climate agreements. For this purpose the following two sections focus on different climate architectures and the differences between the EU and the US – which are two of the key actors in global climate policy – so that in the subsequent empirical section on the EU approach it can be shown that the EU has a distinct way of dealing with climate change issues.

### 4.1 “Top-down” versus “Bottom-up”

The results of the COP 15 conference in 2009 in Copenhagen clearly demonstrated the different viewpoints and it became evident that the different global players promote diverging approaches to international cooperation and coordination of climate policy (Carraro et al. 2007 p. 1). The official purpose of the conference was to complete negotiations on a new international agreement on climate change to come into force when the Kyoto Protocol’s first commitment period will end in 2012. What is striking is that the outcomes are generally seen in a more favourable light in the US than in Europe. This difference can be, at least to some extent, explained by the very different expectations and perspectives on both sides of the Atlantic (Egenhofer and Georgiev 2009 p. 1).

The Copenhagen Accord – the essential outcome of the negotiations – recognises the political will to act urgently and restates the overall target to hold the increase in global temperature below 2° Celsius (UNFCCC 2010 p. 5). Despite these very general statements the document does not impose actual and verifiable obligations or binding emissions targets in particular which many participants, especially Europeans, had hoped for. In fact, the EU lost the initiative to such an extent that the whole approach to the architecture of the proposed agreement has moved decisively in a direction away from the one proposed by Denmark which had the lead for the EU member states (Curtin 2010 p. 5). This outcome is also described as a significant shift in the architecture of international climate agreements. The Copenhagen Accord does not follow a “top-down” – or Kyoto-style “targets and timetable” approach. It rather opens up for developing “bottom-up” models (Egenhofer and Georgiev 2009 p. 4).

These two categories are often attributed to the EU and the US approach to climate change and various scholars have addressed them theoretically in order to categorise the different views. Probably the most comprehensive academic efforts with this focus have been undertaken by the Harvard Project on International Climate Agreements (Aldy and Stavins 2010). Therefore, this thesis mostly relies on their theoretical framework and incorporates findings from other studies where they contribute to a fuller picture.

The basic questions that all potential architectures are bound to concern both the form and the content of future international climate agreements: What form should the next international agreement take? Should it build on the existing Kyoto Protocol policy architecture or develop a new policy infrastructure? How can it stimulate more substantial emission reductions while ensuring that society benefits at the best? How can it facilitate adaptation to a climate that is already changing? How can it stimulate technological innovation? How can it promote broader participation and ensure effective compliance? (Aldy and Stavins 2008 p. 8). Indeed all approaches seek to address these questions but the emphasis varies considerably, each encompassing a rich variety of detailed instruments

The broadest categorisation divides different climate strategies into two overall climate approaches. The first approach, which is referred to as “top-down”, describes architectures in which climate policy targets are usually negotiated in an international arena for all participating countries. Proponents of the top-down approach believe that setting binding country-level reduction targets is necessary for achieving long-term quantitative goals, such as stabilisation of atmospheric concentrations of greenhouse gases. This style of policy also explicitly delineates the goals for various countries and can aim to differentiate efforts across classes of countries. It can also be expanded to specify the types of actions, such as various policies and measures to mitigate emissions for participating countries (Aldy and Stavins 2008 p. 12).

The second approach, labelled as “bottom-up”, implies that international climate policy evolves by adding up climate policies independently at a lower level, usually country levels, each considered independently in the beginning (Buchner and Carraro 2007 p. 30). Best-known bottom-up approaches include coordinated sector-specific domestic policies, combination of instruments, different graduation concepts, and orchestras of treaties (Carraro et al. 2007 p. 5). Advocates for this approach for example propose to break the problem up by relying on separate agreements which would address different gases and sectors. This is in contrast to the Kyoto approach which treats all aspects at the same time – in this regard Kyoto helps ensure cost-effectiveness but that also results in the situation that enforcement is only as effective as the agreement’s weakest individual component (Barrett 2008 pp. 257f.).

Aldy and Stavins further develop these two broad categories with the formulation of a three-fold model for potential future policy architectures. The first category which is described as “targets and timetables” applies top-down measures whereas the two others, namely “harmonised domestic actions” and “coordinated and unilateral policies” constitute examples of bottom-up approaches (Aldy and Stavins 2007 p. 16). The “targets and timetables” approach is the most familiar.

At its heart is a centralised international agreement, top-down in form. This is the architecture underlying the Kyoto Protocol: essentially country level quantitative emission targets established over specified time frames (Aldy and Stavins 2010b p. 8). Hence, proposals following this approach for the post-2012 phase would maintain the international emission trading and clean development project institutions that have received broad support in Europe and developing countries (Aldy and Stavins 2008 p. 10). The second category of “harmonized domestic actions” focuses more on national policy actions than on goals and is less centralised than the first set of approaches. In this view, countries agree on similar domestic policies (Aldy and Stavins 2010b p. 9). It is argued that because national governments maintain their sovereignty when they establish international institutions, the design of policy architectures should focus on national and/or regional institutions which shall provide robust incentives for participation and compliance (Aldy and Stavins 2008 p. 11). Thirdly, “coordinated and unilateral policies” include the least centralised approaches – essentially bottom-up policies that rely on domestic politics to drive incentives for participation and compliance (Aldy and Stavins 2010b pp. 9f). These bottom-up architectures could eventually evolve into a more cohesive international architecture, as countries gain more experience with their domestic efforts and understanding of other countries’ activities (Aldy and Stavins 2008 p. 11).

Obviously, each of these approaches to climate policy has its strengths and weaknesses, but for the purpose of this thesis it is sufficient to understand the major differences rather than trying to assess which approach is the most appropriate to combat climate change. However, the categorisation will help to grasp the different positions of two prominent actors in international climate policy, namely the EU and the United States.

## 4.2 The Transatlantic Divide

While the European Union is often considered as an outstanding advocate for a “top-down agreement”, the US rather takes a “bottom-up” perspective. Both have opposite views on what constitutes the optimal post-2012 international climate policy architecture which comprises positions on the appropriate set of policies, institutions and patterns of international cooperation to combat global climate change (Bäckstrand and Stripple 2009 p. 1). In order to gain knowledge about the question whether the EU has a unique model of approaching climate change and to advance insights into the EU model this section focuses on major differences between the EU and the US where it has impacts on their view on international climate agreements.

Through the complexities of nearly two decades of climate negotiations, it is possible to discern some continuing points of contention. Observers identify the transatlantic divergence on the certainty of scientific prediction and the urgency of the problem as elementary divergences (Vogler and Bretherton 2006 p. 15, Adelle and Withana 2010 p. 329). Others see substantial disagreements regarding the se-

riousness with which the climate change threat is perceived (Schreurs 2004 p. 209). This in turn relates to differences over the need for targets and timetables for emissions reduction and the associated costs of compliance, particularly with regard to the future contribution by developing countries.

In terms of regime construction, the EU has shown continuing support for quantified and binding emission reductions. This pattern was established early on in the history of international climate talks as the Europeans pressed for binding commitments for developing countries to reduce their emissions to 1990 levels by 2000 (Vogler and Bretherton 2006 p. 16). In this context, the assessment of the Kyoto Protocol is central to the transatlantic divide. While the EU strongly supports the Kyoto Protocol as a model for a successor treaty, the United States had rejected it (Adelle and Withana 2010 p. 309). The US argues that the Kyoto approach is ineffective, unrealistic and ultimately failed in delivering emission reductions, as well as ensuring participation from key emitters (Bäckstrand and Stripple 2009 p. 1). The American position was opposed to binding commitments to reduce carbon dioxide emissions to a specific level by a specific date (Sbragia 2005 p. 215).

Nonetheless, the US can be seen as one of the principal architects of the 1997 Kyoto Protocol, particularly in the design of new institutional procedures, for example market-based flexibility mechanisms (Bäckstrand and Stripple 2009 p. 2). This is especially noteworthy since these mechanisms geared the implementation of the EU emission trading scheme which turned out to become the flagship of EU climate policy. The EU has long made objections against the use of emission trading in climate policy suspecting that trading would provide a cheap way for the US and other countries to “buy” themselves out of their obligations. However, the EU eventually accepted the inclusion of emission trading in the protocol to obtain what it perceived to be meaningful emission targets from countries such as the US and the Russian Federation (Woerdman 2004 pp. 261f). It also became apparent during the negotiations that the US could not accept a binding emission target without flexibility, and the EU insisted on binding targets (Skjærseth and Wettestad 2010 p. 317). In this respect, the Kyoto Protocol can be seen as a “genuine compromise in the sense that the EU got their number and the US got their institutions” (Andresen and Agrawala 2002 p. 47).

Having this in mind, it is no surprise that the views on the optimal future climate policy architecture also differ significantly on both sides of the Atlantic. Within the EU’s view, a post 2012 successor climate regime should follow the Kyoto approach tightened through more ambitious targets for industrialised countries. In contrast, the US argues for a “fragmented bottom-up” architecture building on voluntary “pledge and review” by major emitting countries in order to take varying national backgrounds into consideration (Bäckstrand and Stripple 2009 p. 1, Alessi et al. 2010 pp. 2f).<sup>5</sup>

Taking all the above mentioned aspects together, it becomes evident that the EU and US promote opposing positions on the ideal climate policy architecture.

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<sup>5</sup> For a more detailed comparison see Bäckstrand/Stripple 2009.

This is rather surprising as they also share some common understandings, for example about the need to develop and disseminate alternative energy technologies (Vogler and Bretherton 2006 p. 15). Furthermore, they often have similar economic concerns which might suggest that they would also develop similar answers to the threat of global warming. The reasons that this still cannot be observed can be traced back to differences in the political cultures of the EU and US and the ability of different actor constellations to influence the policy process (Schreurs 2004 p. 209, IEEP and NRDC 2008 p. 52). Other observers assume that this is rooted in diverging principles that have an impact on the political process in the EU and the United States (Lucarelli 2006 p. 7) or important differences in problem perceptions, visions and interests of the two parties (Steurer 2003 p. 354).

To discover the internal principles that guide EU behaviour in climate policy will be the central purpose of the analysis in the following chapter. Yet the EU's approach will be examined first by looking at how the EU itself articulates its position.

### 4.3 “Targets and Timetables” – Defining the EU's Approach

The first step of the empirical analysis is the conceptualisation of the EU view on international climate policy architecture. In order to identify this specific EU approach, the empirical focus is on the EU's officially stated view on international climate agreements, namely the UN climate talks at Kyoto (1997) and Copenhagen (2009). The analysis of these two cornerstones of international climate negotiations will show that the EU has a rather stable attitude towards the design of international climate agreements over time. By analysing the data, it appears that at least five particular characteristics are constantly applied within the EU approach: With regard to both form and content, the EU promotes *legally binding* and *fair multilateral* agreements, establishing *ambitious long-term targets* which allow the EU to *lead by example*.

In the run-up to the Copenhagen conference in December 2009, the EU made clear that it considered the negotiations to be a historic opportunity for the international community to respond collectively to the challenge of climate change. In its negotiation position, adopted on 30 October in the European Council, it is noted that “all Parties must devote themselves fully to reaching a global, comprehensive, ambitious and politically binding Copenhagen Agreement” (European Council 2009 p. 12).

Accordingly, a single *legally binding* instrument is regarded as “the best basis for enhancing the implementation and ensuring consistency in the application of the international climate regime post-2012” (Council of the European Union 2009a p. 23). In their Council Conclusions, the member states affirm their commitment to an international agreement “that builds on the Kyoto Protocol and in-

corporates all its essentials” (Council of the European Union 2009a p. 23). This shows the continuance of the EU’s position towards the Kyoto negotiations in 1997.<sup>6</sup> At that time, the Council also stressed “the need for a protocol or another legal instrument to be adopted at the third Conference of the Parties in Kyoto” (Council of the European Union 1997d p. 5). This document should be effective by “including legally binding policies and measures as well as on quantified legally binding objectives for emission limitations and significant overall reductions within specified time-frames” (Council of the European Union 1997e p. 2).

The same applies to the EU’s commitment to a *fair-minded* agreement that should allocate the costs and burden of climate mitigation appropriately with regard to the responsibilities and abilities of each party of the negotiations (Council of the European Union 2009b p. 4). As the EU Environment Council states, “[t]he EU is ready to take its fair share of the global effort by setting an ambitious mitigation target, allowing for offsets and providing its fair share of public support” (Council of the European Union 2009b p. 5). Especially with regard to finance aspects the EU holds that the “adequate, predictable and timely financial support for implementation of a Copenhagen agreement is crucial and that the EU is prepared to take on its fair share, in the framework of a global and comprehensive Copenhagen agreement which entails appropriate and adequate contributions by Parties” (Council of the European Union 2009a p. 19).

The EU’s unilateral offer to move to 30% reduction by 2020 compared to 1990 is a good example for its attitude towards fairness as it was formulated as a conditional offer. The EU would implement these commitments “provided that other developed countries commit themselves to comparable emission reductions and that developing countries contribute adequately according to their responsibilities and respective capabilities” (Council of the European Union 2009b p. 4). Already in Kyoto the EU had underlined that it expected other industrialised countries to come forward with comparable proposals for emission reduction (Council of the European Union 1997d p. 6). What is new is the EU’s ambition to also include emerging economies (like India and China) into the emission reduction efforts, taking account of the fact that these countries will be big emitters in the future while at the same time shall have the right to develop first.

In its view towards financial aspects, the EU believes that “developing countries will require substantially higher funding from the developed world and multilateral institutions to help them shoulder their contribution to addressing climate change” (CEC 2009a p. 1). But also with regard to its internal framework, the EU promotes a strong notion of fairness. During Kyoto the EU came up with the idea of promoting an overall emission reduction target for the Union that would be subdivided by an internal burden sharing agreement (Council of the European Union 1997f p. 2). This differentiated approach should ensure that the contributions made by the member states would reflect fairness and transparency and take into

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<sup>6</sup> The EU position is stated in three Council conclusions (Council of the European Union 1997a, Council of the European Union 1997b, Council of the European Union 1997c) these are specified in further related documents.

account national circumstances and is now accepted as the general approach of the EU. Thus, it was also used during the following negotiations (Council of the European Union 2007 p. 5).

Another recurrent item of the EU's approach is the ambition to include *long-term targets* with *fixed timetables* in the agreements. Since Kyoto, the EU pushes for the 2° goal which states that global average temperatures should not exceed 2 degrees Celsius above pre-industrial level "which calls for early action on emission reduction and indicates the need for significant reductions from industrialised countries in the 2000-2020 time-frame" (Council of the European Union 1997e p. 3). The EU argues that this objective is based on scientific knowledge and that the "targets were agreed because of their environmental necessity and on the basis of studies showing that the targets are technically and economically feasible using in the main currently available technologies and practices" (CEC 1997 p. 2). This objective is also central in the formulation of the EU negotiations' position for Copenhagen (European Council 2009 p. 12). As the European Commission notes, "[t]he EU should aim to ensure that the Copenhagen agreement lays the basis for a long-term international framework that raises overall ambition and increases contributions from both developed and developing countries, guided by scientific knowledge" (CEC 2009b p. 12).

This leads to the EU's aim of an agreement stipulating *ambitious* emission reductions which goes hand in hand with the EU's ambition to *take a lead* in global climate policy. The EU sees itself at the "forefront" of efforts to fight climate change which results from its own ambitious targets (European Council 2009 p. 12). As the EU phrases it, "[t]he EU and all its Member States have shown leadership in the fight against climate change by living up to their commitments (...)" (CEC 2004 p. 23). In the view of the EU its ambitions are widely recognised and debated: "Reactions have varied widely from positive recognition of an ambitious policy to over sceptical questioning of the technical, economic or political feasibility of the targets and in some cases outright opposition" (Bjerregaard 1997 p. 4). To show its leadership ambitions, the EU frequently points to its domestic achievements which shall show the way for other countries: "EU domestic action has shown that it is possible to reduce GHG emissions without jeopardising economic growth and that the necessary technologies and policy instruments already exist. The EU will continue to take domestic action to fight climate change. This will allow the EU to show the way in the international negotiations" (CEC 2007 p. 5). On this account the EU claims that it has set an example by its commitment to a 20% reduction in its emissions compared to 1990 levels by 2020 which constitutes the most ambitious commitment made by any country or group of countries for the post-2012 period (CEC 2009b p. 4). In order to lead by example, the EU is willing to go further and sign up to a 30% reduction target, as mentioned above, in the context of an ambitious and comprehensive international agreement (CEC 2010c p. 2).

Despite its ambitions to be a frontrunner in combating climate change, the EU leaves no doubt that it "can only achieve its climate change objectives by pursuing an international agreement" (CEC 2007 p. 5). Thus, a *multilateral* answer will be needed. The Swedish Council Presidency stated in its conclusions: "Just weeks

away from the Copenhagen Conference, the European Union is more than ever fully determined to play a leading role and contribute to reaching a global, ambitious and comprehensive agreement. All parties to the negotiation need to inject new momentum into the process and the pace of the negotiations must be stepped up” (Council of the European Union 2009b p. 3).

Altogether it becomes evident that the EU advances a particular approach towards international climate agreements. This chapter has shown that, compared to other key players on the global stage, e.g. the US, the EU has developed a distinct position which asks for an ambitious agreement including binding targets and timetables. In consideration of both the EU’s position to the Kyoto and Copenhagen negotiations it appears that the EU follows a rather stable approach to the form and substance of international climate agreements which is depicted in the following statement of the Council of the European Union:

“The Copenhagen agreement needs to include provisions on the 2°C objective, ambitious emission reduction commitments by developed countries, appropriate mitigation action by developing countries, adaptation, technology and a deal on financing, as outlined below. The European Council emphasises the need for a legally binding agreement for the period starting 1 January 2013 that builds on the Kyoto Protocol and incorporates all its essentials. The European Council also recognises that all countries, including those not presently bound by the Kyoto Protocol, should take immediate action” (Council of the European Union 2009b p. 3).

The next chapter seeks to shed light on possible factors that determine the development of the EU’s position. In doing so, connections between the internal institutional framework of the EU and the above mentioned characteristics in its external view on climate agreements will be identified.

# 5 Explaining the EU's Approach

## 5.1 Institutions

The analysis in the following chapter identifies how the evolution and the current dimensions of climate policy are embedded in the EU institutional framework. The underlying assumption of the first part of the analysis is that “history matters because the constant reproduction of events is encoded in the formal and informal features of governance, which in turn shape subsequent choices” (Jordan et al. 2010c p. 45). Moreover, institutions, whether they are formal or informal, are assumed to have an independent causal role in decision-making. Thus, institutions regulate the opportunities for future decisions by constraining actor's behaviour.

### 5.1.1 Treaty Obligations

The main argument for looking at the treaty obligations as one of the explaining factors of the EU's position towards climate change agreements is that understanding its behaviour requires considering the institutional foundations of this entity that evolved historically through the development of common policies and treaties (Harris 2007c p. 377). The founding Treaties of the European Union define the roles of the various institutions as well as the ways in which they are supposed to interact (Rosamond 2010 p. 109).

One of the most important characteristics of EU's external role in climate policy is the fact that it is an area of shared competence between the supranational (EU) and the national (member states) level. This institutional obligation demands close cooperation between the Community and its member states to ensure a strong negotiation position for the EU (Oberthür and Kelly 2008 p. 38). It is also stated in the treaties that the Commission holds primary responsibility for proposing new policies while the European Council and the Council of Ministers give the broad strategic guidance (Damro and MacKenzie 2008 p. 66).

A second obligation derives from the fact that the treaties also set out broad values and principles to which the EU and its member states are committed. These include for example a commitment to integrate sustainability into all policy areas (Vogler and Bretherton p. 10). These commitments are always subject to a continuous change and with every treaty reform, existing governance principles are adjusted and new guiding procedures are included. The commitment to sustainable development for example has been established with the 1997 Amsterdam

treaty (Benson and Jordan 2008 p. 282). What is interesting about this principle is that the orientation towards sustainability in EU policy-making entails that the EU strives for rather long-term emission reduction targets as they seem to provide the opportunity for sustainable climate policy (Gupta and Ringius 2001 p. 292). This shows that the way the EU formulates its view on international climate agreements is heavily determined by its legal foundations.

In addition, not only primary law laid down in the treaties but also secondary law, notably ECJ case law and the “informal *acquis communautaire*” (including policy programs, commitments and precedents establishing a policy status quo) provide the EU’s climate policy structure which is continuously widening and deepening (Lenschow and Zito 1998 p. 424). Many EU governance principles have once been informally established before they became formally institutionalised. For example the series of Environmental Action Programs (EAP) have introduced a set of environmental policy principles including the following: precaution, prevention of harm, control of pollution at its source, polluter pays, subsidiarity, and the integration of environmental considerations in sectoral policies (Lenschow and Zito 1998 p. 424). These principles have later been established within the institutional framework of the EU. For example, the polluter pays principle, the precautionary and the preventive principles were all incorporated into the Treaties through the Single European Act (Baker 2006 p. 83).

Another important characteristic of EU climate policy has also grown historically. The EU’s attempt of setting targets is reflected in many policy proposals and has turned out to be a fundamental feature of its governance approach (Helm 2009 p. 236). One current example is the 2007 EU initiative to reduce emissions by 20% by 2020, while expressing willingness to commit to 30% reductions if a multilateral successor regime to Kyoto can be negotiated (CEC 2008a). The history of setting targets seems to be one of the preferred institutional forms of the EU to deal with climate change policy. By the continuous choice of certain governance approaches the EU shapes its future policy options. That is what Pierson describes with the concept of “increasing returns” which indicates that actors have an obvious incentive to stick with what they have already invested on, rather than to head for new directions (Pierson 2000 p.252). Consequently, policies and institutions tend to be “sticky” in the sense that they persist long after they were designed as optimal responses to problems (Jordan et al. 2010b p. 46).

### 5.1.2 Regulation and Harmonisation

The above described phenomenon leads to another important feature of EU’s approach towards climate change agreements which is the role of regulation and harmonisation within the EU governance concept. They are described as the “traditional EU environmental policy devices” (Damro and Méndez 2003 p. 86). This means that much of what the EU has done in climate change policy can be subsumed under a regulating mode of governance. This is especially interesting with regard to the observation that EU interactions at international level are assumed to

be the external reflection of its internal approach to regulation and industrial adjustment (Wallace 2005 p. 81).

In general, the process of European integration has shown that the EU arena seems to be especially amenable to a regulatory mode of policy-making. The strength of the European legal process and the machinery for promoting technical cooperation were some factors that encouraged this (Wallace 2005 p. 81). Probably this is the main reason why the EU tried to develop its climate policy on the basis of regulatory policies. In terms of EU environmental policy this was largely based on product and process regulation. Also setting numerical targets appeared to fit the EU's traditionally regulatory approach to governing (Jordan and Rayner 2010 p. 65). Therefore EU climate change policy was largely based upon regulatory emissions limitations, technical standards and incentives to use environmentally sound technology. This is relevant as the Commission often stuck to this principle although it recognised the inadequacy of regulatory instruments to deal with emissions problems. This was certainly due to the fact that the EU was lacking competence in crucial areas, for example in fiscal and energy policy. Nevertheless, subsequent policy initiatives acknowledge the limitations of a purely regulatory approach to tackle the climate change problem (Damro and Méndez 2005 p. 261-265).

The fact that the EU relied more on command and control regulation than on market-based instruments was equally reflected in the Kyoto negotiations (Oberthür and Tänzler 2007 p. 264). This moment is especially interesting as it can be regarded as a modification in the position of its approach. With the initiation of the EU ETS the emphasis changed noticeably from regulation to market-based instruments (Damro et al. 2008 p. 185). From the beginnings of the Kyoto negotiations, the European Union opposed the idea of emission trading. For the EU, a final agreement at Kyoto was only acceptable if it included assurances for sustainable development through regulatory approaches to binding targets and fixed timetables. This emphasis created scepticism towards new flexible mechanisms, in particular the market-based emission trading system (Damro and Méndez 2005 p. 264). Most EU institutions, member states, environmental organisations and business federations were opposed, or at least highly sceptical, to emission trading at this point. Even though some of this scepticism can be traced back to negotiations tactics rooted in the different positions of the EU and the USA, Europe had little knowledge about and no experience with emission trading as a policy instrument in environmental policy (Skjærseth and Wettestad 2010 p. 315). While years of political effort had been expended on rejecting and limiting emission trading, within the ongoing debates, it turned out that the EU more and more welcomed the idea of a cap and trade system (Woerdman 2004 pp. 262f). Today, a well-functioning carbon market is essential to the EU's approach to climate mitigation and became a vital part of its strategy (CEC 2010a p. 11).

One reason for this change in the EU position can certainly be found in the failed proposal for a common EU carbon tax which would have served the approach of harmonisation. This measure would have shifted taxation power towards the EU and thus required a unanimous Council decision. In the end the proposal failed due to the resistance of various member states on economic or na-

tional sovereignty grounds. Thus, the Commission began promoting carbon trading as it recognised that it was impossible to convince all member states to agree to the tax (Damro and MacKenzie 2008 p. 67 and 73). Nevertheless, in the recent past one could observe renewed attempts for a EU wide carbon tax. Member states like France or Italy renewed calls for a “climate tax” (European Voice 2010a). Moreover, Connie Hedegaard, the European Commissioner for Climate Action, also urges EU leaders to extend the Union's policies to tackle climate change. The Commissions’ proposal, which is scheduled for discussion at the meeting of EU leaders on 17-18 June 2010, therefore includes plans for imposing a carbon tax (European Voice 2010b).

For the first phase, when the Union found it more convenient to try to extend its traditional regulatory approach than to change the traditional common and co-operated policies by which climate change policy had been instituted (Damro and Méndez 2003 p. 86), the historical institutionalism can give strong arguments as it is good in explaining stability. But even for the new phase and the associated changes, historical institutionalist provides instructive insights. Damro and Méndez, for example argue that the EU’s eventual support for emission trading seems to be based on bounded rationality: “Emissions trading provides the needed flexibility for EU climate change policy and, by opting for a common proposal, the Commission seems to be trying to avoid harmonisation issues that would harm the internal market” (Damro and Méndez 2005 p. 270). In this sense, the acceptance and subsequent introduction of the EU ETS was in effect the introduction of an instrument to deal with already established policy objectives. The emission trading scheme did match the goals that had guided EU climate policy, such as the striving for stringent emissions reductions, the protection of the Internal Market and the wish for EU leadership (Damro and Méndez 2003 p. 88).

Concerning the common market, a major threat for the EU institutions was the risk of dealing with a patchwork of incompatible national trading schemes. This was perceived as potentially harming the overarching goals of harmonisation and thus seen as a means for protecting the internal market. Consequently, the Commission realised that it had to act quickly in the development of a coordinated EU-wide scheme with common rules in order to ensure a level playing field and to avoid market fragmentation (Christiansen and Wettestad 2003 p. 7). This was definitely in line with the traditional rationale of EU environmental activity that aimed at protecting the common market from national environmental legislation that would act as (non-tariff) trade barriers (Zito 2005 p. 367). This behaviour of the involved actors directly point to strategic considerations in the EU’s approach to climate policy.

## 5.2 Interests

Taking up aspects of strategic behaviour, the next part sheds light on the role of interests and preferences within the EU climate policy-making. In doing so, it is assumed that all 27 member states as well as the various EU institutions have their

own interests and strategies on climate change (Damro and MacKenzie 2008 p. 77). This institutional complexity often makes it difficult to identify individual actors. The following section therefore seeks to work out the different roles of the Commission, the Council and the European Parliament with regard to their influence on international climate change agreements. This analysis requires a clear definition of how to deal with collective actors.

Much rational choice work treats collective actors as if they were individuals, even though this can pose problems of translating multiple individual preferences and choices into collective ones (Jupille et al. 2003 p. 12). However, since this thesis has less ambition to explain the interest formation within the institutions but rather seeks to explain the interplay of their interests it is adequate to generally treat the Commission, the Council and the European Parliament as unitary actors. Additionally, this study rather adopts a “soft rational-choice” approach in which rational actors may be self-interested or altruistic and may seek a variety of goals in contrast to conceptions of rationality in which actors are assumed to be narrowly self-interested (Pollack 2007 p. 33).

### 5.2.1 Competing Leadership

A central argument within the interest-based lens towards EU climate policy is concerned with the interplay of the various institutions and the influence of their constellation. In trying to explain the wish of the EU to be an ambitious leader in global climate change policy, the conclusion can be drawn that the competition among the institutions creates an arena in which each of them tries to position itself at the forefront of an ambitious European Union. This competing leadership has been described with the concept of “competitive multi-level reinforcement” (Schreurs and Tiberghien 2007 p. 22). Within this view the complex system of EU governance has not created multiple veto points, as other rationalist studies assume, but rather generates numerous points where leadership has been initiated (Schreurs and Tiberghien 2007 p. 25). One reason for that is the EU’s relatively open and pluralistic governance structure. This means that there are various actors and interest groups that have numerous opportunities to find favourable institutional actors and access points. Moreover, it is more likely to find a coalition of actors with sufficient motivation and opportunities to lead others towards a higher level of ambition.

The EU leadership efforts are therefore considered to be the result of a dynamic competitive process among the different EU political poles within the EU governance arena. First and foremost, this comprises the actions of the member states, the leadership roles played by the European Commission and also by the EP. The above mentioned institutional condition – climate policy being an area of mixed competence – enables a virtuous cycle of competing leadership since the different actors cannot act autonomously. In addition, in areas where the competences are never quite clear – for example regarding the practice of mixed representation – the question of responsibility enables the actors to compete for competences (Lenschow 2005 p. 323). Moreover, the fact that on environmental issues

most of the decisions in the Council are taken by qualified majority additionally provides opportunities of competing leadership for different member states (Schreurs and Tiberghien 2007 pp. 24f). Although the Council is an arena which would be tremendously interesting to study this would be beyond the scope of this thesis. Hence, the Council is rather been examined as a single body than as 27 different member states.

However, not only the strategic fight for competences, but also the efforts for a strong public support for EU climate policy reinforced this competition among the institutions. This is especially the case for the European Parliament which is the only EU body which is directly elected by the citizens. Although the EP has not a say in the external positioning of the European Union towards international climate change agreements it can be seen as one piece of the puzzle that explains the European Union's aiming for a global leadership role in combating climate change. Nevertheless also the Commission and the member states depend on a positive citizen's commitment for a strong European Union. In general, the EP has gained much power over the years and was able to acquire new competences, for example in terms of significant new legislative powers including a conditional right to set the Councils' agenda with the consent of the Commission (Pollack 2003a p. 262). Within this process, the EP picked climate change as a strategic issue through which it could gain more legitimacy and power proportional to the Council and the Commission since it has traditionally been regarded as the "greenest" of the three main policy-making institutions (Schreurs and Tiberghien 2007 p. 35).

Nevertheless, the EP as the "voice of the people" is almost entirely absent in the actual negotiation process. This limited influence of the European Parliament therefore leads us to have a closer look at the role of the European Commission because this institution is involved in the whole cycle of policy-making, from the right of initiative, to the negotiations and the implementation of common policies. Furthermore, observers assert that in recent years there has been an increase in the transfer of national competence to EU institutions in the environmental policy area (Dahl 2000 p. 205). The amount of climate measures also marks this major shift in emphasis and competence from the member states to the European level. This delegation of competences to the EU, including an emerging EU energy policy, causes considerable impacts on member states and on the daily life of European citizens. This expansion of internal competence of the Community will therefore likely affect the external EU competences in climate policy (Oberthür and Kelly 2008 p. 42).

### 5.2.2 The Special Role of the European Commission

As indicated above, the European Commission plays a prominent role in determining the EU's view on climate change agreements. The Commission is a powerful actor throughout the whole policy cycle. Although it is not the EU lead negotiator, the Commission indeed has a special role. Its influence is based on several institutional elements: the right of initiative with regard to the Community

policies, its permanent position in the troika and its role as official EC representative. Moreover, its knowledge is essential for EU credibility at international level. This knowledge is based on expertise and positions on almost all issues that are discussed on the Council. Due to these factors, the informal role of the Commission is considered to be even more influential than its formal competence (Groenleer and Van Schaik 2007 p. 987, 990).

To understand the reasons why the Commission was able to increase both its influence and its international reach in climate policy it is necessary to consider the circumstances which enabled this process (Sbragia 2005 p. 219). Hence, the central assumption is that the institutional actors seek to fulfil their organisational mandate while expanding their scope of action with respect to others actors in the system (Zito 2000 p. 23). In this sense, the European Commission is considered to be a “competence-maximizer” who seeks to increase both its own competences and more generally the competences of the European Union (Pollack 2003b p. 35). Though, the interplay between the different actors does not mean that actors’ behaviour depends on other actors in the system. They rather include knowledge about others in their strategies to maximise their own influence. Take for example the constant conflict between the Commission and the member states over the internal allocation of responsibilities. The Commission was only able to play a prominent role because the Council consistently agrees to have the Community play an important international role in the environmental arena (Lenschow 2005 p. 323). Whether this is rooted in the own interest of the member states (Schreurs and Tiberghien 2007 p. 39) or – as other rationalists would argue – this is an example of an agent’s ability for discretion (Aspinwall and Schneider 2000 pp. 17f) or not is less important. More essential is the fact that the Commission can, with the knowledge about the preferences of the member states, try to maximise its own relevance.

A central strategy of the Commission is to use the right of initiative and agenda-setting as one source of influence. Obviously, this power is far from unlimited since the Commission has to consider the preferences of the member states in order to get its proposal passed. However, the Commission still has some room for manoeuvre. It has for example its own particular strategies for the design of proposals, namely a strong emphasis on scientific evidence in proposals, widespread stakeholder consultation and deliberately overambitious proposals that will be negotiated down in the Council (Damro and MacKenzie 2008 p. 79). As the Council started to act more coherently across a wider range of climate-related issues, the Commission effortlessly could bring its policies on the table and get them adopted (Jordan and Rayner 2010 p. 68). But not only had the increasing willingness of the member states to coordinate their positions and to act collectively strengthened the role of the Commission. Also the rulings of the European Court of Justice have actively constructed European competence in climate policy, for example by legitimising the external role of the Commission (Sbragia 2005 p. 219).

Secondly, the Commission has used climate policy as a means to push EU integration forward and thus empower the Commission with new regulatory tools and monitoring powers. Within the process of developing common EU climate

policies, the Commission more and more believed that leading in global climate change policy would enable the EU to achieve many other goals, such as advancing technological innovation, increasing energy security and creating jobs (Jordan et al. 2010b p. 10).

Finally, the Commission has used climate change to build the EU's foreign identity (Schreurs and Tiberghien 2007 pp. 33f). Hence, climate change provides not only an opportunity to demonstrate the relevance of the European Commission but also to take forward its own foreign policy role (Helm 2009 p. 223). As the member states became active in negotiating and signing multilateral environmental agreements, the Commission began to fear that differences in national implementation measures would lead to disparities which would hamper the proper functioning of the Common Market project (Sbragia 2005 p. 204). So, the Commission successfully linked competence over environmental policy with its competence in trade policy by arguing that implementation of international environmental agreements could affect EU competitiveness. Consequently, during the 1970s, the EU became party to a number of multilateral environment agreements (Damro et al. 2008 p. 182). The EU role in combating climate change was therefore frequently put forward as an example of how a united Europe can make a difference. This is in line with the overall goal of the Commission to respond to the public opinion with policy outcomes, thereby showing its relevance (Schreurs and Tiberghien 2007 pp. 33f). Therefore the Commission sought to push on ambitious climate policies since a majority of the European citizens considers climate as a highly important policy area where the EU should act strongly (Eurobarometer 2007 and 2009).

A strong role of the Commission – i.e. a strong Community – should show that only through further integration and cooperation would European countries be able to encounter the challenges of climate change. Related to that is the Commission's striving for further advancing its energy policy agenda through climate policy proposals (Adelle et al. 2009 p. 57). Intensified discussions on the security of future energy supplies to Europe have lent strong support to the development of stringent climate policies. Against the background that various member states are highly dependent on energy imports and therefore supported initiatives by the Commission to include energy issues into the climate policy agenda, the resulting energy security agenda has significantly reinforced the climate agenda, especially regarding policies aimed at increasing energy efficiency and the use of alternative sources of energy (Kelly et al. 2010 pp. 14f).

Another example for the strategic behaviour of the European Commission can be found in the period after the Kyoto negotiations. It can be assumed that the suggestion of a common carbon/energy tax was based on its traditional desire to expand EU competence (Haigh 1996 p. 164). Since the Commission was still quarrelling with the common carbon tax debacle, it began trying to act more tactically (Jordan et al. 2010b p. 10). Thus, the Commission waited for a window of opportunity allowing to push for stronger EU powers. To stimulate this process, it deepened the dialogue with a range of civil society groups. This enabled the Commission to react promptly with new policies within the continuing process and proved to be the initial spark for a much more active and dynamic period of

EU policy-making after 2000 and, eventually, the gradual Europeanisation of national climate policy (Jordan et al. 2010b p. 10). An alternative explanation to the events above is that the European Commission changed its position and acted as an “entrepreneurial leader” by initiating the EU ETS. The notion of entrepreneurial leadership rests on the assumption that actors often have incomplete and imperfect information and vague preferences. Typically, actors enter a cooperative process by discovering, inventing and exploring both their own interests and possible solutions. Thus, the reasons why the Commission initiated the EU ETS can be found in a combination of motivation and ability compared to the member states. There was a need for a new climate policy instrument after the failure of the EU carbon tax which was met by the Commissions’ proposals. In the end the EU ETS turned out to be a success for the European Commission as it established a system largely in line with the Commissions’ original intentions (Skjærseth and Wettstad 2010 p. 31-320).

In this connection, the international climate change agreements are particularly important because the Commission seeks to expand its competence through international agreement on policies and measures (Gupta and Ringius 2001 p. 288). Since the Commission is present both in preparing the position for international climate negotiations as well as in the internal EU implementation of measures after agreements are reached, this provides it with a further means for extending its competences. This is especially interesting having in mind that the guidelines for internal policy-making are often set on the international level. Consequentially the Commission, in order to maximise its influence, favours “top-down” approaches at the international level. From a top-down perspective, the clarity of goals and the administrative strength of policy instruments are considered to be important requirements. This serves the traditional regulatory policy-making method of the EU which calls for a strong role of the Commission. Within the “top-down” view, the EU is considered a multi-level system with the institutions of the EU as the “top” and the member states as the “bottom” (Jordan et al. 2010c p. 35).

All in all, with its structure as a multi-levelled system of governance, the EU remains a system in which actors will always exert various degrees of influence depending on the particular context and respective institutional frameworks. The influence of interests on international climate agreements can be summarised by the following two main findings. First, the competing role of the different EU institutions creates the basis for the EU attempt to act as a leader in global climate policy. This results in the promoting of ambitious targets on the international level as well as on the EU level. Secondly, the fact that the European Commission is such a strong player in EU policy has considerable implications for the EU’s position in international negotiations. The Commissions’ strive for more competence – including advancing its own role as supranational actor as well as more “Europeaness” in general – determine the EU externally calling for “top-down” international climate agreements.

## 5.3 Ideas

In contrast to interest-based approaches, ideational perspectives highlight the importance of values and norms within the policy-making process. Hence, the following section puts emphasis on the normative dimensions of EU climate policy in order to draw a fuller picture of the formation of the EU approach. In this context, the roles of communication, argument and persuasion are seen as particularly important (Rosamond 2010 p. 113). Within the ideational lens, actors' interests and preferences are formed by the social context and thus construct their identity. Consequently, a normative institutional lens requires the exploration of the political and social context as this system shapes how values and principles are realised in political actions (Baker 2006 p. 79). In doing so, this section seeks to understand the effects of these values and how they are translated into political action rather than focusing on the source of these ideas and how they evolve.

In analysing the EU position on climate change from an ideational approach it becomes evident that not all values that seem to play an important role in EU decision-making are unique to the EU and other values than those mentioned in this thesis may also be present. Nonetheless, certain values appear to have a relatively higher influence and thus are of special interest to this study. This is especially true for cases in which particular EU interpretation of these values have been translated into guiding principles of EU policy (Lucarelli and Manners 2006 p. 202). Thus, the basic argument of the ideational lens is that ideas that guide the internal policy-making of the EU have an impact on the formulation of the EU's perception on global climate policy. Again, this does not mean that such ideas are genuine to the EU. But they have definitely been utilised by the Union and found their ways into EU negotiating texts (Vogler 2005 p. 843).

Some of the basic elements of the EU's internal policy development – the “polluter pays” or the precautionary principle – have gained influence in various policy areas. The latter's overarching purpose is the avoidance of risk. Applied to the environment the precautionary principle holds that when preliminary but not conclusive scientific evidence indicates that human activities might be causing serious harm, society should take appropriate steps to prevent that harm from occurring (Christoforou 2004 pp. 19f). This idea is reflected in the European political culture towards climate change and could account for the EU's struggle for strict emission targets based on scientific evidence since these are considered to prevent humans from further harm. As the Commission noted in its approach to the Kyoto negotiations “[t]he scientific evidence for climate change (...) indicates that unacceptable social, economic and ecological impacts could occur in the coming decades. This calls for a precautionary approach” (CEC 1997 p. 3). Therefore some scholars even assess this development as an increasingly distinctive EU approach to global issues based on the institutionalisation of risk (Schmidt 2008 pp. 85f).

### 5.3.1 Legitimacy

An important value that is often linked to the analysis of EU climate policy concerns questions of legitimacy and credibility. The main argument points to a normative vision of the EU which means that its elites seek to increase public support for EU integration through their global policy-making actions. Since public concern about the environment has been relatively stable for decades, the EU is likely to use this source of legitimacy. Overall, this might continue to support the development of both external and internal climate policies (Oberthür and Kelly 2008 p. 44).

Therefore it is worthwhile to focus on the concept of legitimacy and its impact on EU climate policy. In general, legitimacy is a crucial item of sociological and constructivist approaches which helps to subordinate functional debates and rather focuses on the idea that the pursuit leads to patterned behaviour (Aspinwall and Schneider 2000 pp. 8f). As Risse notes, “actors who can legitimately claim authoritative knowledge or moral authority (or both) should be more able to convince a sceptical audience than actors who are suspected of promoting ‘private’ interests” (Risse 2000 p. 22). This is in line with the underlying assumption of sociological perspectives that actors do not have fixed preferences but build on their perception of reality to take decisions. Closely connected is the idea that actors whose interests are consistent with an existent norm may also utilise the norm to provide “cheap legitimacy” to their preferred policies (Schimmelfennig 2001 p. 63). Schimmelfennig phrased this strategic use of norm-based arguments “rhetorical action” – and which changes the structure of bargaining power in favour of those actors that possess and pursue preferences in line with the standard of legitimacy (Schimmelfennig 2001 p. 63).

As already mentioned, environmental policy and likewise climate policy enjoy a stable backing by the European citizens. A 2007 Eurobarometer poll showed that 89% of Europeans support the EU in taking “urgent action” to reduce GHG emissions (Eurobarometer 2007). This is based on the fact that almost half of the Europeans consider that climate change is the second most serious problem facing the world today (Eurobarometer 2009 p. 86) and that it is a problem which we can do something about it. Although 31% of Europeans believe that climate change is an unstoppable process, the majority (62%) disagrees with the idea that we cannot do anything to stop it (Eurobarometer 2009 p. 86). This is especially interesting as the polls show that the majority is convinced that global warming is an issue that should be dealt with at the European level (Eurobarometer 2007 p. 161). Moreover, 55% feel that the EU is not doing enough (Eurobarometer 2009 p. 21). Lastly, nearly two-thirds of respondents believe that fighting climate change can have a positive impact on the European economy, providing support for the drive to create green jobs and greener industries (Eurobarometer 2009 p. 86). Some scholars argue that this was possible only because scientists and policy entrepreneurs effectively framed climate change as a man-made phenomenon that had the potential for catastrophic environmental effects which had to be stopped rather than merely adjusted to. Therefore it was possible to portray climate change as providing potential benefits as well as costs (Cass 2005 p 41)

Having this in mind, this provides an environment for the EU leaders in which political action on climate change issues enjoys great public confidence. This is one reason why climate policy has become an important driver of European integration in general. Moreover, after the failure of the Treaty Establishing a Constitution for Europe in 2005, this gave rise to a situation in which the European institutions were looking for opportunities to reinforce their legitimacy and to reinvigorate the European integration process (Kelly et al. p. 14). At that point the EU was faced with widespread scepticism about its performance and climate change therefore provided an issue in which it was possible to demonstrate EU relevance (Helm 2009 p. 223). This does not only count for the supranational institutions but also for the member states which equally wanted to respond to public concerns about both environmental degradation and the role of the EU (Warleigh 2003 p. 95). Within sociological approaches, the increase of EU climate policy relies on the opportunities to gain legitimacy through striving for an ambitious and a leading role for the EU in global climate change policy. While rational lenses would merely state that EU leaders have strategically chosen climate change policy because they hoped that this issue would catch on citizens' support, normative approaches see legitimacy as a value in itself.

Whereas legitimacy is an important value which gives insight into the whole policy process, other values are more important when they are articulated with regard to special policy outcomes. By promoting the identification and articulation of shared values and legitimising principles the EU does not primarily strive for general support for European integration, but rather seeks to use values and ideas serving as an additional legitimising function for particular policies (Baker 2006 p. 78). The following examples of "multilateralism" and "solidarity" will show how the EU uses values to promote their preferred climate policy architecture.

### 5.3.2 Multilateralism

A striking characteristic of EU external climate policy is the aim to establish a multilateral climate agreement including binding commitments. It is worth to have a closer look at the relation between the EU and the United Nations since the most important international initiatives to protect the global environment have been negotiated under the UN framework (Damro 2006 p. 175).

In doing so, this thesis adopts a classical definition of multilateralism which sees multilateralism as an institutional form that coordinates relations among three or more states on the basis of generalised principles of conduct (Ruggie 1992 p. 586). The "multilateral system" constitutes the universe of multilateral organisations, international law, and multilateral principles, norms and politics. Within this conception, it is the invocation of principles and norms that distinguishes multilateralism from bilateral cooperation which places national interest at the centre, though of course interests are not absent from multilateral interaction (Laatikainen and Smith 2006 p. 5).

Multilateralism can be regarded as a guiding principle of the European Union. As the Commission notes, "[t]he European Union's commitment to multilateral-

ism is a defining principle of its external policy. Taking international cooperation as a precondition for meeting numerous global challenges, the EU has a clear interest in supporting the continuous evolution and improvement of the tools of global governance” (CEC 2003 p. 3). Some theorists go further and assess the commitment to multilateralism as a part of the emergent identity of the EU. As Vogler and Stephan note, the EU generally sees its own projects as being in accordance with the ethos of the United Nations system itself while powerful players like the United States or emerging giants like China are opposed to many aspects of international regulation (Vogler and Stephan 2007 p. 390). The contrast between the US and EU perspective on multilateralism could not be stronger. While the EU includes effective multilateralism as a cornerstone of its foreign policy, the United States has embraced a rather diplomatic tone that is sceptical of and impatient with UN multilateralism (Laatikainen and Smith 2006 p. 7). Therefore the basic argument concerning multilateralism is that the EU supports these forms of international cooperation, because of its own history and its tradition of favouring region-to-region cooperation (Vogler 2005 p. 838). Thus, the deep commitment to values like democracy, solidarity, sustainability, market-based economy, cultural diversity and the rule of law creates a “natural support” by the EU for multilateral solutions to global problems (CEC 2004 p. 7).

A second argument is that all EU institutions are obviously content with the idea to handle climate policy with the help of multilateral instruments. In the beginning, it was mostly the member states that were present at the UN level. But the Commission acquired more and more competences for the Community level. This was mainly based on a number of legal and political decisions that created the system of mixed competence. This enabled the Community to act externally in subjects that might affect internal legislation (Damro 2006 p. 177). This certainly made it easier for the EU institutions to support the prerogative of acting multilaterally. It shows that multilateralism is not only dedicated to strict ideational arguments, but also creates arguments for more strategic behaviour. In this regard, the underlying norm of multilateralism creates an environment in which actors believe that they can realise their preference within the space of multilateral actions. For instance the Commission holds that unilateral action by the EU would dramatically increase the costs to manage climate change and could result in the escape of industry to outside the EU. There is also concern that others, notably the US, could act as a free rider, benefiting from costly efforts undertaken by others, without making any contribution (Baker 2006 p. 81).

Within the EU’s view, multilateralism does not only provide the best forum to deal with the issue of climate change but also the measures taken multilaterally should be supported (CEC 2004 p. 23). Therefore the EU believes that an active commitment to multilateralism also means taking global rules seriously, whether they concern the preservation of peace or the limitation of carbon emissions. It also means helping other countries to implement and abide by these rules. Lastly, it stands for engaging actively in multilateral forums, and promoting an ambitious agenda that is not limited to a narrow defence of national interests (CEC 2003 p. 3). Moreover, the EU sees the UN as an arena in which it can show its ability to act as a frontrunner in developing and implementing multilateral instruments and

commitments (CEC 2003 p. 5). In doing so, the EU seeks to promote its values in the global arena in order to contribute effectively to a strengthening of the multi-lateral system. Therefore the EU makes a point of establishing a cohesive EU presence in policy debates at the UN (CEC 2003 p. 16).

### 5.3.3 Solidarity

Solidarity is another important item of EU policy-making in climate change. It is useful to differentiate two dimensions of this phenomenon. On the one hand, it has an internal dimension as it is an important principle of how the EU shares the burden that derives from its international emission commitments. On the other hand, considerations of solidarity drive its behaviour in international climate agreements. This is reflected in the EU ambition to create fair agreements which recognise the responsibility of industrialised countries to do more about their emission reductions than developing countries.

One of the guiding principles of the EU is the idea of assuring economic and social equality among its member states and regions. For this purpose, the EU set up several mechanisms, such as the Structural and Cohesion Funds which aim at the transfer of wealth from richer to less well-off regions within the Union (Schreurs and Tiberghien 2007 p. 31). The same notion of solidarity applies to EU climate policy. The concept of “burden sharing” has historically been one of the central characteristics of the EU position on climate change (Lacasta et al. 2007 p. 224). EU member states have developed a collective spirit in the sense that they have become used to agree on differential treatments among themselves (Lenschow 2007 p. 426). Wealthier member states are expected to be significantly faster in the implementation of environmental policies as they are more capable of taking stringent measures. Usually EU legislation allows for implementing stricter measures if certain member states want to go beyond the minimum standards and provisions are made for the establishment of differentiated obligations (Schreurs and Tiberghien 2007 p. 31).

The most prominent example in climate policy is the EU’s internal burden sharing agreement of 1998 which allocated the general EU commitments from Kyoto into different emissions reduction commitments to the member states (Barker et al. 2001 p. 244). This agreement allowed member states like Portugal, Spain and Greece to substantially increase their emissions whereas the largest cuts were expected of Germany, Denmark and Luxembourg (Barker et al. 2001 p. 246). In addition, most observers agree that the EU position at Kyoto was strengthened by adhering to the so called “bubble concept” which allowed the EU to internally share the costs of implementing the Kyoto Protocol among all member states. This negotiation position allowed the EU to commit itself to an ambitious reduction target (Schreurs 2004 p. 215). To sum up, the principle of burden sharing builds on the informal norm of social and economic cohesion and has become established a leading record in EU climate policy (Haug and Jordan p. 98).

The second dimension points to the fact that the EU is promoting the idea of fair multilateral climate agreements which shows solidarity with less developed

countries that are often deeply affected by the effects of global warming. Therefore, the EU and its member states demonstrate willingness to take on a greater share of the burdens related to global environmental changes. This is especially evident in the rhetoric regarding climate change and it distinguishes the EU from other industrialised countries as for example the US (Harris 2004 p. 264). The willingness to take a greater share of the burden based on the idea that is described by the “polluter pays” principle which says that the countries causing most of the emissions have the obligation to take the strictest measures in emission reductions. This norm is also reflected in the EU’s attempt to agree on stringent quantitative commitments which shall ensure that each party takes a fair share of reducing GHG emissions (Cass 2005 p. 42). Hence, “[t]he European Union and the rest of the industrialised world have a responsibility to support developing countries in combating and adapting to climate change” (CEC 2009c p.28).

Both the internal and the external dimension of solidarity show that the value of fair commitments is at the centre of EU climate policy. Not only are they both important for the EU behaviour in international negotiations, but they also show that the EU heavily relies on internal norms and values and the involved experiences with these ideas to act externally. This connection automatically leads to the next factor which analyses the idea that the EU with its internal experiences might serve as a model for the global level.

#### 5.3.4 The EU as a Model

The EU proudly promotes a self-image which is guided by the idea that its way of approaching global warming could serve as a model for the global level. As the EU notes, “[t]he EU cannot decide for the rest of the world. But we are facing a global threat, and the best we can do is to show global leadership by example, and demonstrate that the economy and the community can prosper while fighting to limit climate change” (CEC 2008b p. 7).

The idea that the EU could function as a representative example comprises two distinctive aspects. The first concerns the EU’s attempt to promote its internal efforts as an exemplar of how to tackle climate change through a combination of international and regional commitments (Damro and MacKenzie 2008 p. 65). This can also be described as the attempt to transfer internal EU ideas and experiences to the global level. One experience is the inherent nature of the EU itself in engendering mutually beneficial cooperation between sovereign states. This idea is also expressed by theorists who view the EU as a microcosm of the international climate change problem (Skjærseth and Wettstad 2010 p. 314). Since the EU was established to govern cross-border problems in Europe, some have argued that it could serve as a “social laboratory for the global future” and a source of transferable lessons for other quasi-federal settings and regions (Jordan et al. 2010b p. 8). Therefore it is argued that global warming can be addressed using the same approach on the global stage that was successful within the EU: the agreement of legally binding international treaties; pooling of sovereignty in certain policy areas; establishment of supranational institutions, the rule of law as well as

economic solidarity between states (Curtin 2010 p. 1). This was clearly articulated by the President of the European Commission: “This is the great European narrative for the twenty first century. We have created a new and better European political order. Now we must use this experience to create a new and better global order” (Barroso 2007 p. 2). Practically this could also mean strong influence for EU institutions since they could offer their insights and experience at international forums and thus gain a leading role in international policy processes (Zito 2005 p. 372).

This leads to the second aspect of the EU as a model. Not only does the EU seek to use its own internal traditions and experiences on the global stage, but it also strives for leading by example in order to create incentives for others to follow. There is no doubt that the EU believes that the threat of global warming is serious and that someone has to take the lead. Moreover, global leadership on climate change is clearly regarded by European political elites as a prominent case for enhancing the EU’s prestige (Schmidt 2008 p. 91). As the Commissioner for Climate Action recently noted, “[b]ecoming the most climate friendly region is, I believe, the most convincing form of leadership by example that we can provide as we continue pressing for a strong global agreement” (Hedegaard 2010 p. 2).

Thus, the second argument of this section is that the EU’s attempt to lead by example is again deeply rooted in its internal institutional structure. The EU has good experiences with member states taking the lead on an issue and rather reluctant member states which later follow the example. In the EU literature this phenomenon is described as “regulatory competition” and holds that the selection of instruments and the specification of standards create a parallel tension which shapes the nature of EU policy (Zito 2005 p. 368). In this view, member states seek to impose their own national standards at the European level, in order to minimise their own adjustment costs relative to other member states. Subsequently, successful regulatory competition can lead to a situation in which certain states are forced to follow the lead adopted by the whole Community. Thus the member states seek to “upload” their own national preferences, which have to be “downloaded” by other member states (Zito 2005 p. 368). This experience might be transferred to the global level, hence the EU seeks to upload its ideas onto the international agenda. If one spins this a bit further, it would mean that each party of the negotiations would try to impose its view on climate change mitigation on other parties in order to reduce its adaptation costs. However, the successful download by other countries would depend on how well the initiative fits with domestic institutions and interests and the domestic institutional configuration.

One prominent example of an idea that is constantly promoted by the EU is the struggle for targets and timetables. Or in Barroso’s words, “Europe once again showed leadership through action, not words – becoming the first region in the world to implement such far-reaching, legally binding climate and energy targets” (Barroso 2009b p. 4). In this connection the 2008 climate and energy package is seen as the centre piece of the EU leadership role. However, the “leading by example” role of the EU has its limits. The unilateral offer, made at the COP 15 in Copenhagen, to reduce its emissions by 30% was made under the precondition that other states would realise equally ambitious targets. This shows that the EU

does not only seek to lead by example but also challenges the global community to share this ambition (Barroso 2009b p. 4).

Both aspects support the EU in its approach to multilateral climate agreements as they determine the way it behaves in the global arena. Thereby it is of course difficult to measure the effects of EU's assumed leading role but simply the rhetoric shows how it views its own role in the global climate policy which in turn impacts its view on multilateral agreements, for example on ambitious targets and the attempt to promote its own policy-making experiences as a positive example.

## 6 Conclusion

The analysis confirms that various internal factors drive EU behaviour on climate policy and determine its approach to international climate agreements. The study has explained how the nature of the EU institutional and ideational structure has shaped the internal and external dimensions of EU climate policy. It became evident that the initial research question of how the EU's internal dynamics and institutional settings explain EU's external climate policy can be answered from quite different viewpoints and emphases. The three lenses of *institutions*, *interests*, and *ideas* each offer fruitful insights into the EU approach to climate agreements.

The central argument of institutional considerations is that principles once institutionalised in the legal foundations of the EU shape the future behaviour of the relevant actors. Related to this is the observation that governance principles that are grown over time have a huge impact on how policy problems will be addressed. Thus, the main finding from the institutional lens is that the EU approach to include *binding long-term targets* and *timetables* is founded in its domestic institutional structure. In addition, the central finding from the interest-based perspective is that the various institutional actors internally compete for a leading role in EU climate policy and thus enable the EU as a whole to strive for *ambitious* emission reduction targets at international level. Moreover, the prominent role of the European Commission and its resulting influence makes the EU favour “*top-down*” climate architectures at a global level. Finally, the ideational lens provides further explanations for EU *ambitions* in global climate policy. The aim of gaining legitimacy is one reason for EU's attempts to lead on combating global warming. Its commitment to multilateralism points to the fact that the EU seeks a *comprehensive* and *legally binding* global agreement that covers all major emitters as well as developing countries. This leads directly to another ideational explanation which indicates that the EU struggle for a *fair-minded* climate agreement is deeply rooted in its own history with differentiated internal burden-sharing and its commitment to its particular responsibility in mitigating climate emissions. A last central finding is based on the EU's idea to *lead by example* which drives it to push for *ambitious targets* established by a strong global agreement.

What is striking is that the different lenses do not appear to offer conflicting explanations. Although starting from very different assumptions they eventually provide complementing rather than opposing answers to the initial research question. This gives strong evidence that it is fruitful to integrate the different strands of institutionalism in order to draw a full picture of potential explanations. As it has been shown in the analysis, all three perspectives provide valid arguments. Nevertheless, a shortcoming of this exploring approach is that it is very difficult to assess the actual effect of each factor that is identified through the analysis. However, it is possible to recognise the different influences on how the EU develops

its distinctive approach to international climate agreements. This thesis does not offer a comprehensive list of potential explanations and this would have been far beyond its scope. Furthermore on that account the study had to be limited to a certain amount of factors. Nevertheless, what has become clear throughout the analysis is that especially ideational approaches to EU climate policy, which have been underdeveloped so far, provide innovative insights and useful explanations. Thus, using ideas and norms in approaching EU behaviour should definitely be continued as it will enhance the general understanding of the European Union. This thesis should be regarded as a first step into this direction.

There are still several gaps in the understanding of the EU's approach in this area which demand further analysis. It would be interesting to contrast the findings of this thesis with those from other policy areas. Further research should thus be undertaken on the EU approach to multilateral agreements other than climate policy. This would certainly enhance the understanding of the EU and the way that its internal structures explain its external policy-making. Another possible research related to the findings of this thesis would be to address the EU's approach to international climate agreements from an international relations perspective. It would be interesting to see whether IR approaches would provide conflicting or complementing explanations for EU behaviour in international climate agreements.

Let us finally return to the initial example of the COP 15 conference in Copenhagen and its implications for the EU's future role in global climate change. Observers assess the developments in December 2009 as indicators for a serious challenge to the present predominance of "top-down" approaches. The fact that the Copenhagen Accord underachieved from the EU point of view (Reuters 2010) gives rise to the assumption that the EU possibly has to adjust its approach in order to keep a strong role in global climate policy (Egenhofer and Georgiev 2009 p. 7). Thus, the challenge of future negotiations might be to find a new international climate architecture (Curtin 2010 p. 7). One indication for that is that the US is a strong supporter of "bottom-up" approaches. That is especially important acknowledging the fact that the EU wants to have the US, as a major emitter, on board of the next global agreement to provide sufficient international political support to move forward. This became evident during the Copenhagen negotiations as the EU had to decide whether to commit to additional reductions almost entirely alone. The intention to give up its unilateral pledge when it realised that others would not follow with comparable commitments was interpreted as an attempt to "kill the Kyoto Protocol" in order to get the US on board (Alessi et al. 2010 p. 6).

It will be interesting to follow how the EU will adopt these new demands. Will the EU still promote its approved principles and experiences or will it be open for new measures and approaches? The history of EU emission trading has shown that the EU is good in adopting new policy ideas. Rather than taking the lead in global efforts, the internal ability to develop innovative approaches might become the new strength of the EU.

## 7 Executive Summary

Climate change is a “global” problem by nature as its causes, effects and potential solutions transcend state boundaries. This creates a special need for international cooperation. Although there is broad acceptance for global action in order to fight climate change, states have different perceptions on the design of a global agreement to deal with the problem. Compared to other countries or regions, the European Union has developed its very specific view on the global climate policy architecture and the design of multilateral climate agreements. Europe has a tradition of targets and timetables, prefers legally binding agreements and strives for ambitious reduction commitments. Moreover, during the history of international cooperation to fight climate change, the EU has sought to take a leading role in the negotiations.

Against this background, this thesis seeks to shed light on the development of the EU view on international climate agreements and aims at explaining this view through factors rooted in the internal structure of the EU. Thus, the study is guided by the following research question: *How do the internal dynamics and institutional settings of the European Union explain its approach to international climate agreements?* The answer is compiled in a two-step analysis. The first step is to identify the EU’s approach by detecting specific patterns in the formulation its position on international climate negotiations. The second step contains the discovery of possible causes for the EU’s position. The underlying hypothesis is that the institutional and ideational complexities of the EU’s structure define its approach to international climate agreements. Thus, the main part of the analysis makes use of theoretical insights from institutional perspectives on the EU integration process.

An overview of the cornerstones of EU’s external and internal climate policy shows that both global climate initiatives and the measures that the EU takes domestically determine the way it views multilateral climate agreements and thus are important building blocks to understand the factors that drive the EU’s approach. Hence, the empirical analysis of its position on international climate agreements is designed as a qualitative case study in order to examine these factors in more detail. This implies that the emphasis lies on the understanding, discovery and interpretation of the dynamics present within a single setting knowing that a case study design is particularly useful when seeking a better understanding of the dynamics of political outcomes.

Primarily, this thesis has explanatory ambition and in pursuing this ambition it uses explanations derived from institutionalist approaches to European integration. Therefore, the approach of this paper can be seen as an attempt to mapping the field of explanatory factors and possible causes of EU climate policy in order

to get a better understanding of the EU's view on international climate agreements. Thus the purpose is rather theory-developing than theory-testing.

The empirical foundations of this study are based on a combination of primary and secondary sources, in terms of political texts, documents, and previous research. In order to identify the EU position on the international climate architecture, the empirical focus is on the EU's officially stated view on international climate agreements, namely within the context of UN climate negotiations like Kyoto and Copenhagen. The analysis of these two Conferences of the Parties (COPs) in the history of climate negotiations shows that the EU has a rather stable attitude towards the design – both the format and the content – of international climate agreements over time. The study primarily focuses on the official EU's position which is formulated in the Council conclusions and constitutes a relatively strict mandate for all EU actors that have influence in the negotiation process. This includes both the choice of policy instruments and the prevailing rhetoric. However, this does not mean that the role of the Presidency or the Commission in preparing the official negotiation position of the EU is completely disregarded. Methodologically, this common position is identified through a qualitative text analysis of the Council conclusions, Presidency conclusions as well as Commission communications related to the Kyoto and Copenhagen conferences.

The underlying theoretical framework that guides the empirical analysis is based on *institutions*, *interests* and *ideas*. It is assumed that the factors that influence the EU position on climate change can be classified within these three categories. The categories can be traced back to the three strands of new institutionalism (historical, rational choice and sociological institutionalism) and enables the study to give a broad picture of potential explanations to the EU's view on climate change agreements. Of course all factors are intertwined and related to each other but with the help of the theoretical framework it is possible to structure and assess them.

The first part of the analysis examines different architectures of climate agreements. For this purpose central theoretical approaches to climate policy architectures are discussed and linked to considerations of a specific EU approach. Two main approaches are identified: “top-down” and “bottom-up” approaches to tackle global warming, as they are often attached to the EU and the US model. In order to gain knowledge about the question whether the EU has a unique model of approaching climate change major differences between the EU and the US are displayed. These differences show that different perspectives and internal dynamics determine their opposing views on international climate agreements.

The main part of the analysis thus concentrates on the examination of explaining factors in the EU's institutional structure. The study asserts that various internal factors drive EU behaviour on climate policy and thus determine the EU's approach to international climate agreements. It clarifies how the nature of the EU institutional and ideational structure has shaped the internal and external dimensions of its climate policy. The analysis indicates that the three categories of *institutions*, *interests*, and *ideas* each offer fruitful findings on the initial research question.

The central argument of institutional considerations is that principles once institutionalised in the legal foundations of the EU shape the future behaviour of the relevant actors. Related to this is the observation that governance principles that are grown over time have a huge impact on how policy problems will be addressed. Thus, the main finding from the institutional lens is that the EU's approach to include *binding long-term targets* and *timetables* is founded in its domestic institutional structure. In addition, the central finding from the interest-based perspective is that the various institutional actors internally compete for a leading role in EU climate policy and thus enable the EU as a whole to strive for *ambitious* emission reduction targets at international level. Moreover, the prominent role of the European Commission and its resulting influence makes the EU favouring "top-down" climate architectures on the global level. Finally, the ideational lens provides further explanations for the EU's *ambitions* in global climate policy. The aim of gaining legitimacy is one reason for the EU's attempts to lead in combating global warming. Its commitment to multilateralism points to the fact that the EU strives for a *comprehensive* and *legally binding* global agreement that covers all major emitters as well as developing countries. This leads directly to another ideational explanation which indicates that the EU's struggle for a *fair-minded* climate agreement is deeply rooted in its own history with differentiated internal burden-sharing and its commitment to take its distinct responsibility in mitigating climate emissions. A last central finding is based on the EU's idea to *lead by example* which drives the EU to push for *ambitious targets* established by a strong global agreement.

All in all, the different lenses do not offer conflicting explanations. Although starting from very different assumptions they eventually provide rather complementing than opposing answers to the initial research question. This illustrates that it is useful to integrate the different strands of institutionalism in order to draw a full picture of potential explanations. As the analysis shows, all three perspectives provide valid arguments. Nevertheless, this thesis especially contributes to the understanding of EU climate policy by using ideational approaches which have been underdeveloped so far. The analysis indicated that using ideas and norms in approaching EU behaviour should definitely be continued as it will enhance the general understanding of the European Union. This thesis should be regarded as a first step into this direction.

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