The Role of the European Union in International Climate Politics

- From the Leader to a Watcher?

Britta Labuhn
Lindenstraße 36
29223 Celle
Germany

T (+49) 05141 931682
M brittalabuhn@yahoo.de

Student ID WWU Münster: 357504
Student ID UT Enschede: s1124722

Table of Contents

List of Abbreviations

AOSIS	Alliance of Small Island States
BASIC	Group of Countries: Brazil, South Africa, India, and China
COP	Conference of the Parties
ECJ	European Court of Justice
ECCP	European Climate Change Programme
EEC	European Economic Community
EP	European Parliament
ETS	Emission Trading System
EU	European Union
GHG	Greenhouse Gas
INC	Intergovernmental Negotiating Committee
IPCC	International Panel on Climate Change
JUSSCANNZ	Loose association of developed non-EU states: Japan, the US, Switzerland, Canada, Australia, Norway, and New Zealand
MS	Member States
QMV	Qualified Majority Voting
REIO	Regional Economic Integration Organization
SEA	Single European Act
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNFCCC	United Nations Framework Convention on Climate Change
UK	United Kingdom
US	United States

1. Introduction

Climate Change has taken a centre stage in European as well as international politics. The reports issued by the International Panel on Climate Change (IPCC) or the Stern Review have confirmed that the rising earth temperature constitutes one of the most serious threats to international security and the well-being of human kind. According to the European Union's Commission President José Manuel Barroso "[responding] to climate change is the ultimate political test for our generation".[1] Since the adoption of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992, climate change has risen to a 'high politics' issue at the international level, which is not only being discussed at the United Nations General Assembly, but also at the Security Council, and G-8 / G-20 summits, to name just a few.[2]

The European Union[3] (EU) has from the very beginning of multilateral climate action in the early 1990s publicly dedicated itself to action against global warming and proclaimed to actively take up a leading role in establishing a comprehensive international agreement within the United Nations' (UN) forums. It has been a fervent supporter of the UNFCCC and later the Kyoto Protocol, always pledging for ambitious and legally binding reduction targets for greenhouse gas (GHG) emissions. When the Bush administration declared its withdrawal from the Protocol in early 2001, the European Union has played a vital role in saving the Protocol and ensuring that it would still enter into force. In 2005, the Union then took the next 'leading' step by introducing the European Emission Trading System (ETS), which was the first supranational scheme of its kind that time. Altogether, the EU has developed into a prominent player in the international climate regime, always highlighting its ambition to take the lead towards an ambitious international climate policy.[4]

Despite this seeming success, however, the EU has found it increasingly difficult to continue taking the lead in international climate change policies during the last years. As issues became more complex and the Union enlarged to 27 member states, the EU leaders seemed to have spent "far more time with each other in coordination meetings than actually negotiating with and listening to their negotiation partners".[5] Such criticism reached its climax at the Copenhagen Conference in 2009, where "the United States and

---

[1] European Commission (EC) (2008).
[2] cf. Oberthür, S. and Kelly, R. (2008): 35; Bretherton, C. and Vogler (2006): 106.
[3] For reasons of simplicity, this study will use the term 'European Union' even if, strictly speaking, the European Community or the European Economic Community are meant.
[4] cf. Grubb, M. and Gupta, J. (2000); Oberthür, S. and Kelly, R. (2008); Harris, P. (2007).
[5] Van Schaik, L. and Egenhofer, C. (2003): 1.

China almost completely sidelined the Europeans".[6] Obviously, the question rises whether the EU has lost its leading position in international climate talks and whether it will be able to maintain – or reconstruct – its self-proclaimed leadership role.

The aim of this study is to clarify which role the EU has played during the last two decades of international climate change policy.[7] Some scholars have already examined that role in international climate policy development in the early and mid 1990[8]; others have conducted in-depth case studies of one particular climate policy event.[9] These analyses have already provided some informative insight to the EU's performance in global climate politics, also in regard to the question whether the EU provided leadership during the respective period or moment. However, case studies and in-depth analyses only generate a rather static picture of the EU's role, which apparently seems to have changed in nature during the last years.

For this reason, this thesis applies an approach that portrays the development of the EU's role in climate politics as a whole, through a long-term perspective that allows capturing such changes. Compared to in-depth analyses and case studies, the application of a long-time approach in a thesis of this scope obviously has the disadvantage that some details of climate policy development will have to be left out. Yet again, the aim of this thesis' is not to reflect international climate policy in its smallest detail, but to capture and explain the overall development of the EU's performance in global climate politics. In this view, a long-term perspective seems best suited for the purpose of this thesis. It will not only indentify fluctuations, changes and continuities of European leadership performance, but it will also allow to uncover possible factors that determine Europe's international performance and to forecast whether the EU is able and/or likely to keep up its long-lasting leadership ambitions.

In this light, this study is structured as follows: Chapter 2 will first of all clarify the EU's general ability to engage in climate politics at the global level. Since the EU does not qualify as a state actor in the traditional sense, a verification of its capacity to act in global climate politics is necessary. This will be conducted in line with the four 'actorness' criteria developed by Joseph Jupille and James A. Caporaso: recognition, authority, autonomy and cohesion. By elaborating on the EU's capacity to engage in climate politics as an international actor, it will also become clear how the EU's institutional structure and internal decision-making affect its external performance.

---

[6] Geden, O. (2010).
[7] The study's analysis is limited to the EU's role as in the climate change regime under the United Nations framework. When using the term "international climate politics" only activities under the UNFCCC and the Kyoto Protocol are implied. Activities falling in the category of bi- or other multilateral contexts (such as the G-8/G-20) are not considered in this study.
[8] cf. Grubb, M. and Gupta, J. (2000); Sjöstedt, G. (1998); Sbragia, A. (1997).
[9] cf. Grubb, M. and Yamin, F. (2000); Favero, A. and Rogate, C. (2010).

Chapter 3 will then provide the analytical framework against which the role of the EU will be measured during analysis. The chapter begins with a brief summary on the development of leadership concepts in International Relations theory, and regime theory particularly. The second part of the Chapter will then elaborate on the leadership typology developed by Joyeeta Gupta and Michael Grubb, which will also be applied in this study. It offers a useful approach for this thesis' purpose since Gupta and Grubb have adapted their typology to the particular characteristics of the climate change regime.

Having clarified the EU's capacity to act in global climate politics and having established the analytical tools with which to assess the EU's role, Chapter 4 finally seeks to answer the question to which extent the EU has played a leadership role within the last two decades of climate politics and whether this role has changed over time. The analysis will be conducted chronologically, starting from the run-up of the UNFCCC adoption at the Earth-Summit in Rio de Janeiro, Brazil in 1992 until the latest climate conference held in Cancún, Mexico in December 2010. For the purpose of analytical clarity, the chapter will be subdivided into several periods, which are built around the most important events of international climate politics: from the negotiation to the adoption of the UNFCCC (1990-1994), the negotiation and adoption of the Kyoto Protocol (1995-1997), the struggle towards the Protocol's entrance into force (1998-2005). and the negotiation about a post-Kyoto agreement (2006-2010). As it is difficult to understand the EU's international role and position without some appreciation of internal climate change development, each chapter will outline both, international and European climate policy development, before the EU's performance will be analysed along the criteria outlined in the previous chapters. This outline will, however, only reveal the most important and most relevant developments, since a detailed description would go beyond the scope of this thesis. A final subchapter will then briefly depict most recent developments and provide a preliminary conclusion on the EU's leadership performance over time.

Chapter 5 will conclude with an overall summary of the thesis' main findings and provide some considerations on the EU's future role in the international climate change regime.

2. The EU as an Actor in International Climate Change Negotiations

The exercise of a leadership role is logically linked to the capacity to act. At first sight, such capacity might appear to be self-evident, as the EU has from the beginning been involved in climate negotiations, has pronounced interests and taken up positions. Yet, unlike its negotiation partners, the EU is obviously neither a state nor an orthodox international organization, but rather constitutes a political system *sui generis* with partly supranational, and party intergovernmental structures for which the template of statehood is obviously inappropriate.[10] When analysing processes in an international political system, in which the capacity to act has conventionally been attributed to sovereign states, a closer consideration of the EU's status as an actor in the international political arena thus appears appropriate before turning to the question of the EU's role in the international climate negotiations.

The following chapter is therefore devoted to prove the EU's 'actorness' – broadly defined as a unit's "capacity to behave actively and deliberately in relation to other actors in the international system".[11] For this purpose, four criteria of 'actorness' as developed by Joseph Jupille and James A. Caporaso will be analysed: recognition, authority, autonomy and cohesion. The following chapter is structured along these criteria.

2.1 EU as a Legal Subject in International Politics (Recognition)

The first consideration in assessing actor capacity of a given entity concerns external *recognition*, which can be understood as the "acceptance of and interaction with the entity by others".[12] This criterion shall be seen as a minimum condition that "adds little substantive understanding of any given entity, but simply registers it on the analytical radar".[13] A distinction can be drawn between *de jure* recognition (which involves diplomatic recognition under international law or formal membership in international organizations) and *de facto* recognition (which relates to the question whether third parties actually interact with the Union rather than with the member states, for instance).[14]

---

[10] cf. Bretherton, C. and Vogler, J. (2006b): 2.
[11] Sjöstedt, M. (1997): 16, cited in: cf. Bretherton, C. and Vogler, J. (2006b): 4.
[12] Jupille, J. and Caporaso, J. (1998): 214.
[13] Jupille, J. and Caporaso, J. (1998): 215.
[14] cf. Jupille, J. and Caporaso, J. (1998): 216.

Diplomatic *de jure* recognition under international law is given by the status of an international legal personality. The European Economic Community (EEC) gained this status with the Treaty of Rome (1957), along with the right to conclude international agreements in areas, in which competences were delegated to the Community.[15] The Community's legal personality was also confirmed by the ruling by the European Court of Justice (ECJ) in the case Costa/ENEL.[16] By the Treaty of Lisbon, the European Union replaced the European Community, which means that the Union nowadays too possesses international legal personality.[17] The process towards being recognized as an official member in international organizations has been more of a struggle for the EU. Only in 1974 the Community gained the 'observer status' to participate in the UN General Assembly[18]; and attempts by the EC to gain a 'full' status within the UN system have been successfully blocked until today, meaning that the EU must receive the explicit right to participate in a UN conference for specific negotiations on a case-by-case basis.[19] As regards climate change, the EU gained full participation rights (equivalent rights as participating states enjoy except for the right to vote and to submit procedural motions) just before the Earth Summit in 1992 after much effort by the Commission.[20] Today, the EU can be said to have achieved recognition in international institutions, since it is widely recognized as a full party to multilateral agreements as a so-called Regional Economic Integration Organization (REIO). The REIO status allows the EU to become party to a convention alongside its member states (MS), even if not one single member state decides to do so. Being common practise these days, the recognition as a REIO has also been applied in the UNFCCC and the Conferences of the Parties to the UNFCCC (COPs) that followed the 1992 Conference.[21]

Taking into account the EU's involvement and participation in these negotiations, *de facto* recognition can also be attested to the EU. The fact that the Kyoto Protocol permits the EU and its member states to achieve a GHG emission reduction *jointly* (as a 'bubble' through differentiated commitments for member states) further supports this assumption. Another evidence for *de facto* recognition can also be seen in President Bush's visit in Brussels, in which he explicitly addressed climate change.[22] Summing up, the EU can thus be said to have attained both *de jure* and *de facto* external recognition in international climate change politics.

---

[15] cf. Bretherton, C. and Vogler, J. (2006): 89.
[16] Delreux, T. (2011): 15.
[17] cf. EU (2010): Article 47 TEU.
[18] A status that has also been granted, for example, to the International Committee of the Red Cross
[19] cf. Sbragia, A. (1997); Schumer, S. (1996): 119.
[20] cf. Bretherton, C. and Vogler, J. (2006c): p. 97.
[21] cf. Bretherton, C. and Vogler, J. (2006): 96.
[22] cf. Bretherton, C. and Vogler, J. (2006b): 18.

2.2 The Union's Competences in Climate Change Policies (Authority)

Next to international recognition, the EU needs to possess the legal competences for acting in global climate politics. The degree of competence is one of the features that most clearly distinguish the EU from a nation state.[23] Since the EU is a creation of its member states, it only possesses competency when the member states have granted it, which means that the EU may only take action insofar as the Treaties provide a legal basis for this.[24] Two questions are connected to the EU's legal competences for this thesis's purpose: which competences does the EU possess in climate policy vis-à-vis its member states, and to what extend may it exercise these competences externally?

As regards the first question, the EU only gained express competences in the field of environmental policy with the Single European Act (SEA) in 1987; environmental issues had not explicitly addressed before by the Treaty of Rome. Although the EU had nonetheless adopted first environmental policies before[25], the SEA is often regarded as a cornerstone for environmental policy, as it introduced an express title with common aims, principles and decision-making procedures for environmental policy. It introduced qualified majority voting (QMV) in the Environmental Council of Ministers and strengthened the European Parliament (EP) (which usually pursues environmental goals stronger then many individual governments) through the introduction of the co-decision procedure for environmental policy.[26] However, MS did by no means give up their full sovereignty on the issue. The new articles provided that the EU only "contributes" to the conservation and improvement of the environment and that protective measures adopted by the Union "shall not prevent any Member State from maintaining or introducing more stringent protective measures" as along as they are compatible with the Treaties.[27] In other words, both the MS and the EU were granted rights to adopt environmental measures, meaning that environmental policy (and hence climate change policy) became a policy area of so-called *mixed* or *shared competences*.

The increasing competences of the Community then unavoidably raised the question of *external competences*. As both, the EU and its MS, generally possess the power to act in the specific policy field, it seems questionable who negotiates and concludes international agreements. This issue was first addressed by the ECJ in the AETR-case in 1971, in which the Court ruled that once the EU had introduced common

---

[23] cf. Lacasta, N. et al. (2002): 358.
[24] cf. Jupille, J. and Caporaso, J. (1998): 216.
[25] Many environmental measures have been adopted by the EU in the 1970s, an example being the first European Environmental Programme that was adopted by the Community in response to the UN Conference on the Environment in Stockholm in 1972 (cf. Waldmann (2007): 260 ff.)
[26] cf. Haigh, N. (1996): 159.
[27] cf. Article 130r and 130t of the Treaty Establishing the European Economic Community (TEC), now Article 191 (4) of the Treaty of the Functioning of the European Union (TFEU).

policy measures, it could also uphold external relations and conclude international agreements in this field (principle of parallelism).[28] In other words, the internal competences of the EU extend to the external sphere. For policy issues falling under mixed or shared competences, this means that both the EU and the MS may act externally. Multilateral agreements conducted under such circumstances, are so-called *mixed agreements*, to which both the EU and the MS are contracting parties.[29] The SEA then codified this ruling with the wording: "Within their respective spheres of competence, the Community and the Member States shall co-operate with third countries and with the competent international organizations". Yet again, this shall occur "without prejudice to Member States' competence to negotiate in international bodies and to conclude international agreements".[30] For this reason, both the EU and its MS are parties to the UNFCCC and the Kyoto Protocol.

The difficulty that arises from this division of competences in mixed agreements is to clearly designate a certain (sub-) issue to the EU or to MS competency respectively. The question whether an issue is governed intergovernmentally or supranationally cannot only be confounding to third parties in the course of negotiations. It has at times even led to extensive negotiations *within* the EU, sometimes causing the EU not to participate in an international negotiation altogether.[31] Here it becomes apparent that the actorness criterion 'authority' cannot be attributed to the EU as easily as the criterion 'recognition'. The sometimes unclear division of and the struggle for competences restrain the EU's authority and thereby its capacity to act. However, the EU's authority can be considerably increased, for instance by adopting binding agreements on common positions and goals previous to an upcoming international negotiation (i.e. by agreeing on a common reduction target).[32] Hence, the EU in general has the possibility to increase authority; yet, to what extent the MS have made use of these means and have managed to agree on common positions remains to be evaluated in Chapter 4.

2.3 Internal Decision-making and External Representation (Autonomy)

A third criterion that is closely linked to the argumentation of authority is the degree of *autonomy*, which Jupille and Caporaso define as "the institutional distinctiveness and independence from other actors".[33] To be considered autonomous, the EU must have a distinctive institutional apparatus, which must bring about outcomes different from the

---

[28] cf. Delreux, T. (2011): 16.
[29] cf. Macrory, R. and Hession, M. (1996): 113.
[30] Article 130r (5) TEC, now Article 191 (4) of the TFEU.
[31] cf. Lacasta, N. et al. (2002): 361; Waldmann, J. (2007): 266.
[32] cf. Waldmann, J. (2007): 266.
[33] Jupille, J. and Caporaso, J. (1998): 214.

pure aggregation of decentralized state system with some own goal formation and implementation procedures. Expressed differently, the EU would need to have some "causal importance that is more than the sum of its constituent parts".[34]

Due to the complex and at times unclear distribution of competences outlined above, assessing the distinctiveness and independence of European institutions is notoriously difficult. The Council – a European institution comprised of the ministers of the MS's governments – best exemplifies the institutional intermingling of the European and member state level. However, European autonomy can be said to be relatively high when the MS manage to reach positions that are above the lowest common denominator.[35] This would be the case when MS adopt joint positions and measures that would not be achieved by exclusive and isolated action of MS. Institutional settings that would strengthen EU autonomy would thus include, for instance, the application of QMV in the Council or the direct delegation of competences to the supranational Commission.[36]

A policy field that clearly exemplifies a high degree of EU autonomy is trade policy. In international trade negotiations, *only* the Commission negotiates on behalf of the EU with the consequence that "the role and influence of the EU are just as clear and predictable as those of the average nations-state".[37] As regards climate politics, the Commission requested a mandate to co-ordinate MS and conduct negotiations on behalf to the EU in the run-up to the Kyoto negotiations, but the Council denied granting the Commission these competences, with the consequence that the Council remained as the dominant body for external climate policy.[38] Before any round of international negotiations the common EU position is established by a formal Council conclusion by unanimity. In contrast to the 'domestic' climate policy, it is the Council (assisted by the EU Council Working Party on Environmental Issues - Climate Change) who prepares a draft position, and not the Commission.[39] The common EU position is externally represented by the Troika, which is composed of the current Presidency, the next Presidency and the Commission.[40] EU representation in multilateral climate talks can therefore not be regarded as distinct as i.e. in trade negotiations, where the Commission conducts the talks. In addition, the Troika is not independent in its performance but relatively strictly bound to the position agreed previously in the Council. In 2004, the EU's external representation has been amended by the appointment of so-called 'issue leaders' and

---

[34] cf. Jupille, J. and Caporaso, J. (1998): 214.
[35] cf. Waldmann, J. (2007): 266.
[36] cf. Waldmann, J. (2007): 266.
[37] Sjöstedt, G. (1998): 213.
[38] cf. Oberthür, S. and Ott, H. (1999): 66.
[39] cf. Van Schaik, L. and Egenhofer, C. (2003): 2.
[40] Before the Treaty of Nice, the Troika consisted of the previous, the current and the next Presidency. The inclusion of the Commission to the Troika increased its overall role in the internal decision-making process, meaning that it also increased EU autonomy (cf. Groenleer, M. and Schaik, L (2007): 987.)

'lead negotiators', which help the Presidency to prepare the internal position and to conduct the external negotiation.[41] This system of EU coordination and representation has enhanced continuance and efficiency during the last years, allowing the EU to gradually increase its autonomy in external climate policy. However, the strict mandate given by the Council obviously constrains the EU negotiators in their flexibility to react to major shifts in the negotiation process or to adapt to new propositions by third parties. In such cases, European leaders are required to decide *ad hoc* how to proceed in additional informal "negotiation-within-a-negotiation"-meetings, which can put the EU at a huge disadvantage if other stakeholders are not willing to wait for the EU to build its new position.[42] Another weak spot diminishing EU distinctiveness and thus autonomy is the multiplication of political representatives of European countries. Since both the EU and the MS enjoy competences to act externally, national representative are still present and can enter informal talks with third parties, which bears the risk of undermining the official EU negotiator's position.[43]

Summing up, the EU can be said to meet the autonomy criteria as it certainly possesses causal importance that is more than just the sum of its constituent parts. However, the degree of autonomy in external climate is much lower than i.e. in trade policy and the rather intergovernmental structure in external climate politics bear the risk than the EU performs more as a collective rather than a cooperate entity. Again, the extent to which the EU has managed to overcome its institutional peculiarities and agree on positions and measures above the lowest denominator remains to be evaluated in Chapter 4.

2.4 Consistency of Policy Preferences (Cohesion)

The last criterion established by Jupille and Caporaso is *cohesion*, as "the degree to which an entity is able to formulate and articulate internally consistent policy preferences".[44] According to the authors, an institution such as the EU can act with varying degrees of cohesion among the poles of a unitary organization on the one, and a "simple aggregate of member states" on the other hand.[45] The authors explicitly emphasise that cohesion does not imply substantial agreement on every issue or even harmony of interests. To clarify the concept of cohesion they divide it in four dimensions: value, tactical, procedural and output cohesion.[46]

---

[41] cf. Oberthür, S. and Roche, K. (2008): 38.
[42] cf. Kaczynski, P. (2010). 4.
[43] cf. Waldmann, J. (2007): 266; Delreux, T. (2006): 246.
[44] Jupille, J. and Caporaso, J. (1998): 214.
[45] cf. Jupille J. and Caporaso, J. (1998): 219.
[46] cf. Jupille J. and Caporaso, J. (1998): 219.

Value (or goal) cohesion can easily be identified in the EU's early commitment to sustainable development in its Environmental Programmes or, more specifically, its commitment to climate protection which is explicitly stipulated in the Treaties since Lisbon.[47] *Tactical* cohesion is present if the individual priorities are somewhat different but can be made to fit with one another through issue linkages and side payments.[48] This is common practise in European policy making via package deals.[49] *Procedural* cohesion, in contrast, implies some consensus on the rules and procedures by which policies are made. According to Waldmann, this dimension is less relevant for external climate policy since most decisions within this field have been and still are adopted unanimously (and not via specific procedures that could force member states to a compromise such as QMV).[50] The final dimension, *output* cohesion, is present when MS succeed in formulating common policies irrespectively of the level of tactical, procedural or even substantive agreement.[51] An example for output cohesion would for instance be the EU's agreement on the internal burden sharing. In order to achieve ambitious reduction commitments on the global level, the EU had previously agreed on a legally binding internal reduction target, however, without having specified an internal implementation policy. The EU's primary aim was only the output (a common reduction commitment), and neither the substance nor the procedure (i.e. distribution of reduction targets among member states).[52] Without implying any harmony of interests, all four dimensions of cohesion are therefore in principle met by the EU.

Summing up, the above reveals that the EU qualifies as an actor in global climate change politics. The criterion of recognition is clearly met. The EU also possesses the necessary authority to become involved in international climate change politics even if it shares its competences with MS and signs international agreements 'only' alongside the MS respectively. Regarding autonomy, the rather intergovernmental structure in climate politics constrains the EU in its capacity to perform, at least from a purely institutional point of view. However, both criteria autonomy and cohesion cannot be evaluated in a purely static manner, as the EU can increase them i.e. by agreeing on common positions and performing coherently. Hence, while general actorness capacity can be attributed to the EU, the *degree* to which the EU has performed as an international actor over time will have to be reconsidered in Chapter 4. Yet, before doing so, the next chapter will provide the analytical framework that will provide for a better understanding of the EU's role in global climate politics.

---

[47] cf. Art. 191 TFEU; European Council (2002): Art. 5.
[48] cf. Jupille J. and Caporaso, J. (1998): 219.
[49] cf. Waldmann, J. (2007): 267.
[50] cf. Waldmann, J. (2007): 267.
[51] cf. Jupille J. and Caporaso J. (1998): 220.
[52] cf. Waldmann, J. (2007): 267.

3. Conceptualizing Leadership

Having reflected the EU's capacity to perform as an actor in global climate change politics, the question now turns to the role the EU has taken up within its international engagement. As reflected in the introduction, the EU's role in climate change politics has been particularly connected to that of 'leadership'. The term is invoked frequently in policy and media discourse on international climate change, yet, mostly without much precision. Very often, 'leadership' is superficially associated with a state's ambition to cut GHG emissions – the more ambitious the reduction goal, the higher the leadership score.[53] In contrast, International Relations and Political Science theory offer a much more nuanced and insightful concept to understand the actual role of an actor in international politics. A drawback on some theoretical assumptions is therefore also useful for the purpose of this thesis. The following chapter will briefly illustrate the most relevant concepts of 'leadership' in academic thought, with special regard to leadership concepts in international regime building. Then, the leadership typology of Joyeeta Gupta and Michael Grubb will be introduced in more detail, as this typology will also be applied in the analysis when assessing the EU's role in the last two decades of international climate policy.

3.1 Leadership in International Relations Theory and Regime Analysis

There is a general consensus among scholars that leadership is a key element of politics and of essential importance for the success or failure of institutional arrangements at international level. Yet, the term has been used and interpreted in really different ways, meaning that there is no one generally accepted definition.[54]

An important distinction of leadership conceptions must be drawn between 'coercive leadership' in the neorealist, and the 'benevolent leadership' in the liberal and regime theory approach.[55] The neorealist school has traditionally focused on a structural power-based account for leadership, arguing that the predominance of one state (the hegemon) would be necessary for establishing or sustaining international cooperation.[56] In sharp contrast to that, neoliberal and regime theorists argued that international cooperation could also develop without a predominant world leader, as long as they share the same interests and expectations.[57] Since the cooperation of states in the climate change regime does not conform to the principles of neorealism, the following

---

[53] cf. Andresen, S. and Agrawala, S. (2002): 41.
[54] cf. Young, O. (1991): 281; Elgström, O. (2007): 449.
[55] cf. Lindenthal, A. (2009): 55.
[56] cf. Zangl, B. (2006): 121.
[57] cf. Zangl, B. (2006): 121.

elaborations on leadership will only concentrate on concepts developed within regime-theoretical thought.

First considerations on the role of leadership in multilateral negotiations and regimes slowly began to emerge in the late 1980s[58], yet actual attention has been paid to this topic only in the 1990s, when several scholars tried to concretize leadership approaches in order to better assess the performance of actors in international institutions.[59] The first important contribution in this context was made by Oran R. Young in 1991 with his essay "Political leadership and regime formation: on the development of institutions in international society". Young argued that leadership is a critical determinant of success or failure of institutional arrangements at the international level but that the concept is though "ill-defined" and "poorly understood".[60] He therefore developed three different types of leadership that come into play in policy regime formation: *structural leadership,* in which the leader translates power resources into negotiation strength, *entrepreneurial leadership*, which relies on the use of diplomacy and negotiation skills to shape the procedural and institutional framework, and *intellectual leadership*, which is the use of ideas to influence other parties' perceptions during the negotiation. The establishment of an effective international institution, according to Young, requires the interplay of at least two of the three types of leadership, and often, even all three types come into play in international institution building.[61] He further proposes that intellectual leadership is particularly prominent during agenda formulation, entrepreneurial leadership during the stage of negotiation, and structural leadership comes into play throughout the process.[62]

Over time, other scholars like Arild Underdal (1994) and Raino Malnes (1995) created further typologies of leadership in international regimes. Their work, however, is to a great extent based on Young's typology, which is why they only differ slightly from each other and shall therefore not be elaborated further at this point.[63] Yet, Underdal's work offers a detailed and substantial definition of leadership, which is worth to be portrayed for this thesis' purpose. He defines leadership as an "asymmetrical relationship of influence in which one actor guides or directs the behaviour of others toward a certain goal over a certain period of time".[64] The definition implies that the leader needs to have a vision or at

---

[58] First efforts trace back to scholars, i.e. Diane Doollittle, who questioned whether the Ozone Layer Regime would have developed differently if the US had given more of an impetus during the regime building phase.
[59] cf. Lindenthal, A. (2009): 87.
[60] Young, O. (1991): 281.
[61] cf. Young, O. (1991): 306.
[62] cf. Young, O. (1998): 21.
[63] cf. Underdal (1994) indentifies coercive, instrumental and unilateral leadership, Malnes (1995) indentifies bargaining behaviour, problem-solving and directional leadership. For a direct comparison of Young's, Underdal's and Malnes's concept, please also refer to Lindenthal (2009), p. 93 ff.
[64] Underdal (1994): 178.

least clear objectives that guide the negotiations. Yet, in contrast to the neorealist thought, these objectives must be collective in the sense that the leader must also take into account the interests of the other parties involved. In other words, leadership is associated with the "collective pursuit of some common good or joint purpose".[65] This does not mean, however, that the leader needs to be totally altruistic; he provides guidance in order to satisfy his own interest in the first place, but is willing to compromise and to include other parties' interest in order to reach a common decision. Hence, a stand-alone behaviour without shared values and interests can not be considered leadership.

In 2000, about ten years after Young's first typology of leadership for regime building, Joyeeta Gupta and Michael Grubb then summarized the development of leadership typologies, and created yet another one that they specifically designed for an analysis of the evolution of the UNFCCC regime in the early 1990s. Their typology is based on a thoroughly investigation of the previous work, yet modified in order to accommodate an actor such as the EU in a policy issue such as climate change. Previous leadership concepts, they argue, have mostly been used for analyzing traditional treaties and disarmament agreements and do therefore not meet the necessary conditions to analyze a long-term problem such as climate change.[66] For these reasons, it is their typology that will also be applied in this thesis. The next chapter will introduce it in more detail.

3.2 A Typology of Leadership in the Climate Change Regime

Like the initial typology used by Young, Grubb and Gupta's leadership typology is based on three different modes: structural leadership, instrumental leadership and directional leadership. In accordance with the leadership definition given by Underdal, all three modes rely on mechanisms a leader uses in order to *guide* or *direct* the direction of other actors towards a certain direction.

Structural Leadership

Structural leadership is defined as "the exercise of power derived from political strength in the global order, and the weight of an actor with respect to the problem at hand".[67] In other words, structural leadership is determined by structural power derived from material and or political resources. Yet, the successful exercise of structural leadership does not only rest on the pure existence of structural power, but also on actor's

---

[65] Underdal (1994): 178.
[66] cf. Grubb, M. and Gupta, J. (2000): 18.
[67] Gupta, J. and Grubb, M. (2000): 19.

willingness and the ability to deploy it. This can be done either by the creation of positive inducements or, also, by the employment of threat and coercion. In any case, the credibility that the leader indeed possesses the potential to deliver its promises or to carry out its threat respectively is decisive.[68] As their predecessors, Grubb and Gupta argue that structural leadership is of particular importance in the evolution and the earliest stages of regime development when an institutional framework has not yet been set up. Some scholars have argued that this type of leadership is a fundamental determinant for any kind of leadership, as it is indispensible for making one's voice heard.[69] Grubb and Gupta agree that the structural weight of an actor is an important tool to increase the chance of leadership influence in general, yet, they emphasize that in the long run it must be applied in relation to the other modes of leadership.[70]

In the specific case of climate change, structural leadership may not only be related the economic resources or the general political weight in the world order, but also on the size of the present and future GHG emissions.[71] As regards the economic weight, the EU is the world's largest market and belongs to the largest exporters and foreign investors. Its ability to act as a 'gate-keeper' for those who want to access the EU market and its ability to enforce European standards on trade partners equips the EU with a great capacity to employ structural leadership. Due to its considerable contributions in official development aid the EU furthermore possesses power to structurally influence developing countries. With regard to GHG emissions, the EU contributes a relatively large share of global emissions, further adding to its structural capacity. Yet, again, the actual performance as a structural leader depends on whether or not the Union makes use of these capacities. Likewise, it is important to note that the significant GHG emission increases in some developing and emerging economies – in India and China particularly – gradually diminish the EU's structural weight in regard to GHG emissions.

Instrumental Leadership

The second mode, instrumental leadership, is a leadership role that particularly matters during the actual negotiation in international conferences. Grubb and Gupta define it as "the exercise of skill in negotiations and the closely related question of instrumental design of the regime to accommodate the needs of different parties".[72] In contrast to structural leadership, the instrumental leader tries to convince other actors

---

[68] cf. Parker, C. and Karlsson, C. (2010): 927.
[69] cf. Kanie, N. (2005): 11.
[70] cf. Gupta, J. and Grubb, M. (2000): 23.
[71] cf. Gupta, J. and Grubb, M. (2000): 19.
[72] Gupta, J. and Grubb, M. (2000): 19.

through integrative rather than distributive bargaining.[73] The probably most relevant element of instrumental leadership is coalition building. Exercising effective instrumental leadership would include, for example, the building and keeping up of so-called 'willing-coalitions' and (thereby) avoiding the establishment of opposing coalitions. It becomes obvious that the exercise of instrumental leadership is closely related to diplomatic know-how and capacities and that it can therefore be well combined with the exercise of structural leadership.[74]

According to Gupta and Grubb, the concept of instrumental leadership in the context of climate change must also be assessed in a longer-term and strategic way, which means that an instrumental leader would need to recognize and consider the long-term interests of other actors and build institutional regime structures that would accommodate the needs of other actors sufficiently. In other words, instrumental leadership can be considered successful when the leader manages to establish regime structures that enable all parties involved to express their fundamental interests and that respects the individual needs of involved parties adequately. With regard to climate change, a central issue of such long-term interests would for instance be the division between the industrialized and developing countries as the countries that have mainly caused global warming versus the countries most affected by its consequences. Successful instrumental leadership would in this context include i.e. the establishment of financial assistance structures that help developing countries particularly suffering from climate change consequences to adapt.[75]

Directional Leadership

A third possibility for an actor to provide leadership is to take "internal and external initiatives that seek to influence the perception of other countries as to what desirable and what is possible".[76] This is what Gupta and Grubb classify as *directional leadership.* It is based on unilateral action accomplished by the effects of a 'leading-by-example' demonstration. By making the first move, the directional leader demonstrates feasibility, value and superiority in the particular policy issue at hand and provides a model that others will want to emulate.

The effect of successful directional leadership is thus that uncertainties regarding new policy measures, institutions or structures are being removed.[77] Considering the huge degree of uncertainties about the necessity and impact of many policy measures

---

[73] cf. Gupta, J. and Ringius (2001): 282.
[74] cf. Gupta, J. and Grubb, M. (2000): 20.
[75] Gupta, J. and Grubb, M. (2000): 20.
[76] Gupta, J. and Grubb, M. (2000): 20.
[77] Gupta, J. and Grubb, M. (2000): 20.

(economically as well as ecologically), directional leadership appears particularly important in the context of climate change. Yet, directional leadership is not necessarily linked to the actual *impact* of a certain policy measure (i.e. the amount of CO_2 reduced), but it can also be built on ethical and symbolic significance. For this reason, directional leadership can be considered a mode of leadership that also relatively small and weak states can exercise.[78] Essential for successful directional leadership is primarily that the leader is perceived as someone who 'keeps its words', which means that the exercise of directional leadership makes particular demands on the leader to actually perform and to actively work towards meeting the goals set forth. As Parker and Karlsson put it: "the realities of the leader's deeds must match its rhetoric.[79]

In case of the EU, directional leadership can generally be exercised by individual national policies or by common European policies. According to Gupta and Grubb, the EU has generally a high potential to develop innovating policy measures and structures, which results from the EU's nature. As a collection of quite diverse states, the EU may naturally gain different perceptions and solutions for a given problem, concerning both a domestic solution and an institutional structure that accommodates the diversity between countries.[80]

4. EU's Role in International Climate Change Policy

After having reflected the EU's capacity to engage in international climate politics and after having conceptualized the performance of leadership, this chapter will now turn to the actual assessment of the EU's performance in international climate policy. Along the three types of leadership introduced in the previous chapter – structural, instrumental and directional leadership – it will be shown to which extent the EU has performed as a leader within the last two decades and how its performances has developed and changed over time. Due to the fact that changes in structural power are less likely and occur much more slowly than i.e. changes in negotiation capabilities, the analysis will to the most part focus on directional and instrumental leadership.

The analysis will be conducted chronologically. For the purpose of analytical clarity, the chapter is subdivided into major phases of international climate politics that are built around central international conferences. As the EU's distinctive status as an actor in

---

[78] Gupta, J. and Grubb, M. (2000): 20.
[79] Parker, C. and Karlsson, C. (2010): 927.
[80] cf. Gupta, J. and Grubb, M. (2000): 22.

international politics restrains it in some leadership elements (i.e. negotiation capacities), the phases will not only depict the major international developments but also outline European policies and political positioning where appropriate, in order to depict the effects of internal developments on the EU's leadership performance. Each phase will conclude with an assessment of the leadership performance for the respective period, before the last sub-chapter will depict the most recent developments and finally summarize the EU's leadership performance(s) throughout the years.

4.1 1990-1994: Establishing the UN Framework Convention on Climate Change

The beginning of the development of the international climate change regime can be set to the year 1990 when the Intergovernmental Negotiating Committee (INC) was established with the aim of preparing an international convention on climate change for the UN Conference on Environment and Development (UNCED) in Rio de Janeiro 1992, a convention that was later to become the UNFCCC.[81] Within the INC, five negotiation rounds were held between February 1991 and May 1992. The central and dividing question during these negotiations was whether or not the convention should include legally binding GHG emission targets. While the EU strongly argued in favour of binding targets, the United States (US) refused to accept any such commitment and emphasized then need for national flexibility on how to cope with GHG emissions instead. The approach brought in by the US was thus much broader than the European one, including i.e. all types of sources, sinks and storages, and was therefore opposed by the EU as well as by the south.[82] Yet, reluctance of the US to agree on more concrete reduction goals was so strong that progress within the INC was nearly blocked until just prior to the Earth Summit. The United Kingdom (UK) – notably not the EU – managed to break the deadlock by bilaterally making a compromise with the US that stabilization of 1990s levels was included as the goal for 2000, yet not as a binding target.[83] Having agreed on this central question, the UNFCCC was then signed by 150 states – including the US and the EU – at the Earth Summit in Rio 1992. The indeterminacy of the Convention enabled a quick and quite unproblematic entrance into force in March 1994.[84]

Parallel to the international developments, the EU and its MS began to form a common position on climate policy for the upcoming international negotiations. In June 1990, the European Council addressed the issue of climate change for the first time,

---

[81] cf. Oberthür, S. and Pallemaert, M. (2010): 29.
[82] The south opposed the US proposal as it included the GHG methane, which originates from cattle breeding and rice cultivation, and is thus mainly emitted in developing countries (cf. Lindenthal, A. (2009): 137)
[83] cf. Bretherton, C. and Volger, J. (2006b): 16; Andresen, S. and Agrawala, S. (2002): 46.
[84] cf. Lindenthal, A. (2009): 144; 161.

underlining that "[the] Community and its member states have a special responsibility to encourage and participate in international action to combat global environmental problems", and should therefore play "a leading role".[85] In October of the same year, the Council then agreed to stabilize CO_2 emissions at 1990 levels by the year 2000 in the Community as a whole, but the MS failed to specify how this target would be achieved and how the common target would be distributed among member states.[86] The substantial disagreement among MS on the need and content of common measures to implement the stabilization target became particularly apparent with respect to the Commission's proposal for a CO_2/energy tax, which was regarded a centrepiece of the four measures proposed by the Commission for EU emission reductions.[87] Some MS (i.e. Germany and the Netherlands) tried to force the adoption of the tax by threatening that they wouldn't ratify the Convention if the EU failed to agree on strong internal measures, and Environment Commissioner Ripa di Mena even threatened not to attend the Earth Summit.[88] Yet, the Council was effectively split on the tax and rejected the proposal. As a consequence, the EU entered the Earth Summit negotiations with a common stabilization target, but without common implementation measures and without its Environment Commissioner. However, although the tax was never adopted, the EU finally ratified the Protocol in December 1993.[89]

The European leadership role in this phase can in this light be seen as ambivalent. The EU has publicly proclaimed its ambition to take on a leading role in the climate change regime and to establish ambitious reduction targets in the Convention. For this purpose, the EU adopted an early internal stabilization commitment enabling it to "take a strong and leading role, particularly in relation the United States"[90], and as such can be categorized as a step for directional leadership. The EU's failure to agree on the internal distribution of the target or on the ambitiousCO_2/energy tax weakened this directional leadership, however, many scholars suggested that without the EU's internal target the Convention would probably have turned out weaker than it eventually was.[91] The EU's call for other industrialized countries to introduce similar positions has moreover energized the work of the INC, which contributed to building first regime structures in terms of instrumental leadership. Yet, by insisting on the introduction of a binding stabilization target into the Convention the EU evoked that the US – the biggest polluter in terms of GHG emissions – nearly blocked the whole negotiation process, which reveals a poor EU

---

[85] European Council (1990).
[86] cf. Oberthür, S. and Pallemaert, M. (2010): 29.
[87] The other three proposals – the SAVE Programme on energy efficiency, the ALTENER Programme on renewable energies and a monitoring mechanism – were adopted by the member states.
[88] cf. Jordan, A. and Rayner, T (2010): 56.
[89] cf. Wurzel, R. and Connelly, J. (2011): 6; Bretherton, C. and Volger, J. (2006b): 6.
[90] Haigh, N. (1996): 162; cf. Yamin, F. (2000): 49.
[91] cf. Lindenthal, A. (2009): 160.

performance in terms of instrumental leadership. The fact that the UK – not the EU – arranged a compromise with the US shortly before the Rio Summit further proves the EU's failure to effectively negotiate a Convention that accommodate all parties' interest.

4.2 1995-1997: Negotiating Binding Reduction Targets in the Kyoto Protocol

After the UNFCCC's entrance into force in 1994, it became clear quickly that it was not ambitious enough to tackle global warming and that an additional protocol with binding reduction targets was necessary.[92] The first group of states calling for binding targets prior to the first COP in Berlin 1995 was the Alliance of Small Island States (AOSIS). The EU used this occasion for repeating its commitment for emission stabilization and called other industrialized nations to follow its example. The EU not only supported the AOSIS group but also merged with many other developing countries to the so-called 'Green Group' in order to build a counter block against the JUSSCANNZ states[93], which actively performed against a binding reduction target.[94] The EU could thereby outnumber the JUSSCANNZ countries and – despite the strong opposition – bring about the so-called Berlin mandate, which set in motion the process towards a binding protocol that should be ready for consideration by COP3 in Kyoto, Japan.[95]

During the Kyoto conference in December 1997, countries indeed agreed upon concrete and legally binding reductions targets for industrialized countries, meaning that the EU has achieved its goal. However, the Kyoto Protocol also included a wide range of issues initially opposed by the EU, such as the possibility to reduce national targets by the use of the so-called flexible mechanisms or the differentiated targets also for non-European industrialized countries. The overall reduction goal was set to 5,2 % compared to 1990 levels for the period of 2008-2012. The EU agreed to the highest reduction target of 8% of all major industrialized countries; the US and Japan accepted cuts of 7% and 6%, respectively.[96] Summed up, the Protocol constituted a genuine compromise as "the EU got their numbers, the US got their institutions, Japan got prestige as a host, the JUSSCANNZ countries got their differentiation and the developing countries avoided commitments".[97] Yet, although it implied a compromise for all industrialized countries, it "came closer to the EC position than of the United States".[98]

---

[92] cf. Kuhn, J. and Tröltsch, J. (2011): 322.
[93] The JUSSCANNZ included Japan, the US, Switzerland, Canada, Australia, Norway, and New Zealand. It was a loose association of developed non-EU states.
[94] cf. Kuhn, J. and Tröltsch, J. (2011): 323; Ringius, L. (1999): 10.
[95] cf. Lindenthal, A. (2009): 165.
[96] cf. Oberthür, S. and Dupont, C. (2001): 77; Jordan, A. and Rayner, T. (2010): 64.
[97] Andresen, S. (1998): 28. In: Andresen, S. and Agrawala, S. (2002): 47.
[98] Ringius (1999): 13.

At European level, during the whole process finally leading to the Kyoto Protocol, the EU's ambition for taking on a leading role in the run up of such a Protocol remained strong, especially within the Commission. Environmental Commissioner Ritt Bjerregaard for instance stressed that it is of utmost importance to "reinstate the European Union as a leader in the combat against Climate Change by agreeing on ambitious binding commitments and agreeing on policies and measures that will make it realistically possible to reach these commitments".[99] As regards binding commitments, the first important step hereto was made in 1996 by the Environmental Council's decision in 1996 to limit the global temperature rise to 2° Celsius above the pre-industrial level, an objective that from then on has continuously guided EU (external) climate policy.[100] In addition – and more importantly for the Kyoto negotiations, the EU indeed finally succeeded in differentiating reduction targets for its MS, which paved the way for the Council's decision that industrialized countries should achieve a 15% reduction by 2010 – a position that was far more ambitious than any other proposal made by industrialized countries.[101]Yet, the adoption of internal policies and measures to achieve this target was much more of a struggle for the EU. Although the EU agreed on a total reduction target of 15 %, the individual MS targets only added up to about 9,2 %, meaning that "the EU's common position was more apparent than real".[102] Some countries thus doubted the authenticity of the 15% target, which put the EU again under pressure to develop credible internal policies.[103] The EU then adopted a much regulation on traded products (i.e. a directive on energy labelling of household appliances) and also launched an innovative voluntary agreement with vehicle manufacturers. All these measures, however, were still not considered sufficient for reaching the ambitious 15 % target, so that the EU continued to struggle with a significant credibility gap between what it was calling for at the international level and what was delivered at the domestic level. According to Jordan and Rayner, these measures indeed "still constituted little more than the sum of national policies".[104]

However, as already mentioned above, the Kyoto Protocol and the related negotiation process taken as a whole can be seen as a European success.[105] Even though the EU did not succeed in including its 15 % reduction target into the Protocol, it compromised and convinced the US to agree to a binding target that was still higher than the US had initially considered. According to many scholars, the Protocol would have been less ambitious if it was not for the EU to argue for it.[106] In contrast to the UNFCCC

---

[99] EC (1996).
[100] cf. Oberthür, S. and Pallemaert, M. (2010): 33.
[101] cf. Oberthür, S. and Dupont, C. (2001): 33.
[102] Jordan, A. and Rayner, T. (2010): 63.
[103] cf. Yamin, F. (2000): 49; Ringius (1991): 10.
[104] Jordan, A. and Rayner, T. (2010): 64.
[105] cf. Kuhn, J. and Tröltsch, J. (2011): 324; Bretherton, C. and Volger, J. (2006b): 16.
[106] cf. Lindenthal, A. (2009): 189; Yamin, F. (2000): 65.

negotiations, the EU was furthermore willing to compromise (flexible mechanisms and differentiated targets) in order to accommodate the central interests of other countries, notably the US, which reveals a high degree of instrumental leadership. In using its political weight and diplomatic ties to the developing countries, the EU furthermore managed to build the 'green coalition' prior to Kyoto, which attests a strong European structural leadership performance that the EU has combined with its instrumental efforts. Lastly, the EU has proved strong directional leadership prior to the COP3 by establishing the 15% reduction agreement, which put pressure on other parties to follow and can thus be regarded as directional leadership. All in all, the time period around the Kyoto process can therefore be said strongly coined by European leadership, as all three types have been applied relatively successfully by the EU. Yet, it must be noted at this point that the lack of far-reaching implementation policies caused some countries to doubt the authenticity of the EU's 15 % target, which according to Gupta and Grubb diminished directional leadership. If the EU had not suffered from this credibility gap, Lindenthal argues, other industrialized countries would maybe have agreed to even stronger reduction commitments.[107]

4.3 1997-2005: Saving the Protocol's Entrance into Force

After the Kyoto Protocol was agreed, some scholars characterized the following international negotiation process as a stalemate. The following COPs in 1998 and 1999 brought about neither great advances nor great failures.[108] And in line with the international situation, the level and pace initiatives at EU level slowed down, too. After having distributed the Kyoto targets among MS in 1998, the EU's internal situation was characterized by dissent on its own further policy direction.[109] The whole process only gained momentum again in 1999 when the EU announced to strive for the Protocol's entrance into force by 2002. In 2000, the Commission then launched the European Climate Change Programme (ECCP), with the aim to identify and develop all necessary elements of an EU strategy to implement the Kyoto Protocol.[110] With this package, the EU managed to take an important move enhancing its credibility and thereby strengthening 'leadership' expectations for the upcoming COP 6 in The Hague, which was supposed to prepare for the Protocol's entrance into force until 2002.[111]

Yet, the actual The Hague Conference, taking place in November 2000, turned out to be rather a "collapse" than the expected success, constituting a "dramatic turning point

[107] cf. Lindnthal, A. (2009): 194.
[108] cf. Oberthür, S. and Ott, H. (2001): 18; Ott, H. (2001): 280.
[109] cf. Oberthür, S. and Ott, H. (2001): 11; Yamin, F. (2000): 54.
[110] EC (2010).
[111] cf. Metz, B. et al. (2001): 167; Grubb, M. and Yamin, F. (2001): 261.

in the global efforts to tackle [climate change]".[112] The Conference was characterized by sharp disagreement on i.e. carbon sinks and reservoirs, compliance as well as the provision of financial assistance to developing countries. Despite intense effort and even the introduction of a complete proposal by COP-President Jan Pronk, agreement was not reached, since neither group was willing to compromise in the 'crunch issues'.[113] In the end, after much disappointment among most parties, it was decided to suspend the COP6 and resume the efforts in mid-2001. The cause for the breakdown has been attributed to many different factors, the EU being one of them. While other parties have already been negotiating the proposal, the EU still found itself negotiating its position internally.[114] Some scholars argue that the EU's internal co-ordination mechanisms had failed due to the French Presidency's failure to manage the Troika, while others suggest that it was due to unilateral action of some member states (again, as in Rio, the UK unilaterally broke a deal with the US last minute, but that deal was not accepted by the EU as a group).[115] In any case, the COP6 showed how the EU's institutional set-up could constrain its impact on international negotiation.

Few months later in March 2001, the newly elected US President George W. Bush proclaimed that the US would withdraw completely from the Kyoto process, putting the regime in serious danger of breaking down.[116] The EU, many other states, UN bodies, and world leaders responded expressing deep concern and regret. In the same month, the EU sent a letter to the White House stressing that a global strategy to tackle climate change is an integral part of US-European relations, and together with Japan an EU delegation even visited the White House offering to renegotiate parts of the Protocol to accommodate the US. Yet, all these diplomatic endeavours failed to succeed.[117] In reply, the Council then decided to continue pursuing the ratification of the Protocol with or without the US, a decision that was supported by an overwhelming majority in the EP (540 to 4 votes).[118] Yet the pressure was high since it was relatively clear that if a deal was not reached soon, the Kyoto Protocol would most certainly die.[119]

At COP7 in Marrakesh in November 2001, the implementing rules for industrialized countries to initiate the ratification process was then sufficiently elaborated. The focus was thereby shifted from negotiating the international regulatory framework to securing the Protocol's entrance into force.[120] Both the EU and its MS had ratified the Protocol by

---

[112] Grubb, M. and Yamin, F. (2000): 261.
[113] cf. Dessai, S. (2001): 4; Ott, H. (2001): 283.
[114] cf. Grubb, M. and Yamin, F. (2000): 274; Ott, H. (2001): 285.
[115] cf. Grubb, M. and Yamin, F. (2000): 263.
[116] cf. Hovi, J. et al. (2003): 18.
[117] cf. Dessai, S. (2001): 6.
[118] cf. Wurzel, R. and Connelly, J (2011): 7.
[119] cf. Dessai, S. (2001): 8.
[120] cf. Oberthür, S. and Pallemaerts, M. (2010): 38.

2002, setting again a good example for other countries to follow. In addition, the EU undertook a number of diplomatic missions in order to increase support for the Protocol from a wider coalition of countries. Until the end of 2002, most industrialized countries ratified the Protocol, with the exception of Russia, whose ratification was essential for the Protocol's entrance into force. In the following years, the EU thus put much effort in convincing Russia to also ratify the Protocol and finally succeeded by offering support to Russia's application to the World Trade Organization as well as agreeing to an energy deal on EU-Russian gas trading.[121] In November 2004, Russia finally ratified the Protocol so that it entered into force on February 2005.[122]

In addition to its external efforts, the EU's internal policy-making also accelerated significantly. Next to its early ratification, the EU adopted several new climate policies, the most important being the Emissions Trading Directive. Unlike the CO_2/energy tax, the Directive could be adopted by qualified majority vote, which is why it was adopted in "an astonishing quick process" in 2003 – just two years after the Commission first proposed it.[123] The EU thereby did not only give up its initial opposition towards this policy instrument, but it even became a pioneer by setting up the world's first supranational ETS. A serious of other policy measures followed, meaning that the initial strong reluctance of member states to agree on common measures was increasingly overcome.[124] Finally, "the EU's internal policy machinery was […] moving into a higher gear".[125]

Summing up, this period is characterized by an impressing ambitious adoption of policy measures. With the adoption of the ambitious ECCP and the European ETS – just to name the most important acts – the EU could finally close the credibility gap that it has suffered from in the 1990s. The EU thereby significantly strengthened its capacity of directional leadership since – as elaborated in Chapter 3 – the credibility of the leader's domestic measures is essential for a successful leadership performance. Yet, as regards the other two leadership modes, the EU's performance must be labelled as somewhat shifting. At COP6 in The Hague, the EU made no use of its increasing credibility and leadership capacity. Instead of constructively directing the international negotiations and seeking compromises with third countries, the EU was busy in finding and adapting its own position, a situation that must be attributed to the EU's failure to overcome the constraints resulting from its institutional set-up. Yet, the EU seems to have learned from the poor performance at The Hague. Even if not successfully, it tried hard to convince the US not to withdraw from the Protocol, showing a high willingness to prove instrumental

---

[121] cf. Parker, C. and Karlsson, C. (2010): 929.
[122] cf. Oberthür, S. and Pallemaerts, M. (2010): 42.
[123] cf. Jordan, A. and Rayner, T. (2010): 69.
[124] These measures included inter alia decisions on: energy end use efficiency, energy performance on buildings, promotion of the use of biofuels and on combined heat and power production.
[125] Jordan, A. and Rayner, T. (2010): 69; cf. Wurzel, R. and Connelly, J (2011): 8.

leadership. This ambition continued even after it became clear that the US would definitely retreat from the Protocol. Some scholars even argued that the US withdrawal constitutes a "window of opportunity" for the EU, which "united the EU in an extraordinary way".[126] In contrast to The Hague, the EU entered negotiations as one entity, for instance when using its common market as an incentive for Russia to ratify the Protocol. In doing so, the successfully combined structural and instrumental leadership for securing the Protocol's entrance into force.

4.4 2006-2010: Negotiating a Post-Kyoto Agreement & the Collapse in Copenhagen

With the Protocol's entrance into force secured and its implementation on track, both international and European discussions turned towards preparing the post-2012 period, when the Protocol's commitment period would expire. First considerations on a follow-up agreement were conducted at the COP11 in Montreal in December 2005, which at the same time was the first Meeting of the Parties to the Kyoto Protocol. The so-called Bali Roadmap established at COP13 in 2007 then draw up a concrete negotiation plan with the aim to achieve an agreement at COP15 in December 2009 in Copenhagen.[127] The non-participation in the Kyoto Protocol of some states evoked that the post-2012 negotiations continued on a dual track: one including all 194 parties to the UNFCCC discussing long-term action against climate change, the other including only the 184 parties to the Kyoto Protocol discussing specific GHG reduction targets for the post-2012 period, with the relationship between the two tracks being rather unclear. How to continue negotiations and how to design the post-2012 agreement was thus a central issue within the further discussions.[128]

The EU envisaged a single legally binding international treaty that would join the two negotiation tracks.[129] In order to prepare for further commitments, the European Council meanwhile agreed on the so called 20-20-20 by 2020 package, which aimed at achieving a 20% GHG emissions reduction 20% share of renewable energies in the EU energy supply and a 20% saving on the EU energy consumption by 2020. The GHG reduction target would even be increased to 30% if other developed countries committed to comparable reduction targets.[130] In January 2008, the Commission then proposed a second 'Climate and Energy Package', consisting of four legislative acts implementing the 20-20-20 targets. Yet, in light of the global financial and economic crisis, even 'fore-

---

[126] Groenleer, M. and Van Schaik, L. (2007): 990.
[127] Art. 3 (9) of the Kyoto Protocol also requires the parties to start reconsidering the commitments for a post-2012 period in 2005.
[128] cf. Oberthür, S. and Pallemaerts, M. (2010): 44.
[129] cf. Parker, C. and Karlsson, C. (2010): 936.
[130] cf. EC (2010).

runner' states in climate protection such as Sweden and Germany opposed the initial ambitious proposal, which caused intense internal debate on how to proceed. The fact that the package was nevertheless adopted in a high speed reflects a high degree of political resolve among EU leaders to preserve EU directional leadership ahead of the crucial COP6, yet, this was only possible at the expense of significantly watering down the initial proposal.[131] Divergence among the MS's interests also became apparent in discussions on the negotiation mandate. Exemplifying for the internal disputes was i.e. the debate on financial assistance to developing countries. The MS all agreed that financial support is essential to stimulate negotiations and provide further leadership, but they strongly disagreed whether or not to make specific financial commitments to developing countries and, if so, how big this contribution should be. A common position was therefore only agreed upon on the very last Council meeting before the COP, according to which the EU would provide a non-quantified 'fair share' to the financing. Due to the internal disputes, the mandate was unspecific and at the same time strict and inflexible.[132]

This strict mandate led to the necessity to internally discuss every major change in the position of third countries, which again made it difficult for the EU to efficiently negotiate.[133] In addition, the disputes already present in the run-up to Copenhagen created a climate of distrust among European leaders, which further weakened the EU's negotiation capacity. More than in any previous conference, MS "were reluctant to share with fellow EU states, including the Presidency, information gained through bilateral talks with third countries".[134] Some MS were also unwilling to leave the floor to the Presidency, but instead (mis-) used the Summit as a forum to increase attention and public support by acting as the main negotiator. The US – which had previously expressed to rejoin the climate negotiations – took advantage of this situation and negotiated either with the Presidency or bilaterally with a certain MS, depending on where consent was more likely.[135] In this view, the EU had serious difficulties in convincing other parties of its one-track proposal. The developing world not only criticized the EU's position on financial aid as being insufficient, most developing countries even interpreted the EU's proposal as an attempt to "kill Kyoto" and to "weaken drastically the legal status of industrialized country commitments".[136] In sharp contrast to that, the BASIC countries (Brazil, South Africa, India and China) managed to build a quite united front speaking with one voice in favour of preserving the main tenets of Kyoto. To many observers, this new alliance strengthened mainly at the expense of the EU, which was increasingly marginalized during the

---

[131] cf. Santarius, T. et al. (2009): 77.
[132] cf. Parker, C. and Karlsson, C. (2010): 936.
[133] cf. Parker, C. and Karlsson, C. (2010): 936.
[134] cf. Kaczynski (2010): 2.
[135] cf. Shapiro, J. and Witney, N. (2009): 44.
[136] cf. Allessi, M. et al. (2010): 6.

Conference.[137] The Conference's final document – the 'Copenhagen Accord' – was presented by the BASIC group and the US without EU participation. Yet, the Accord failed to receive the necessary unanimous approval, but was only 'noted' by the parties, meaning that it did not gain any formal status under the UNFCCC.

The poor European performance at the Copenhagen Summit caused many to question whether the EU has lost its leading position it had provided in the previous years. Prior to Copenhagen, the EU had again adopted a series of ambitious internal targets and measures, which reveals the EU's continuing approach to direct the climate negotiations through the application of directional leadership. The quick adoption of the Climate and Energy package – even if watered down – also demonstrates the EU's strategy to improve its negotiation position by 'leading-by-example'. However, similar to The Hague, the EU was not able to supplement its directional leadership aspiration with instrumental leadership during the actual COP. The strict negotiation mandate, the deep internal disputes and the failure to speak with one voice – all features closely linked to the EU's institutional set-up – hindered the EU to efficiently negotiate with third parties and in the end even deterred it from participating in the discussions leading to the Copenhagen Accord. The MS's dispute about financial assistance to developing countries and their inability to agree on concrete offers, for example, hindered the EU in making incentives for the developing countries to join the European position. In contrast to previous conferences, the lack of European instrumental leadership during the conference was this time filled out by the BASIC countries and the US, leaving the EU almost completely sidelined. In other words, the EU's focus on directional leadership did not only diminish the negotiation process; this time it even made the Union being forced to watch other countries shaping international climate negotiations.

4.5 <u>Current Developments & Preliminary Conclusion of EU Leadership Performance</u>

After the breakdown in Copenhagen, expectations for the further process had been considerably downscaled. The following meetings brought accordingly little movement. Yet the smooth progress at the next COP16 in Cancún, Mexico has to some extent restored the hope for a new international binding agreement. The conference's outcome, the so-called Cancún Agreements, basically incorporated the pledges made in Copenhagen into the UN process, but further elaborate and complement it.[138] Progress has particularly been achieved on adaption, climate finance and on technology transfer; guiding principles have been defined and a number of new institutions have been created.

---

[137] cf. Allessi, M. et al. (2010): 7; Schall-Emden, J. (2009).
[138] cf. Oberthür, S. (2011): 6.

The agreements in many parts remained vague and general in its substance, lacking implementation and monitoring details, but the countries defined an elaborate work programme for future work.[139]

Prior to the conference the EU had made clear that it still favoured a single new treaty as a post-2012 agreement. Yet, in contrast to pre-Copenhagen, it was this time nonetheless open to "consider a second commitment period under the Kyoto Protocol as part of a wider outcome including the perspective of the global and comprehensive framework engaging all major economies".[140] In other words, MS agreed that they would accept a continuation of the two-track approach provided that other major emitters would also commit to a fair reduction target, a position that helped to address the developing countries' concern that the EU was trying to 'kill' Kyoto.[141] In addition, the EU enhanced its diplomatic efforts, for example within the "Cartagena Dialogue for Progressive Action", an informal forum created in March 2010 in order to bring together countries from different negotiation blocks to explore areas of convergence and enhance joint action. The EU has actively engaged in to the forum and succeeded to secure a number of points, as i.e. the work programme for the negotiations following Cancún.[142] Moreover, the EU started engaging more intensively in bilateral talks. In early 2010, for instance, the new Climate Action Commissioner Connie Heedegaard visited China in order to discuss technology cooperation, cooperation of regional bodies and even a possible merger of the EU ETS market with a future Chinese carbon market.[143] At the actual COP, the EU has continued this new track positioning itself "as a bridge-builder between the major blocs" while "trying to tilt the balance as much as possible in favour of its own overall objectives".[144]

After the failure in Copenhagen, the EU has thus managed to 're-join' the climate talks and to actively shape the negotiations' direction. Two shifts in the European position may have contributed to that: first, the EU has eased its 'take-it-or-leave-it' position and proclaimed willingness to compromise on the two-track solution for the post-2012 agreement. As mentioned above, this change in position has alleviated the developing countries' concern that the EU was trying to 'kill' Kyoto and thus provided the basis for entering coalition and bridge building processes. Secondly, the EU has put a strong emphasis on instrumental influence by deliberately establishing such coalition and bridge building efforts. Hence, while principally sidelined in Copenhagen, the EU this time actively engaged in informal and formal preparatory discussions and finally positioned itself as a bridge-builder between the major blocks during the actual COP. According to

---

[139] cf. Oberthür, S. (2011): 7.
[140] Council of the European Union (2010): 2.
[141] cf. Heegegaard, Connie (2010).
[142] cf. Oberthür, S. (2011): 11.
[143] cf. Fischer, S. and Leinen, J. (2010): 6; Favero, A. and Rogate, C. (2010).
[144] cf. Oberthür, S. (2011): 10.

Fischer and Leinen, the bilateral initiatives that the EU engaged in prior to Cancún have led to "progress towards better understanding and the opening up of new potential for climate protection".[145] In other words, the EU succeeded not only to rejoin the negotiations as an influential party; it stimulated the negotiation process by providing instrumental leadership.

Having reviewed the major developments on the European and international level from the early beginning of international climate negotiations until the most recent COP in Cancún, it can now be preliminarily concluded that the European Union's role in international climate talks has strongly been coined by *directional leadership*. Ever since the early beginning of climate change negotiations in 1990, the EU has employed the strategy to 'lead by example', arguing in favour of legally binding reduction targets and adopting ambitious internal goals and policy measures for this purpose. The EU's early difficulties to underpin its calls at the international level with domestic action has caused other countries to doubt the EU's authenticity, which limited its credibility as a directional leader – and this 'credibility gap' was somewhat characteristic for the whole 1990s. In the following years however, almost throughout the 2000s, the EU has implemented a wide range of internal policies and measures – the European ETS being the most prominent and significant one – which helped the EU fostering its credibility and enhancing its recognition as a true directional leader.

In terms of *instrumental leadership*, the EU's performance has been more erratic. In the early stages of the regime development the EU's ambitious but inflexible and insisting position has almost blocked the negotiation process as a whole. After the adoption of the UNFCCC, the EU has improved its instrumental leadership performance by building coalitions with the developing world and, in doing so, furthering the process leading to the Kyoto Protocol. However, after the Protocol's adoption in 1997, the EU's focus on closing its 'credibility gap' has to a certain extent sidelined further instrumental leadership efforts. Only after the US withdrawal from the Protocol in 2001, these efforts gained momentum again when the EU undertook strong diplomatic endeavours, first to convince the US to rejoin negotiations, and then to rescue the Protocol's entrance into force even without US participation – all in all an impressive performance of instrumental leadership. Yet again, this phase of instrumental leadership was followed by a re-orientation towards internal measures (directional leadership), with the consequence that the EU did not significantly influence post-Kyoto negotiations, as became most apparent in Copenhagen. Only after having watched the BASIC states taking the lead in

---

[145] cf. Fischer, S. and Leinen, J. (2010): 6.

Copenhagen, the EU again re-emphasized instrumental efforts, initiating another serious of diplomatic activities.

The application of *structural leadership* has also been rather occasional. The only truly structural incentive other than financial assistance was used to achieve Russia's ratification for the Protocol's entrance into force. The EU's relative structural power has been and will continue to decrease, due to the vast economic development of (inter alia) the BASIC states and the related increase in their GHG emissions. However, even though its share in global GHG emission will further decrease, the EU is still sufficiently equipped with structural resources to offer economic, technological and financial incentives.

5. Conclusion

The above discussion has revealed that the EU's engagement in international climate policy has been anything but linear and that its performance within the climate regime has been dynamic, composite and context-dependent. For the very most part of international climate negotiations, the EU can indeed be said to have played a leadership role – even though the type and the degree of leadership have varied over time.

Throughout the development of international climate policies, the EU has primarily relied on *directional leadership*, even if it has long struggled to meet its credibility as a directional leader during the 1990s. *Instrumental leadership* (at times combined with *structural leadership*) has only been applied intensely when 'milestones' of international climate policy were at stake, as was the case in the phase of the adoption of the Kyoto Protocol in 1996/1997 and its entrance into force in 2004/2005. For many years, this strategy has proven quite successful for the EU; yet the 'breakdown' of talks and the poor performance of the EU in Copenhagen have – as elaborated above – caused many to doubt whether the EU has lost its long-lasting leading position.

Indeed, the increasing structural weight and instrumental engagement of the emerging economies (particularly the BASIC group) have challenged and may further challenge European leadership, raising the question of whether the EU is "destined to become a secondary player in this area", watching other states taking the lead.[146] The Copenhagen Summit has to a certain extent confronted the EU with a new situation, since its widely recognized leadership position – mainly gained by its directional leadership efforts – had rarely been challenged by other countries before. No one other state has

---

[146] Egenhofer, C. (2010).

adopted as numerous and ambitious internal policies and measures for climate protection as the EU did, which made it a somewhat unquestioned directional leader. Although it has not performed as an instrumental leader as consistently as it did as a directional leader, no other country has seriously taken on the role of leading negotiations and building or rebuilding regime structures for the most part of international climate negotiations. When the EU lacked instrumental leadership in conferences prior to Copenhagen, talks have tended to stagnate, as has happened for instance in The Hague in 2001. Yet in Copenhagen, the EU's lack of instrumental leadership has been filled out by other states, which has practically sidelined the EU. Due to the increasing role of some developing and emerging countries (structurally as well as instrumentally), in particular the BASIC states, it thus seems that the EU's long-lasting focus on domestic action and directional leadership has this time indeed caused the Union to watch other countries taking the lead.

In this context, the EU's shift in performance from primarily directional efforts towards stronger instrumental engagement after Copenhagen therefore appears to be an appropriate step for the EU to re-enter negotiations and to re-gain a leading role within the regime. Even if the EU has relatively lost structural power, it can still play an important and leading role in keeping the negotiations ongoing and working towards a global agreement in the medium-term; for instance in multilateral forums (as the 'Cartagena Dialogue for Progressive Action') or through bilateral engagement (as with China in 2010). Certainly, such multilateral forums and bilateral arrangements do not substitute for binding agreements under the UN framework. But these initiatives do offer an opportunity to overcome deadlocks in international negotiations, as experienced in The Hague and Copenhagen, while at the same time putting pressure on countries that have not yet participated in such cooperative initiatives. In this light, bi- and multilateral action – also outside the UN framework – might indeed contribute and energize the process within formal UN negotiations, and thus constitute a good opportunity for the EU to provide new leadership.

In other words, the relative loss in structural power does not at all mean that the EU is destined to be a watcher in future climate negotiations, nor does it constrain the Union in (re-) taking a leadership position. Yet, the big challenge the EU faces if seeks to leverage diplomatic potential and continue its focus on instrumental leadership is to enhance its performance as a unitary actor in future negotiations. Chapter 2 of this thesis has proven that the EU generally qualifies as an actor in international climate politics (in line with the four actorness criteria of Jupille and Caporaso: recognition, authority, autonomy and cohesion). Yet, while the two criteria recognition and cohesion can generally said to be met it became evident that the degree of European authority and autonomy may vary across issues and time periods, depending on the member state's

ability to i.e. agree on ambitious internal measures, common positions or to delegate competence to the European Commission. In many cases, as chapter 4 revealed, member states did not succeed to do so, which has diminished EU actorness and thus its capacity negotiate and to effectively apply instrumental leadership.

To which extent the Treaty of Lisbon (which entered into force on December 1 of 2009, a year prior to Cancún) enhances EU actorness and instrumental leadership capacity, probably constitutes a question that could be subject to a separate research of this scope. Yet, it can certainly be said that the establishment of the new Commission on Climate Action has helped European climate policy to sharpen its profile, enhancing institutional distinctiveness and autonomy and maybe even the contingency and coherence of European action in domestic as well as international climate policies. External representation, diplomacy, and instrumental leadership may furthermore be enhanced by the newly created President of the European Council (elected for 2 ½ years), which replaces the rotating Presidency as the chair and spokesman for the Council. The same applies for the establishment of the High Representative and the European External Service, which might especially enhance the EU's capacity to engage in informal or preparatory negotiations. In this light, the Treaty of Lisbon offers some institutional innovations that indeed constitute helpful tools to enhance European actorness and to more intensely engage in instrumental leadership. However, whether the new instruments work efficiently and to which extent member states will be willing to make use of them, remains thus to be seen in future negotiations.

Bibliography

Alessi, Monica, Georgiev, Anton and Egenhofer, Christian (2010): Messages from Copenhagen. Assessments of the Accord and Implications for the EU. In European Climate Platform Report, Nr. 9, April 2010. Available at: http://aei.pitt.edu/14438/1/ECP_Paper_No_9_Review_of_Copenhagen.pdf (08.07.2011).

Andresena, Steinar and Agrawala, Shardul (2002): Leaders, pushers and laggards in the making of the climate regime. In *Global Environmental Change*, Volume 12, Issue 1, pp. 41-51.

Bretherton, Charlotte and Vogler, John (2006): International Environmental Diplomacy. The Union's Growing Role. In Bretherton, C. and Vogler, J. (eds.): The European Union as a Global Actor (2nd edition), Routledge, New York, pp. 80-108.

Bretherton, Charlotte and Vogler, John (2006b): The European Union as a Protagonist to the United States on Climate Change. In *International Studies Perspectives*, 2006, Nr. 7, pp. 1-22.

Bretherton, Charlotte and Vogler, John (2006c): The European Union as a global actor, Routledge, New York.

Council of the European Union (2009): 15265/1/09 REV 1. Available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/110889.pdf (07.07.2011).

Council of the European Union (2010): Council Conclusions – 3036th Environment Council Meeting, Luxembourg, 14 October 2010. Available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/envir/117096.pdf (01.08.2011).

Delreux, Tom (2011): The EU as International Environmental Negotiator. Surrey Publisher, Ashgate.

Dessai, Suraje (2001): The climate regime from The Hague to Marrakech: Saving or sinking the Kyoto Protocol? Tyndall Centre for Climate Change Research, Working Paper No. 12, December 2001. Avilable at: http://www.tyndall.ac.uk/sites/default/files/wp12.pdf.

Egenhofer, Christian (2010): Climate Change Post-Copenhagen: The Need for Transatlantic Cooperation. In CEPS Policy Brief, Nr. 41, February 2010.

Elgström, Ole (2007): The European Union as a Leader in International Multilateral Negotiations − a Problematic Aspiration? In *International Relations*, Vol. 21, 2007, pp. 445-458.

European Commission, EC (1996): The EU's Plans in Responding to Climate Change – Speech held by Mrs Ritt Bjerregaard at the Global Europe Network Conference. Brussels, December 5 1996. Available at: http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/96/320&format=HTML&aged=1&language=EN&guiLanguage=en (11.07.2011).

European Commission, EC (2008): Boosting Growth and Jobs by Meeting Our Climate Change Commitments, Press Release IP/08/80, 23.01.2008: Brussels. Available at: http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/80 (28.06.2011).

European Commission, EC (2010): The European Climate Change Programme. Available at: http://ec.europa.eu/clima/policies/eccp/index_en.htm (06.07.2011).

European Council (1990): Presidency Conclusions of the European Council (25 and 26 June 1990)", Reference: DOC/90/2. Available at: http://europa.eu/rapid/pressReleasesAction.do?reference=DOC/90/2&format=HTML& aged=1&language=EN&guiLanguage=en. (02.07.2011).

European Council (2002): Decision 1600/2002/EC of the European Parliament and of the Council of 22 July 2001 laying down the Sixth Community Environmental Programme. Available at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:242:0001:0015:EN:PDF (10.07.2011).

European Union, EU (2010): Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union. In *Official Journal of the European Union*, Vol. 53, March 2010. Available at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:FULL:EN:PDF (03.07.2011)

Favero, Alice and Rogate, Chiara (2010): Winter-break in Cancún: will the EU carry its leadership? Fondazione Eni Enrico Mattei, Policy Brief, available at: http://www.feem.it/userfiles/attach/201011301854542010.6_Policy_Brief.pdf (28.07.2011).

Fischer, Severin and Leinen, Jo (2010): Course Corrections for Cancún. The Eurpeaopen Union and International Climate Politics. Friederich-Ebert-Sticftung, International Policy Analysis. Available at: http://pdfserve.informaworld.com/527410_751305627_935796083.pdf (28.07.2011).

Geden, Oliver (2010): Leadership by Example, Revisited. Can the EU still serve as a model to lead global climate policy? In *Harvard International Review*, 32 (1), p. 88.

Groenleer, Martijn and van Schaik, Louise (2007): United We Stand? The European Union's International Actorness in the Cases of the International Criminal Court and the Kyoto Protocol. In *Journal of Common Market Studies*, Vol. 45, Issue 5, pp. 969-998.

Grubb, Michael and Gupta, Joyeeta (2000): Leadership. Theory and Methodology. In Gupta & Grubb (eds.) Climate Change and European Leadership. A Sustainable Role for Europe? Kluwer Academic Publishers, Dordrecht, pp. 15-24.

Grubb, Michael and Yamin, Farhana (2000): Climate Collapse at the Hague: What Happened, Why and Where Do We Go From Here? In *International Affairs*, Vol. 77, Nr. 2, pp. 261-276.

Gupta, Joyeeta and Ringius, Lasse (2001): The EU's climate leadership: Reconciling ambition and Reality. In *International Environmental Agreements: Politics, Law and Economics*, Vol. 1, 2001, pp. 281-299.

Haigh, Nigel (1996): Climate Change Policies and Politics in the European Community. In O'Riordan, T. and Jäger, J. (eds): Politics of Climate Change, Routledge, London, pp. 155-186.

Harris, Paul (2007): Europe and Global Climate Change. Politics, Foreign Policy and Regional Cooperation. Edward Elgar Publishing, Cheltenham.

Heegegard, Connie (2010): An EU blueprint for climate success in Cancún. Availbale at: http://eeas.europa.eu/delegations/mexico/press_corner/all_news/news/2010/2010090 1_en.htm (30.07.2011).

Hovi, Jon, Skodvin, Tora and Andresen, Steinar (2003): The Persistence of the Kyoto Protocol: Why Other Annex I Countries Move on Without the United States. In Global Environmental Politics, Vol. 3, Nr. 4, pp. 1-23.

Jordan, A. and Rayner, T. (2010): The evolution of climate policy in the European Union: an historical overview. In: Jordan, A. et al. (eds.) Climate Change Policy in the European Union: Confronting the Dilemmas of Mitigation and Adaptation? Cambridge University Press, Cambridge, pp. 52-80.

Jupille, Joseph and Caporaso, Jameswq .A. (1998): States, Agency and Rules: The European Union in Global Environmental Politics. In Rhodes, C. (ed.) The European Union in the World Community, pp. 213-229.

Kaczynski, Piotr (2010): Single voice, single chair? How to re-organise the EU in international negotiations under the Lisbon rules. In CEPS Policy Brief, Nr. 207, March 2010.

Kanie, Norichika (2003): Assessing Leadership Potential for Beyond 2012 Climate Change Negotiation: elaborating a framework of analysis. Unpublished manuscript, 2003. Available at: http://www-iam.nies.go.jp/climatepolicy/pdf/031002ls.pdf (30.06.2011).

Kuhn, Judith and Tröltsch, Jenny (2011): EU-Klimagovernance – die EU als klimapolitische Vorreiterin. In Simonis, G. (ed.): Externe EU-Governance, VS Verlag, Wiesbaden, pp. 315-345.

Lacasta, Nuno, Dessai, Suraje and Powroslo, Eva (2002): Consensus Among Many Voices: Articulating the European Union's Position on Climate Change. In *Golden Gate University Law Review*, Vol. 32, Issue 4, pp. 351-414.

Lindenthal, Alexandra (2009): Leadership im Klimaschutz. Die Rolle der Europäischen Union in der internationalen Umweltpolitik. Campus Verlag, Frankfurt.

Macrory, Richard and Hession, M. (1996): The European Community and Climate Change. The role of law and legal competence. In O'Riordan, T. and Jäger, J. (eds.) Politics of Climate Change. A European perspective. Routledge, London, pp. 106-154.

Malnes, Raino (1995): 'Leader' and 'Entrepreneur' in International Negotiations: A Conceptual Analysis. *European Journal of International Relations*, March 1995, Nr. 1, pp. 87-112.

Metz, B., Berk, M., Kok, M., Van Minne, J., de Moor, A. and Faber, A. (2001): How Can the European Union Contribute to a COP-6 Agreement? An Overview for Policy-Makers. In *International Environmental Agreement*: Politics, Law and Economics, 1, pp. 167-185, Kluwer Academic Publisher.

Oberthür, Sebastian (2011): Governance after Cancun: Options for EU leadership. In *The International Spectator*, 46: 1, pp. 5-13.

Oberthür, Sebastian and Dupont, Claire (2011): The Council, the European Council and International Climate Policy: From Symbolic Leadership to Leadership by Example. In: Wurzel, R. and Connelly, J. (eds.): The European Union as a Leader in International Climate Change Politics, Routledge, p. 74-91.

Oberthür, Sebastian and Roche, Kelly (2008): EU Leadership in International Climate Policy: Achievements and Challenges. In *The International Spectator*, Vol. 43, Issue 3, pp. 35-50.

Oberthür, Sebastian and Ott, Hermann (1999): The Kyoto Protocol. International Climate Policy for the 21st Century. Springer-Verlag, Berlin.

Oberthür, Sebastian and Pallemaerts, Marc (2010): The New Climate Policies of the European Union. Internal Legislation and Climate Diplomacy. Vubpress, Brussels.

Ott, Hermann (2001): Climate Change: an important foreign policy issue. In *International Affaires*, Vol. 77, Nr. 2, pp. 277-296.

Parker, Charles and Karlsson, Crister (2010): Climate Change and the European Union's Leadership Moment: An Inconvenient Truth? In *Journal of Common Market Studies*, Vol. 48, Nr. 4, pp. 923-944.

Santarius, Tilman et al. (2009): Pit Stop Poznan. An Analysis of Negotiations on the Bali Action Plan at the Stopover to Copenhagen. In *Journal for European Environmental & Planning Law*, Vol. 6, Nr. 1, pp. 75-96.

Sbragia, Alberta M. (1997): Institution-Building from below and from Above: The European Community in Global Environmental Politics. Conference Paper delivered at the European Community Studies Association, May 1997. Available at: http://aei.pitt.edu/2718/1/002740_1.PDF (04.07.2011).

Schall-Emden, Janina (2009): Back to the BASIC: climate change and global governance. Euroepan Alternatives. Available at: http://scholar.google.de/scholar?hl=de&q=%22Back+to+the+BASIC%22%3A+climate +change+and+global+governance&btnG=Suche&lr=&as_ylo=&as_vis=0 (04.07.2011).

Schumer, Sylvia (1996): Die Eurpäische Union als Akteur in der internationalen Umweltpolitik am Beispiel des Klimaregimes. In Brauch, H. (ed.) Klimapolitik. Naturwissenschaftliche Grundlagen, internationale Regimebildung und Konflikte, ökonomische Analysen sowie nationale Problemerkennung und Politikumsetzung, Springer Verlag, Mosbach, pp.105-114.

Shapiro, Jeremy and Witney, Nick (2009): Towards a Post-American Europe: a power audit of EU-US Relation. In *European Council on Foreign Relations*, October 2009, London.

Sjöstedt, Gunnar (1998): The EU Negotiates Climate Change: External Performance and Internal Structural Change. In *Cooperation and Conflict*, 1998, Vol. 33, pp. 227-256.

Underdal, Arild (1994): Leadership Theory. Rediscovering the Arts of Management. In: Zartman, W. (ed.) International Multilateral Negotiation. Approaches to the Management of Complexity. Jossey-Bass Publishers, San Francisco, pp. 178-197.

Ringius, Lasse (1999): The European Community and climate protection. What's behind the 'empty rhetoric'? Center for International Climate and Environmental Research – Oslo, Report 1999:8. Available at: http://www.cicero.uio.no/media/111.pdf.

Van Schaik, Louise and Egenhofer, Christian (2003): Reform of the EU Institutions: Implications for the EU's performance in Climate Negotiations. In CEPS Policy Brief, Nr. 40, September 2003. Available at: http://aei.pitt.edu/1948/1/PB40.pdf.

Waldmann, Jörg (2007): Nie mehr low politics – oder: die EU auf dem Weg zum führenden Akteur der internationalen Umweltpolitik? In Ehrhart, H. et al. (ed.) Die Europäische Union im 21. Jahrhundert. VS Verlag, Wiesbaden, pp. 251-268.

Wurzel, Rüdiger and Connelly, James (2011): The European Union as a Leader in International Climate Change Politics. Routledge, London.

Yamin, Farhana (2000): The Role of the EU in Climate Negotiations. In Grubb, M. and Gupta, J. (eds.) Climate Change and European Leadership. A Sustainable Role for Europe? Kluwer Academic Publishers, Dordrecht, pp. 47-66.

Young, Oran R. (1991): Political leadership and regime formation: on the development of institutions in international society. In *International Organizations*, Nr. 45, pp. 281-30.

Young, Oran R. (1998): Creating regimes: Arctic Accords and International Governance. Cornell University Press, New York.

Zangl, Bernhard (2006): Regimetheorie. In Schieder, S. and Spindler, M. (eds.) Theorien der Internationalen Beziehungen. 2. Auflage, Verlag Barara Budrich, Opladen.